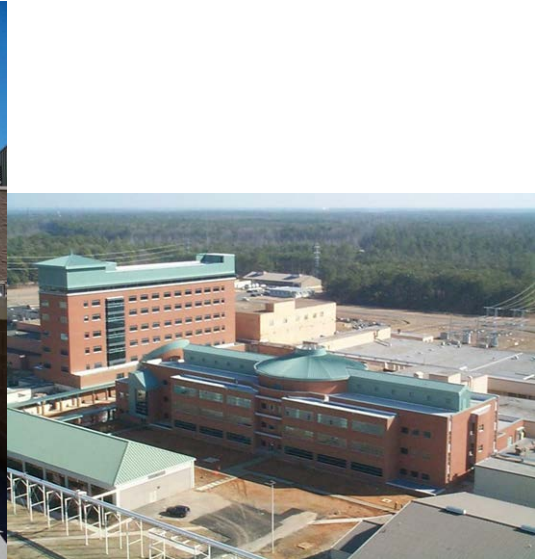




United States Department of  
**Health & Human Services**

# HHS Facilities Program Manual



## Volume II

2007

**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*



United States Department of  
**Health & Human Services**

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**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

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Al Cameron  
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Kenn Cones  
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Jim Windsor

IHS

Kevin J. D'Amanda, P.E.

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Ed Bain  
Charles Blumberg, FIIDA  
Jeff Fellows, FMA  
LT Gregg Gnipp, QEP  
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Charlie O'Hanlon, P.E.  
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CAPT Edward H. Rau, R.S., R.H.S.P.  
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United States Department of  
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## **Administration**



**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

## SECTION 1-1: PLAN OF THE MANUAL

1-1-00	Policy
10	Procedures
20	(Reserved)
30	(Reserved)

### 1-1-00 POLICY

This section presents information regarding the organization and distribution of the United States Department of Health and Human Services (HHS) Facilities Program Manual, as well as the responsibility for its maintenance. This Manual supersedes all of Volume II of the PHS Facilities Manual.

#### A. ORGANIZATION

The HHS Facilities Program Manual consists of chapters that represent major subject categories. The chapters are further broken down into sections, each of which shall set forth HHS policies and procedures with respect to Departmental facilities-related subjects. The sections are generally organized in subsections as follows: Policy, 1-1-00; Procedures, 1-1-10; Guidance and Information, 1-1-20; and Reporting Requirements, 1-1-30. Exhibits/Appendices are included in the manual as necessary to disseminate forms, examples, and additional detailed information.

The numbering system for manual chapters shall be in accordance with the recommended guidelines in the HHS General Administrative Manual (GAM) dated Oct 31, 1995.

#### B. DEVELOPMENT AND MAINTENANCE

1. The Deputy Assistant Secretary (DAS), Office for Facilities Management and Policy, Office of the Secretary (OFMP, OS) is responsible for the development and maintenance of this manual.
2. Changes to the HHS Facilities Program Manual will be issued by the DAS OFMP/OS.
3. Users of this manual are encouraged to submit proposed corrections, updates, and improvements to OFMP for consideration.
4. It is OFMP's standard practice to solicit input on proposed changes from affected parties prior to publishing a change to the manual.

#### C. DISTRIBUTION

1. The HHS Facilities Program Manual will be distributed to each HHS Operating Division (OPDIV) and Staff Division (STAFFDIV) responsible for the budget formulation, planning, design, construction, leasing, operation, maintenance, remediation, and disposal of HHS Facilities. Compliance with HHS policy guidelines and requirements outlined in the manual is the responsibility of each HHS OPDIV and STAFFDIV. Appropriate distribution within each agency shall be assured at the agency level. Recipients should include those responsible for operations and maintenance requirements throughout the real property life cycle.
2. The manual will also be updated and posted on the HHS Web site for the Office for Facilities Management and Policy, Office of the Secretary.

#### D. EFFECTIVE DATE

This manual is effective February 15, 2007. Changes to the manual will be forwarded with an HHS Issuance Notice. The date of the HHS Issuance Notice shown at the top of each page of each chapter/section shall be the effective date of the chapter/section.

1-1-10 PROCEDURES

#### APPLICATION OF THE HHS FACILITIES PROGRAM MANUAL

Volume I of the Manual covers planning, programming, budgeting, approval, acquisition, development, improvement and delivery of HHS facilities. Volume II of the Manual applies to the overall operations and maintenance of HHS facilities. The guidance contained herein is applicable to all HHS organizations responsible for management of leased or owned real property assets.

The policies in this Manual shall apply unless otherwise provided by law or regulation. This Manual shall not be construed to alter any law, executive order, rule, regulation, treaty or international agreement. The Department expects that HHS OPDIVS and STAFFDIVS will comply with this Manual. However, noncompliance with this Manual shall not be interpreted to create a substantive or procedural basis to challenge agency action or inaction.



SECTION 1-2: HHS FEDERAL FACILITY MANAGEMENT POLICY

1-2-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

1-2-00 POLICY

HHS Real Property Management will foster mission success through initiatives and practices that promote occupant productivity and efficiency. HHS will maximize the benefit derived from available resources and timely delivery of those benefits through efficient and effective portfolio management. Appropriate stewardship of HHS owned, leased, or otherwise managed properties includes full and balanced consideration of socio-economic, environmental, and cultural national priorities.

- A. In accordance with the Federal Management Regulation (FMR), executive agencies must ensure that the management, operation, maintenance, and disposal of Government-owned and leased buildings is performed in a manner that provides for quality space and services consistent with operational needs and accomplishes overall Government objectives. The management, operation, and maintenance of buildings and building systems must:
  1. Ensure a safe and healthy workplace free of environmental and other hazards;
  2. Be cost effective and energy efficient;
  3. Be adequate to meet the agencies' missions;
  4. Be in compliance with applicable statutory and regulatory mandates;
  5. Meet nationally recognized and relevant standards; and
  6. Be at an appropriate level to maintain and preserve the physical plant assets, consistent with available funding.
  
- B. Expanding upon the FMR standards, the Federal Real Property Council (FRPC) has established guiding principles for all Federal Agencies to integrate with their real property management initiatives. HHS embraces and adopts the Federal Real Property Council's (FRPC) ten guiding principles applicable to Federal real property asset management and will align HHS-specific asset management objectives and requirements with those principles including:
  1. Support agency missions and strategic goals
  2. Use public and commercial benchmarks and best practices
  3. Employ life-cycle cost-benefit analysis
  4. Promote full and appropriate utilization
  5. Dispose of unneeded assets
  6. Provide appropriate levels of investment
  7. Accurately inventory and describe all assets
  8. Employ balanced performance measures
  9. Advance customer satisfaction
  10. Provide for safe, secure, and healthy workplaces

## 1-2-10 PROCEDURES

Executive agencies must manage, administer, and enforce the requirements of agreements (such as Memoranda of Understanding) and contracts that provide for the delivery of occupancy services. Executive agencies must provide occupancy services that substantially conform to nationally recognized standards. As needed, executive agencies may adopt other standards for buildings and services in federally controlled facilities to conform to statutory requirements and to implement cost-reduction efforts.

Executive agencies with delegation of authority from GSA must provide building services, such as custodial, solid waste management (including recycling), heating and cooling, landscaping and grounds maintenance, tenant alterations, minor repairs, building maintenance, integrated pest management, signage, parking, and snow removal, at appropriate levels to support Federal agency missions.

## 1-2-20 GUIDANCE AND INFORMATION

Investment, operational, and disposal decisions with regard to agency real property assets need to be integrated with and supportive of core mission activities to effectively manage and optimize real property assets. To facilitate integrating real property asset management decisions with the agency mission requires two elements – a clear understanding of the agency’s mission that drives the allocation and use of all available resources (human capital, physical capital, financial capital, and technology/information capital) and an effective decision-making framework. HHS facilities shall be operated and maintained to best meet the functional, safety, and environmental needs of the programs and missions they house.

- **Environmental and Functional Needs:** HHS shall operate and maintain an environment in which occupants can perform their work with maximum efficiency. Real Property Management decision-making will support agency missions and strategic goals. Appropriate levels of investment will be made to protect real property assets and to advance customer satisfaction.
- **Safety, Health and Security:** HHS buildings shall operate and maintain an environment that is safe and healthy for occupants, and that, to the greatest extent possible, offers them maximum protection during emergencies or disasters.
- **Economy:** HHS facilities shall be operated and maintained at the most reasonable cost in terms of combined recurring and one-time expenditures, without compromising other mission requirements. HHS will accurately inventory and describe all of its assets in order that full and appropriate utilization of space can be promoted. Life-cycle cost-benefit analysis shall be employed to explore alternatives for satisfying new requirements. HHS will dispose of unneeded assets in accordance with all applicable Federal laws and regulations.
- **Conservation and Resources:** Energy and water conservation shall be given prime consideration in the operation and maintenance of HHS buildings. Products, materials, and systems shall be selected with a view toward minimizing the use of nonrenewable resources.
- **Preservation of historic and cultural resources** shall be given full consideration in maintenance and operations of HHS controlled real property assets and all federally assisted undertakings.

SECTION 1-3: DEFINITIONS

1-3-00	Policy
10	(Reserved)
20	(Reserved)
30	(Reserved)

1-3-00 POLICY

This section establishes definitions of terms used in this manual and HHS facilities programs. This chapter will assist users of the manual in understanding and properly applying certain terminology to the facilities development process. These definitions and all other definitions in this Manual must be read consistently with all other similar, relevant definitions set forth in any other potentially relevant and applicable laws, regulations, and similar government-wide requirements.

The following terms are defined as they relate to the HHS facilities management program.

Acquisition Planning (as defined by FAR) - The process by which the efforts of all personnel responsible for an acquisition are coordinated and integrated through a comprehensive plan for fulfilling the agency need in a timely manner and at a reasonable cost. It includes developing the overall strategy for managing the acquisition.

Acquisition Strategy - A business and technical management approach designed to achieve program objectives within the resource constraints imposed. It is the framework for planning, directing, contracting for, and managing a program. It provides a master schedule for all activities essential for program success. The acquisition strategy is the basis for formulating functional plans and strategies including the Acquisition Plan (AP).

Act - Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended.

Active (as a facility status) - Assigned a current federal mission or function.

Agency - In very general terms, an administrative unit of government. A Department Operating Division (OPDIV) is any of the agencies under the Department of Health and Human Services which is responsible for the conception, planning, programming, budgeting, and/or execution of a program(s) and any associated operating functions.

Agency Facilities Manager - The person in each HHS agency, responsible for managing the agency's facilities program.

Alterations - Improvements that consist of any betterment or change to an existing property to allow its use for a different purpose or function. (See also the definition of "Improvements".)

Annual Facility Operating Cost - Facility operating cost will include all utilities (electric, gas, water, sewage, cleaning or janitorial costs and roads/grounds expenses etc.), recurring maintenance, and repair cost.

As-Built Drawings - Construction drawings revised to show changes made during the construction process, based on record drawings (marked-up prints, drawings and other data) furnished by the Contractor to the Government.

Balanced Scorecard - A tool that translates an organization's strategy into a comprehensive set of performance measures.

Beneficial Occupancy - Beneficial occupancy takes place on the date when part or all of the work involved in a construction project is substantially complete and the Government takes possession of the designated space or spaces to use for the purpose intended. Beneficial occupancy also initiates the warranty period and any additional environmental mitigation measures identified in the environmental documents to be taken after construction. (The use of a project or portion thereof for the purpose intended.)

Best Value - The expected outcome of an acquisition in the Government's estimation that provides the greatest overall benefit in response to the requirement. Best Value procurement is a method of acquisition in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. Qualitative consideration can be further subdivided into technical design and/or management plan.

Building and Structures - Any betterment or improvement, *i.e.*, a facility, which may be added to real property. Buildings and structures will be classified as:

- a. Permanent facility - A building or structure which is:
  - (1) Intended for long-time occupancy or use, or
  - (2) Designated as the long-term location of an office or activity, or
  - (3) Built on a tract of ground and of materials intended for a long life (more than 25 year estimated useful life).
- b. Semi-permanent facility - Intended for long-time occupancy but built on a tract of ground and of materials which limit the life expectancy of the structure to less than 25 years.

Capital Asset - Capital assets are land, structures, equipment, and intellectual property, including software used by the Federal Government with an estimated useful life of two years or more.

Carpool - A group of two or more people regularly using a motor vehicle for transportation to and from work on a continuing basis.

Change Order (as defined by FAR) - A written order, signed by the Contracting Officer, directing the contractor to make a change that the Changes clause authorizes the Contracting Officer to order without the contractor's consent.

Commercial Activities - Within the meaning of subpart D, Part 102-74 of FMR, are activities undertaken for the primary purpose of producing a profit for the benefit of an individual or organization organized for profit. (Activities where commercial aspects are incidental to the primary purpose of expression of ideas or advocacy of causes are not "commercial activities" for purposes of the FMR.)

Common Financial Framework - Includes closely coordinated planning and budgeting processes; the circulatory system of the network enterprise.

Condition Index (as defined by the FRPC) - The ratio of repair needs to plant replacement value (PRV), calculated as  $[(1 - \text{\$/repair needs}/\text{\$/PRV}) \times 100]$ .

Constructed Asset - A constructed asset is received as equipment, materials, services, and supplies and built to its final, functioning form that is not available "off the shelf," but is built or constructed to unique specifications. The acquisition cost of a constructed asset is the total of all costs (equipment, materials, services, supplies, freight, salaries, benefits, overhead, etc.) incurred in the process of designing and building the asset.

Construction - The erection of a building, structure, or facility, including the installation of equipment, site preparation, landscaping, associated roads, parking, environmental mitigation, and utilities, which provides space not previously available. It includes freestanding structures, additional wings or floors, enclosed courtyards or entryways, and any other means to provide usable program space that did not previously exist (excluding temporary facilities). Construction projects are capitalized in accordance with the accounting principles of the Federal Accounting Standards Advisory Board (FASAB).

Construction Codes - Any set of standards set forth in regulations, ordinances, or statutory requirements of a local, state, or Federal governmental unit relating to building construction and occupancy, adopted and enforced for the protection of the public health, safety and welfare, and the environment.

Contract (as defined by FAR) - A mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized (by the FAR), are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications.

Contract Award - The official instrument and notification from the Contracting Officer that the Government has accepted a contractor's bid or offer.

Contract Modification (as defined by FAR) - Any written change in the terms of a contract (see FAR 43.103).

Contracting Officer - The individual with authority to execute contracts on behalf of the Government. This individual is the sole authorized agent in dealing with the contractor. The Contracting Officer has authority to negotiate and execute contracts on behalf of the Government and to make changes, amendments, approve payments, terminate contracts, and close out contracts upon satisfactory completion.

Contracting Officer's Technical Representative (COTR) - The Project Officer or other authorized representative that is designated by the Contracting Officer.

Contractor - The person, firm, or corporation, with whom the Government has executed a contract, that is responsible for performing the work.

Corporate Real Estate - The work environment or network of places where work occurs.

Cost-Benefit/Cost Effectiveness Analysis - A mechanism to determine the best solution to satisfy facility requirements by exploring and comparing the economics of alternatives such as leasing, constructing a new facility, renovating an existing structure, or an addition/alteration option.

Decontamination (41 C.F.R. § 102-71.20) - The complete removal or destruction by flashing or explosive powders; the neutralizing and cleaning-out of acid and corrosive materials; the removal, destruction, or neutralizing of toxic, hazardous, or infectious substances; and the complete removal and destruction by burning or detonation of live ammunition from contaminated areas and buildings.

Defective Work - Work not in conformance with the contract documents. Materials and equipment, furnished under the contract, that are not of specified quality and new unless otherwise required or permitted by the contract documents.

Deficiency (as defined by FAR) - A material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.

Delegation of Authority - The specific, formal deputation, assignment, or commitment of a legal power or right to take certain actions and to make certain decisions having legal significance. Such delegations must be stated in writing by the official authorized to delegate the authority.

Disposal Agency - An executive agency designated by the Administrator of General Services to dispose of surplus real or personal property.

Easement - An interest in land granted for a specified purpose, such as a highway, utility line, etc.

Excess Real Property - Any real property under the control of a Federal agency that is not required for the needs and discharge of its responsibilities.

Executive Agency (as defined by FMR) - Any executive department or independent establishment in the executive branch of the Government, including any wholly-owned Government corporation.

Facility - A building or group of buildings, a structure, utility system, the site, and/or environs associated with the above.

Facility Condition Index (FCI) - The FCI is a general measure of facility condition at a specific point in time calculated as the ratio:

$$1 - \left( \frac{\$ \text{ Cost of repair needs}}{\$ \text{ Plant Replacement Value}} \right)$$

Facility Utilization Index (FUI) - The FUI is a general measure of the usage and thus the vacancy of the asset.

Family Housing - Buildings used primarily as dwellings for families/dependents. Includes apartment houses, single houses, row houses, public housing, military personnel housing, federal employee housing, and institutional housing.

Feasibility Study - A detailed investigation and analysis conducted to determine the financial, economic, technical, environmental, and other advisability of a proposed project.

Federal Acquisition Regulation (FAR) - The basic policy governing Federal agency acquisitions. The FAR contains legal requirements, regulations, and policies that bear on contracting. The FAR is available electronically via the internet at <http://www.arnet.gov/far/>. There are many other useful websites available for FAR research that also include agency specific supplements to the FAR.

Federal Agency (as defined by FMR) - Any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under that person's direction).

Federal Agency Buildings Manager - Building manager employed by GSA or a Federal agency that has been delegated real property management and operation authority from GSA.

Federal Government Real Property Services Provider - Any Federal Government entity operating under, or subject to, the authorities of the Administrator of General Services, that provides real property services to Federal agencies. This definition also includes private sector firms under contract with Federal agencies that deliver real property services to Federal agencies. This definition excludes any entity operating under, or subject to, authorities other than those of the Administrator of General Services.

Federal Restricted Title - The title is held by an organization or person other than the Federal Government, but the item of real property can only be alienated (mortgaged or encumbered) by the owner with the approval of a Federal Government entity.

Fee Simple - Ownership of real estate in which the owner has the right to control, use, and transfer the property at will. It is the most complete ownership interest one can have in real property.

Final Inspection - Final review of the project by the Government to verify satisfactory completion of all contract elements, prior to issuance of the final payment.

General Contractor - The prime contractor who is responsible for all of the work at the construction site defined within the contract, including that performed by all subcontractors.

General Provisions - The standard clauses that are used by Government agencies in various types of contracts. Most of these clauses are set forth in FAR 52, and guidance for their use is set forth in the Provision and Clause Matrix in FAR Part 52.301. The term also includes clauses specified in FAR Supplement for agency wide use. FAR 52.102-1 provides that general provisions will be incorporated by reference to the regulations "to the maximum practical extent" rather than by placing the full text of clauses in the contract document.

General Services Administration (GSA) - Acting by or through the Administrator of General Services, or a designated official to whom functions under this part have been delegated by the Administrator of General Services.

GIS - A Global Information System (GIS) is a computer system capable of capturing, storing, analyzing, and displaying geographically referenced information; that is, data identified according to location. Practitioners also define a GIS as including the procedures, operating personnel, and spatial data that go into the system.

Gross Area - The total square footage/square meters in a building for all floors to the outer surface of exterior walls. Gross area includes all research and administrative space, retail space, and other areas such as vending machine space and storage. Gross area also includes major vertical penetra-

tions greater than two square feet, such as shafts, elevators, stairs, or atrium space. This figure is used in defining construction costs for facilities.

Highest and Best Use - The most likely use to which a property can be put, which will produce the highest monetary return from the property, promote its maximum value, or serve a public or institutional purpose. The highest and best use determination must be based on the property's economic potential, qualitative values (social and environmental) inherent in the property itself, and other utilization factors controlling or directly affecting land use (*e.g.* zoning, physical characteristics, private and public uses in the vicinity, neighboring improvements, utility services, access, roads, location, and environmental and historical considerations). Projected highest and best use should not be remote, speculative, or conjectural.

Historic Properties - Properties listed on the National Register of Historic Places or determined by the Federal Preservation Officer (in coordination with the cognizant SHPO or THPO) to be eligible for listing on the National Register of Historic Places based on National Register Criteria.

Hospital - Buildings used primarily for furnishing in-patient diagnosis and treatment under physician supervision and having 24-hour-a-day registered graduate nursing services. This category also includes medical laboratories used for routine testing. This category excludes buildings used directly in basic or applied medical research. (Note that IHS is the only HHS OPDIV with hospitals that fit this definition.)

Human Resources - Labor, workforce support, and related policies and programs.

Improvements (Renovations/Alterations) - Any betterment or change to an existing property to allow its continued or more efficient use within its designated purpose (Renovation), or for use for a different purpose or function (Alteration). Building improvements also include improvements to or upgrading of primary mechanical, electrical, or other building systems, and site improvements not associated with construction projects. Improvements typically increase the useful life of a facility and are capitalized against the existing property in accordance with the accounting principles of the FASAB.

Inactive - Not currently being used, but may have a future need. Includes real property in a caretaker status (closed pending disposal) and closed installations with no assigned current federal mission or function.

Installation - A separately located and defined area of real property in which HHS exercises a real property interest. The term also applies to portions of installations, facilities, or buildings not owned by HHS but which have been acquired for exclusive use through lease, permit, or other written agreement.

Laboratory - Buildings used directly in basic or applied research in the sciences (including medicine) and in engineering, such as medical laboratories, meteorological research laboratories; and buildings used in designing, developing, and testing prototypes and processes for chemistry and physics. This category excludes medical and industrial laboratories used for routine testing.

Landholding Agency - The Federal agency that has accountability for the property involved. For the purposes of this definition, accountability means that the Federal agency reports the real property on its financial statements and inventory records



Lease - Specific rights to real property that have been assigned to the Federal Government for a defined period of time. A federal lease is both a conveyance and contract to possess and use real property for a pre-determined period of time.

License - The right to use federal property for non-federal purposes, revocable at the will of the grantor. It does not convey an interest in the property.

Life Cycle Cost - The total cost of owning, operating, and maintaining a building over its useful life, including its fuel and energy costs, determined on the basis of a systematic evaluation and comparison of alternative building systems; except that in the case of leased buildings, the life cycle cost shall be calculated over the effective remaining term of the lease.

Load Factor - In a lease, the load factor is the multiplier to a tenant's useable space that accounts for the tenant's proportionate share of common areas (restrooms, elevator lobby, mechanical rooms, etc.). The load factor is usually expressed as a percentage and ranges from a low of 5% for a full tenant to as high as 15% for a multi-tenant floor. Subtracting one (1) from the quotient of the rentable area divided by the useable area yields the Load Factor.

Maintenance - Work to keep a property, facility, and/or building system or component in a continuously usable state or condition. Maintenance may include inspection, cleaning, calibration and adjustment, lubrication and replacement of constituent parts, materials and/or sub-assemblies worn, broken, damaged or otherwise comprised. Maintenance includes routine recurring work, which is incidental to everyday operations, as well as preventive work, which is programmed at scheduled intervals, and predictive work, which is indicated by analysis.

Management - The safeguarding of the Government's interest in property in an efficient and economical manner consistent with the best business practices.

Metrics - Standard performance measurements.

Mission Dependency - The value an asset brings to the performance of the mission as determined by the governing agency's mission and strategic plan.

Mission Dependency Index - A risk management metric mandated by the FRPC to be used to communicate the relative importance of a facility in terms of mission criticality.

Nationally Recognized Standards - Encompasses any standard or modification thereof which:

- has been adopted and promulgated by a nationally recognized standards-producing organization under procedures whereby those interested and affected by it have reached substantial agreement on its adoption, or
- was formulated through consultation by appropriate Federal agencies in a manner which afforded an opportunity for diverse views to be considered.

Net Area/Net Assignable Square Footage - The area of a floor or office suite that is suitable for occupancy, including secondary corridors. It excludes shared space that cannot be reasonably assigned for program purposes such as main egress corridors, hazardous waste marshaling areas on the loading dock, and other non-programmable space. In calculating net area, no deduction is made for columns and projections that are necessary to the building. Net Area refers to those portions of the facility available to use for program operations and for supply storage, building maintenance/operation, and other necessary support functions. Net Area is measured from the inside of the permanent exterior wall to the near side of permanent walls separating the area from stair-

wells, elevators, mechanical rooms, permanent corridors, or other portions of the building (since these are not categorized as Net Area in the program of requirements document).

Normally Furnished Commercially - Consistent with the level of services provided by a commercial building operator for space of comparable quality and housing tenants with comparable requirements. Service levels are based on the effort required to service space for a five-day week, one eight-hour shift schedule.

Occupant Agency - An organization that is assigned space in a facility under GSA's custody and control through the formal procedures outlined in 41 CFR 102-71.

Occupancy Emergency Organization - The emergency response organization comprised of employees of Federal agencies designated to perform the requirements established by the Occupant Emergency Plan.

Occupant Emergency Plan - Procedures developed to protect life and property in a specific federally occupied space under stipulated emergency conditions.

Occupant Emergency Program - A short-term emergency response program. It establishes procedures for safeguarding lives and property during emergencies in particular facilities.

Offer (as defined by FAR) - A response to a solicitation that, if accepted, would bind the offering party to perform the resultant contract. Responses to invitations for bids (sealed bidding) are offers called "bids" or "sealed bids"; responses to requests for proposals (negotiation) are offers called "proposals"; however, responses to requests for quotations (simplified acquisition) are "quotations," not offers.

Office - Buildings primarily used for office space.

OPDIV Facilities Manager - The person in each HHS Operating Division, responsible for managing the OPDIV's facilities program.

Owned - The Federal Government has fee simple interest in the real property.

Partial Occupancy - Occupancy by the owner of a portion of a project prior to final completion.

Performance Management - Process of assessing progress towards achieving strategic goals.

Performance Specifications - A specification expressed in terms of an expected outcome or acceptable performance standard.

Plant replacement value (PRV) (or functional replacement value) - The cost of replacing an existing asset at today's standards.

Portfolio Flexibility - The degree to which physical assets are aligned with and responsive to business needs.

Portfolio Optimization - Matches the resources of the enterprise to the core business strategy.

Post-Occupancy Evaluation (POE) Survey - The process of inspecting and analyzing recently completed and occupied facilities with a primary objective of determining both positive and negative lessons learned. The lessons learned are to be disseminated and used to promote long-term program improvements.

Prescriptive Specification - The traditional method of specifying materials or techniques found in design-bid-build projects. The range of acceptable product, manufacturers, and techniques, etc, is stipulated in detail to be followed by the builder.

Project Officer - The government representative legally designated by the Contracting Officer as the authorized technical representative for administering A/E, construction and/or service contracts on behalf of the Contracting Officer, exclusive of contractual matters. The Project Officer is not authorized to issue any instructions or directions which affect any increases or decreases in the scope of work or which would result in the increase or decrease of the cost of the contract or a change in performance period of the contract.

Public Area - Any area of a building which is ordinarily open to members of the public, including lobbies, courtyards, auditoriums, meeting rooms, and other such areas not assigned to a lessee or occupant agency.

Public Body - Any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or any political subdivision, agency, or instrumentality of the foregoing.

Public Building -

(1) Any building which is suitable for office and/or storage space for the use of one or more Federal agencies or mixed ownership corporations, such as Federal office buildings, post offices, customhouses, courthouses, border inspection facilities, warehouses, and any such building designated by the President. It also includes buildings of this sort that are acquired by the Federal Government under the GSA Administrator's installment-purchase, lease-purchase, and purchase-contract authorities.

(2) "Public building" does not include buildings:

- (a) On the public domain.
- (b) In foreign countries.
- (c) On American Indian and native Eskimo properties held in trust by the United States.
- (d) On lands used in connection with Federal programs for agricultural, recreational, and conservation purposes.
- (e) On or used in connection with river, harbor, flood control, reclamation or power projects, or for chemical manufacturing or development projects, or for nuclear production, research, or development projects.
- (f) On or used in connection with housing and residential projects.
- (g) On military installations.
- (h) On Department of Veterans Affairs installations used for hospital or domiciliary purposes.
- (i) Excluded by the President.

Punch List - A list of unsatisfactory or incomplete work items that are identified by government representatives during an inspection of the work after the contractor has notified the Contracting Officer that work is substantially complete. The contractor must complete all punch list work items satisfactorily before the final acceptance of contract work.

Quality Assurance (QA) - An integrated system of management activities involving planning, implementation, assessment, reporting, and quality improvement to ensure that a process, item, or service is of the type and quality needed to meet project requirements.

Quality Control (QC) - The overall system of technical activities that measures the attributes and performance of a process, item, or service against defined standards to verify that they meet the stated requirements; operational techniques and activities that are used to fulfill requirements for quality.

Quality Management - Processes required to ensure the project will satisfy the needs and objectives for which it was undertaken, consisting of quality planning, quality assurance, quality control, and quality improvement.

Quality System - A structured and documented management system describing the policies, objectives, principles, organizational authority, responsibilities, accountability, and implementation plan of an organization for ensuring quality in its work processes, products (items), and services. The quality system provides the framework for planning, implementing, and assessing work performed by the organization and for carrying out required QA and QC.

Real Property - Any interest in land (together with the improvements, structures, and fixtures located thereon) under control of any Federal agency, except the public domain, or lands reserved or dedicated for national forest or national park purposes.

Renovation - Improvements that consist of any betterments or changes to an existing property to allow its continued or more efficient use within its designated purpose. (See the definition of 'Improvements'.)

Rentable Area - The square footage for which rent can be charged. Generally it is the gross area of the full floor less the area of all vertical penetrations (elevator shafts, stairwells, mechanical shafts etc.) Rentable area can be measured in many ways, but the most common measurement for office buildings is according to BOMA standards.

Repair - The restoration of a failed or failing primary building system or real property facility component to a condition that restores its effective use for its designated purpose. A repair does not increase the underlying value of an existing facility and is typically not capitalized. An example of a primary building system would be the structural foundation and frame, domestic waste system, or building HVAC; a real property component would be a piece of the primary building system such as a roofing system, central chiller/boiler, generator, or elevators. A failed or failing primary building system or real property component may be the result of action of the elements, fire, explosion, storm and/or other disasters, and by use near to or beyond its expected useful life or technical obsolescence.

Repair needs - The estimated dollar amount necessary to restore a constructed asset to a condition substantially equivalent to the originally intended and designed capacity, efficiency or capability.

Reporting Agency - Agency reporting the property to the General Services Administration.

Request for Proposals (RFP) - The document that completely describes the procurement process, forms the basis for proposals, and ultimately becomes a potential element in the contract.

Section Eight (a) - Section 8(a) of the Small Business Act is a program for minority disadvantaged contractors, where contractors are certified and contracted with the Small Business Administration (SBA). HHS in turn contracts with SBA for services.

Stakeholders - Individuals and organizations that are involved in or may be affected by the undertaking.

Standards - Something considered by an authority or by general consent as a basis of comparison; an approved model. Standards tell the user how something is commonly done and are usually regarded only as recommendations that do not have the force of law. Nationally recognized standards are frequently collected as reference information when codes are being prepared. In many instances, entire sections of the standards are adopted into the regulated codes by reference, and then become legally enforceable.

State Government-Owned - A US state government holds title to the real property, but specific rights for use have been granted to a Federal Government entity.

Statement of Work - The Statement of Work is a document in the acquisition process that describes the work to be performed or the services to be rendered, defines the respective responsibilities of the Government and the contractor, and provides an objective measure so that both government and the contractor will know when the work is complete and payment is justified. Common elements of the Statement of Work are Background, Project Objectives, Scope of Work, Detailed Technical Requirements, Deliverables, Reporting, Schedule, Special Considerations, and References.

Subcontractor - A person or entity that has a direct contract with the Contractor to perform any of the work at the site.

Surplus Real Property - Any related real property and related personal property reported as excess that has been screened by GSA for needs of the Federal agencies or waived from such screening by GSA and has not been designated by GSA for utilization by another Federal agency.

Termination - The unilateral cancellation of a contract by the Government for either: (a) convenience (in the best interest of the Government) or (b) default (failure of a contractor to perform as required).

Turnkey - A variation of design-build project delivery in which one entity is responsible to the owner for design and construction, plus designated real estate services that may include project financing and site selection/purchase.

Usable Square footage - The secured area (square footage) occupied exclusively by the tenant within a tenant's leased space. The useable area times the load factor for common area results in rentable area on which rent is charged. Useable area can be measured in many ways, but the most common measurement for office buildings is according to BOMA standards. It does not include restrooms, elevator shafts, fire escapes, stairwells, electrical and mechanical rooms, janitorial rooms, elevator lobbies, or public corridors (for example, a corridor leading from the elevator lobby to the entrance of a tenant's office).

Use Permit - The right of one Government agency to use the property of another agency on a temporary basis. It does not transfer control of the property, but only its temporary use.

Using Organization - Agency occupying the property.

Value (as defined for facilities by FRPC) - The functional/plant replacement value; the cost of replacing existing facilities.

Vanpool - A group of at least 8 persons using a passenger van or a commuter bus designed to carry 10 or more passengers. Such a vehicle must be used for transportation to and from work in a single daily round trip.

Warehouse - Buildings used for storage, such as ammunition storage, covered sheds, and buildings used primarily for storage of vehicles or materials. Also included are underground or earth-covered ammunition storage bunkers and magazines. This category excludes water reservoirs and POL storage tanks, which are storage structures. (Note that HHS warehouses are not used for storing some of the materials described in the FRPC definition. Some typical uses for HHS warehouses include storage of personal property; furniture fixtures and equipment; vehicles and mail distribution. All of the HHS warehouses are included within the broader FRPC definition.)

Weakness (as defined by FAR) - A flaw in the proposal that increases the risk of unsuccessful contract performance. A "significant weakness" in the proposal is a flaw that considerably increases the risk of unsuccessful contract performance.

Workplace Resources - The integrated support assets that serve to enable the work of the enterprise, including capital, real estate, labor, technology, and raw materials.

Zonal Allocations - The allocation of parking spaces on the basis of zones established by GSA in conjunction with occupant agencies. In metropolitan areas where this method is used, all agencies located in a designated zone will compete for available parking in accordance with instructions issued by GSA. In establishing this procedure, GSA will consult with all affected agencies.

SECTION 1-4: ABBREVIATIONS AND ACRONYMS

1-4-00	(Reserved)
10	(Reserved)
20	Guidance and Information
30	(Reserved)

1-4-20 GUIDANCE AND INFORMATION

The following list of abbreviations and acronyms is provided for the benefit of the reader.

ABBREVIATIONS AND ACRONYMS

A/E	Architectural/Engineering	CBD	Central Business District
AAALAC	American Association for Accreditation of Laboratory Animal Care	C & D	Construction and Demolition
ABA	Architectural Barriers Act	CDC	Centers for Disease Control & Prevention
ACHP	Advisory Council on Historic Preservation	CEQ	Council on Environmental Quality
ACP	Agency Capital Plan	CFR	Code of Federal Regulations
ADA	Americans with Disabilities Act	CICA	Competition in Contracting Act
ADPL	Average Daily Patient Load	CII	Construction Industry Institute
ADR	Alternative Dispute Resolution	CIP	Capital Improvements Plan
AIA	American Institute of Architects	CIRB	Capital Investment Review Board
AMP	Agency Master Plan	CO	Contracting Officer
ANSI	American National Standards Institute	COR	Contracting Officer's Representative
AP	Acquisition Plan	COTR	Contracting Officer's Technical Representative
ASAM	Assistant Secretary for Administration and Management	CRE	Corporate Real Estate
ASBTF	Assistant Secretary for Budget, Technology, and Finance	CRV	Current Replacement Value
ATBCB	Architectural Transportation Barriers Compliance Board	D & F	Determinations and Findings
B & F	Building and Facilities	DAS	Deputy Assistant Secretary
BMAR	Backlog of Maintenance and Repair	DCIS	Department Contracts Information System
BMP	Best Management Practice	DOD	Department of Defense
BOMA	Building Owners and Managers Association	DOL	Department of Labor
CADD	Computer Aided Drafting & Design	EA	Environmental Assessment
		EIS	Environmental Impact Statement
		EO	Executive Order
		EPA	Environmental Protection Agency
		EPP	Environmentally Preferable Purchasing

ESPC	Energy Saving Performance Contract	IHS	Indian Health Service
FAR	Federal Acquisition Regulations	IRIS	Integrated Recourses and Infrastructure Solutions
FCI	Facility Condition Index	ISC	Interagency Security Committee
FCIP	Federal Capital Improvements Program	IT	Information Technology
FDA	Food and Drug Administration	JCAHO	Joint Commission on Accreditation of Healthcare Organizations
FEMP	Federal Energy Management Program	JOC	Job Order Contract
FF&E	Furniture, Fixtures, and Equipment	LCC	Life Cycle Cost
FMR	Federal Management Regulation	M <sup>2</sup>	Square Meter
FONSI	Finding of No Significant Impact	M & I	Maintenance and Improvement
FPAA	Facility Project Approval Agreement	M & M	Medicare/Medicaid
FPDS	Federal Procurement Data System	MEP	Mechanical, Electrical, and Plumbing
FPMR	Federal Property Management Regulations	NCPC	National Capital Planning Commission
FY	Fiscal Year	NCR	National Capital Region
GAM	General Administration Manual	NEPA	National Environmental Policy Act
GSA	General Services Administration	NFPA	National Fire Protection Association
GSAR	General Services Administration Acquisition Regulations	NHPA	National Historic Preservation Act
HCA	Head of the Contracting Activity	NIH	National Institutes of Health
HHS	U. S. Department of Health and Human Services	NPS	National Park Service
HHSAR	Health and Human Services Acquisition Regulations	NRHP	National Register of Historic Places
HQ	Headquarters	NTTAA	National Technology Transfer and Advancement Act
HR	Human Resources	OASH	Office of the Assistant Secretary for Health
HRSA	Health Resources and Services Administration	OCR	Office of Civil Rights
HUD	Housing and Urban Development	OFCCP	Office of Federal Contract Compliance
HVAC	Heating, Ventilation, and Air-Conditioning	OFMP	Office for Facilities Management and Policy
IAQ	Indoor Air Quality	OMB	Office of Management and Budget
IDC	Indefinite Delivery Contract	OPDIV	Operating Division
IDIQ	Indefinite Delivery, Indefinite Quantity	OPV	Outpatient Visits
IFB	Invitation for Bids		



OS	Office of the Secretary	SAVE	Society of American Value Engineers
PAR	Pre-Acquisition Review	SBA	Small Business Administration
PDR	Project Definition Rating Index	SF	Square Foot
PHS	Public Health Service	SFO	Solicitation for Offers
PJD	Program Justification Document	SHPO	State Historic Preservation Officer
PL	Public Law	SLA	Supplemental Lease Agreement
PO	Project Officer	STAFFDIV	Staff Division
POE	Post Occupancy Evaluation	THPO	Tribal Historic Preservation Officer
POR	Program of Requirements	UFAS	Uniform Federal Accessibility Standards
PPD	Planning and Programming Documents	USC	United States Code
PS&D	Planning, Studies and Design	USF	Usable Square Footage
PW	Present Worth	VE	Value Engineering
R & I	Repair and Improvement	VEC	Value Engineering Coordinator
RFP	Request for Proposals	VECP	Value Engineering Change Proposal
RSF	Rentable Square Footage	VEP	Value Engineering Proposal
SADBUS	Small and Disadvantaged Business Utilization Specialists		

## SECTION 1-5: ROLES AND RESPONSIBILITIES

1-5-00	(Reserved)
10	(Reserved)
20	Guidance and Information
30	Reporting Requirements

### 1-5-20 GUIDANCE AND INFORMATION

HHS facilities program roles and responsibilities are as follows:

#### A. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Department of Health and Human Services is the United States Government's principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves.

#### B. THE OFFICE FOR FACILITIES MANAGEMENT AND POLICY

The Office for Facilities Management and Policy (OFMP) provides Department-wide leadership and direction in master planning; facilities planning and design, construction, leasing, operations and maintenance, and space utilization; and management programs (environmental management, historic preservation, energy management, and occupational safety and health). OFMP provides technical assistance to HHS Operating Divisions (OPDIVs) in evaluating the effectiveness of their facilities programs and policies and fosters creativity and innovation in the administration of these functions and the Capital Investment Review Board. OFMP serves as HHS representative to other Federal and non-Federal agencies and is the focal point reporting to OMB and the Federal Real Property Council (FRPC) on facilities activities and performance.

#### C. SENIOR REAL PROPERTY OFFICER

The Deputy Assistant Secretary, Office for Facilities Management and Policy is designated as the Senior Real Property Officer for HHS. Established by Executive Order 13327, the Senior Real Property Officer is designated among the senior management officials within each agency. This Senior Real Property Officer serves as the senior manager tasked with developing and implementing an agency asset management plan. Specifically, the Officer is responsible for:

- identifying and categorizing all real property owned, leased, or otherwise managed by the agency;
- prioritizing actions to be taken to improve the operational and financial management of the agency's real property inventory;
- making life-cycle cost estimations associated with the prioritized actions;
- identifying legislative authorities that are required to address these priorities;
- identifying and pursuing goals, with appropriate deadlines, consistent with and supportive of the agency's asset management plan and measure progress against such goals;
- incorporating planning and management requirements for historic property under Executive Order 13287 of March 3, 2003, and for environmental management under Executive Order 13148 of April 21, 2000; and
- identifying any other information and pursue any other actions necessary to the appropriate development and implementation of the agency asset management plan.

#### D. FEDERAL REAL PROPERTY COUNCIL

Established by Executive Order 13327, the Federal Real Property Council serves as a working group to facilitate the success of the agency's asset management plans. The Council is composed of all agency Senior Real Property Officers, the Comptroller of the Office of Management and Budget, and the Administrator of General Services. The Deputy Director for Management of the Office of Management and Budget is a member and serves as the chair of the Council. The Council establishes appropriate performance measurements for evaluating the costs and benefits involved with acquiring, repairing, maintaining, operating, managing, and disposing of Federal real properties at particular agencies. The Council also serves as a clearinghouse for best practices in evaluating actual progress in the implementation of real property enhancements.

#### E. HHS ORGANIZATIONS WITH REAL PROPERTY MANAGEMENT RESPONSIBILITY

HHS organizations with real property management responsibility perform day-to-day execution of the facilities management program including master planning; facilities design, construction, leasing, operations and maintenance, space utilization; and management programs (environmental management, historic preservation, energy management, and occupational safety and health). These organizations develop and implement internal procedures necessary to comply with departmental policy and guidance including all statutory and regulatory requirements.

#### F. HHS CAPITAL INVESTMENT REVIEW BOARD

Purpose of the Board: The HHS Facility Capital Investment Review Board was established to make recommendations for strategic management of HHS real property assets and to advise the Assistant Secretary for Administration and Management (ASAM) and the Secretary on major facility capital investment issues. The Board also advises, assists, consults with, and makes recommendations to the ASAM, the Secretary, and when appropriate, the Assistant Secretary for Budget Technology and Finance (ASBTF), regarding the broad range of responsibilities.

Authority of the Board: See Volume 1 of this manual for additional information on the responsibilities, authorities, and matters which require review the board.

#### 1-5-30 REPORTING REQUIREMENTS

The Senior Real Property Officer shall, on an annual basis, provide to the Director of the Office of Management and Budget and the Administrator of General Services:

- (i) information that lists and describes real property assets under the jurisdiction, custody, or control of that agency, except for classified information; and
- (ii) any other relevant information the Director of the Office of Management and Budget or the Administrator of General Services may request for inclusion in the Government-wide listing of all Federal real property assets and leased property.

## SECTION 1-6: GSA DELEGATIONS OF AUTHORITY

1-6-00	Policy
10	Procedures
20	(Reserved)
30	(Reserved)

### 1-6-00 POLICY

The Administrator of General Services may delegate and may authorize successive redelegations of the real property authority vested in the Administrator to any Federal agency. Delegations must be in the Government's best interest, which means that GSA must evaluate such factors as whether a delegation would be cost effective for the Government in the delivery of space. Federal agencies must exercise delegated real property authority and functions according to the parameters described in each delegation of authority document, and Federal agencies may only exercise the authority of the Administrator that is specifically provided within the delegation of authority document.

The basic types of GSA Delegations of Authority are:

- (a) Delegation of Leasing Authority;
- (b) Delegation of Real Property Management and Operation Authority;
- (c) Delegation of Individual Repair and Alteration Project Authority;
- (d) Delegation of Lease Management Authority (Contracting Office Representative Authority);
- (e) Delegation of Administrative Contracting Officer (ACO) Authority;
- (f) Delegation of Real Property Disposal Authority;
- (g) Security Delegation of Authority; and
- (h) Utility Services Delegation of Authority.

### 1-6-10 PROCEDURES

#### A. LEASING

Delegations of authority related to real estate leasing include the following: Categorical space delegations and Agency special purpose space delegations. With respect to Agency special purpose space delegations, the Department has been delegated authority to lease laboratories (lease terms, including all options, limited to 5 years). The Administrator of General Services has issued a standing delegation of authority (under a program known as "Can't Beat GSA Leasing") to the heads of all Federal agencies to accomplish all functions relating to leasing of general-purpose space for terms of up to 20 years regardless of geographic location. This delegation includes some conditions Federal agencies must meet when conducting the procurement themselves, such as training in lease contracting and reporting data to GSA. An Administrative Contracting Officer (ACO) delegation, in addition to lease management authority, provides Federal agencies with limited Contracting Officer authority to perform such duties as paying and withholding lessor rent and modifying lease provisions that do not change the lease term length or the amount of space under lease.

When Federal agencies do not exercise the delegation of authority for general purpose space mentioned in FMR 102-72.30(b), GSA may consider granting an ACO delegation when Federal agencies:

- Occupy at least 90 percent of the building's GSA-controlled space or Federal agencies have the written concurrence of 100 percent of rent-paying occupants covered under the lease; and
- Have the technical capability to perform the leasing function.

## B. FACILITY MANAGEMENT

Facility management delegations give Executive agencies authority to operate and manage GSA buildings day to day, to perform individual repair and alteration projects and manage real property leases. The principal types of delegations involved in the management of facilities are:

- (a) Real property management and operation authority;
- (b) Individual repair and alteration project authority; and
- (c) Lease management authority (Contracting Officer Representative authority).

Delegated functions may include building operations, maintenance, recurring repairs, minor alterations, historic preservation, concessions, and energy management of specified buildings subject to the conditions in the delegation document. An Executive agency may be delegated real property management and operation authority when it:

- Occupies at least 90 percent of the space in the Government-controlled facility or has the concurrence of 100 percent of the rent-paying occupants to perform these functions; and
- Demonstrates that it can perform the delegated real property management and operation responsibilities.

## C. DELEGATION OF INDIVIDUAL REPAIR AND ALTERATION PROJECT AUTHORITY FROM GSA

With this delegation of authority, Executive agencies have the responsibility to perform individual repair and alterations projects in GSA Buildings. Executive agencies are delegated repair and alterations authority for reimbursable space alteration projects up to the simplified acquisition threshold, as specified in the GSA Customer Guide to Real Property. Executive agencies may be delegated repair and alterations authority for other individual alteration projects when they demonstrate the ability to perform the delegated repair and alterations responsibilities and when such a delegation promotes efficiency and economy. When an Executive agency does not exercise the delegation of authority mentioned in FMR 102-72.30(b) to lease general purpose space itself, it may be delegated, upon request, lease management authority to manage the administration of one or more lease contracts awarded by GSA.

## D. DELEGATION OF LEASE MANAGEMENT AUTHORITY (CONTRACTING OFFICER REPRESENTATIVE AUTHORITY) FROM GSA

An Executive agency may be delegated lease management authority when it:

- (a) Occupies at least 90 percent of the building's GSA-controlled space or has the written concurrence of 100 percent of rent-paying occupants covered under the lease to perform this function; and
- (b) Demonstrates the ability to perform the delegated lease management responsibilities.

**D. EXECUTIVE AGENCIES' RESPONSIBILITIES UNDER A DISPOSAL FOR REAL PROPERTY DELEGATION OF AUTHORITY FROM GSA**

With this delegation, Executive agencies have the authority to utilize and dispose of excess or surplus real and related personal property and to grant approvals and make determinations subject to the conditions in the delegation document. While disposal delegations to Executive agencies are infrequent, GSA may delegate authority to them based on situations involving certain low-value properties and when they can demonstrate that they have the technical expertise to perform the disposition functions. GSA may grant special delegations of authority to Executive agencies for the utilization and disposal of certain real property through the procedures set forth in FMR 41CFR 102-75.

**E. EXECUTIVE AGENCIES' RESPONSIBILITIES UNDER A UTILITY SERVICE DELEGATION OF AUTHORITY FROM GSA**

With this delegation, Executive agencies have the authority to negotiate and execute utility services contracts for periods over one year, but not exceeding ten years for their use and benefit. Agencies also have the authority to represent the consumer interests of the Federal Government, if so provided in the delegation of authority.

## SECTION 1-7: AS BUILT DRAWINGS

1-7-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 1-7-00 POLICY

OPDIVs shall maintain a set of as-built drawings for each building or structure in their inventory. “As-built drawings” or “record drawings” are understood to be drawings that show final as-built conditions of the project for all disciplines including architectural, mechanical, electrical, plumbing, controls, FF&E, civil, and landscaping information at a minimum.

### 1-7-10 PROCEDURES

Facilities personnel must be made aware of the importance of obtaining accurate red-line drawings (as-builts) or electronic building records after completion of facility maintenance/ repair/ construction projects. This applies to projects of any size that alter as-built facility conditions. It applies whether the work is performed by contract or in-house forces.

Updating and maintaining good as-built construction documents or electronic building records requires clear processes, well defined responsibilities, commitment of resources, and discipline. It is an on-going operational requirement to have accurate and accessible facility records for safe and efficient facility operations. Contractors are normally required to maintain “red-lines” at the job site by marking up design drawings with changes detailed clearly in red as construction progresses. At contract completion, an important closeout item is the submission of final as-builts. The as-built process is completed when original design drawings or electronic building records have been modified to permanently reflect the redlined changes.

### 1-7-20 GUIDANCE AND INFORMATION

Organizations will be most successful in obtaining accurate and timely as-builts when processes are employed which require and verify regular updates instead of waiting until the end of a project.

The following are recommended practices:

1. Recognize benefit in keeping red-lines current at all times during a construction project. Require contractors to update red-lines on a regular (at least monthly) basis. Perform monthly review of red-lines with contractors (in some cases weekly) and implement invoice retention if they are not up-to-date and accurate.
2. Specify that the construction contractor will prepare the final as-built drawings, both working red-lines and final in CADD or GIS. Recommend strict contract language and firm enforcement. Use of language available in Unified Facilities Guide Specification (UFGS) 01780A is suggested.
3. Software compatibility issues from one CADD system to another create an impediment to efficient and accurate creation of as-builts. To the maximum extent possible, facilities departments should specify that all documents be delivered to them (beginning with design) in a format fully

compatible with the software system they use in their daily operation. The following contract language approach may be useful:

“The target platform is a(n) (insert description) Work Station with a(n) (insert description) operating system and (insert description) type CADD system. The contractor shall ensure that all digital files and data (*e.g.*, base files, reference files, cell libraries) are compatible with the target CADD system (*i.e.*, basic and advanced CADD software, platform, database software), and adhere to other standards and requirements specified herein. The term “compatible” means that data can be accessed directly by the target CADD system without translation, preprocessing, or post-processing of the electronic digital data files. It is the responsibility of the designer and contractor to ensure this level of compatibility.”

4. Specify use of the most current National CADD Standard to obtain the benefits of consistent, industry-wide drawing conventions; however, CADD Standards go only so far. Each OPDIV is required to develop additional requirements for line weights, colors etc.
5. Approved red-line changes should be incorporated into the original electronic design files and become designated as As-built Construction documents.
6. The ideal situation is to have an up-to-date master set of primary reference drawings for each facility. Develop and maintain up-to-date master drawings of each facility that integrate changes from multiple projects into one primary reference set. (Various terms are used to mean the same thing: record set, reference drawings, facility configuration drawings, baseline drawings). This practice should produce benefits not only in safety, but in efficiency and accuracy of operations, maintenance, and repairs; future designs; facility studies; and space management
7. There should be clear written guidance outlining responsibilities and procedures for the As-built process.
  - One of the most insidious problems for facility managers is undocumented modifications to electrical panels. This area warrants particular attention and special control procedures.
  - Include guidance for designating drawings as ‘Retired’, ‘Archived’, ‘Superseded’, ‘Obsolete’, etc.; instead of letting the active files grow to unmanageable levels.





United States Department of  
**Health & Human Services**

**2**

**Real Property Asset Management Program**



**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

## SECTION 2-1: REAL PROPERTY ASSET MANAGEMENT PLAN

2-1-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 2-1-00 POLICY

On February 4, 2004, President Bush issued Executive Order (EO) 13327, Federal Real Property Asset Management, "to promote the efficient and economical use of federal real property resources in accordance with their value as national assets and in the best interests of the nation".

#### A. Summary of EO 13327 Policies and Requirements.

1. A major provision of this EO is the requirement that agencies designate a Senior Real Property Officer (SRPO) who will be responsible for developing and implementing an agency asset management planning process. The plan is to:
  - (i) Identify and categorize all real property owned, leased, or otherwise managed by the agency, including, where applicable, those properties outside the United States in which the lease agreements and arrangements reflect the host country currency or involve alternative lease plans or rental agreements;
  - (ii) Prioritize actions to be taken to improve the operational and financial management of the agency's real property inventory;
  - (iii) Make life-cycle cost estimations associated with the prioritized actions;
  - (iv) Identify legislative authorities that are required to address these priorities;
  - (v) Identify and pursue goals, with appropriate deadlines, consistent with and supportive of the agency's asset management plan and measure progress against such goals;
  - (vi) Incorporate planning and management requirements for historic property...and for environmental management...; and
  - (vii) Identify any other information and pursue any other actions necessary to the appropriate development and implementation of the agency asset management plan."
2. In addition, a Federal Real Property Council is established "to develop guidance for, and facilitate the success of, each agency's asset management plan." The Council is composed of all senior real property officers, the controller and deputy director for management of the Office of Management and Budget (OMB), and the administrator of the General Services Administration (GSA). The Council will work with the GSA administrator "to establish appropriate performance measures to determine the effectiveness of federal real property management. Such performance measures shall include, but are not limited to, evaluating the costs and benefits involved with acquiring, repairing, maintaining, operating, managing, and disposing of federal real properties at particular agencies. The performance measures shall be designed to enable the heads of executive branch agencies to track progress in the achievement of government-wide property management objectives, as well as allow for comparing the performance of executive branch agencies against industry and other public sector agencies."
3. Finally, under EO 13327, the GSA administrator is directed to "establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all executive branch agencies, except when otherwise required for reasons of national security. The administrator shall collect from each executive branch agency such descriptive information, ex-

cept for classified information, as the administrator considers will best describe the nature, use, and extent of the real property holdings of the federal government."

- B. The following are the FRPC's Guiding Principles that serve as strategic objectives for real property management improvement. HHS and its OPDIVs must ensure that all real property initiatives are carried out consistent with these principles.
1. Support agency missions and strategic goals.
  2. Use public and commercial benchmarks and best practices.
  3. Employ life-cycle cost-benefit analysis.
  4. Promote full and appropriate utilization.
  5. Dispose of unneeded assets.
  6. Provide appropriate levels of investment.
  7. Accurately inventory and describe all assets.
  8. Employ balanced performance measures.
  9. Advance customer satisfaction.
  10. Provide for safe, secure, and healthy workplaces.
- C. OPDIVs will provide vital facility information that will be incorporated into the overall HHS Real Property Asset Management Plan (RAMP). The RAMP leads to an increased level of accountability for real property management within HHS and to OMB. The RAMP provides a complete inventory of HHS real properties; and with specific real property information, meaningful goals and objectives. Progress against those goals can be measured. The RAMP will foster an environment within the OPDIVs and HHS that will promote better asset management, including disposal of unneeded Federal Properties.
- The RAMP will lead to a regular and well-organized inventory of HHS assets management practices within the OPDIVs. Real-time property data will be used to determine what HHS properties should be maintained, require cost-effective repairs, or qualify for disposal. The information from the RAMP can be used not only to strengthen the justification for repairs and disposals, but also to strengthen the argument for new real estate authorities, such as increasing the opportunity to out lease or sublease, public-private partnership, replacement, or sales transactions.
- D. The HHS Real Property Asset Management Plan will address, at a minimum, the Guiding Principles and all required components of an AMP as delineated by the Federal Real Property Council in their Guidance for Improved Asset Management.
- E. HHS Strategic Plan. The HHS strategic plan charts a course into the future. The mission, goals, strategies, and objectives contained in the strategic plan provide clear direction to the program offices responsible for achieving results and success. HHS' success will only be accomplished with adequate financial, human, facility, infrastructure, and technical resources. This Facilities Program Manual addresses how facility and infrastructure resources will be managed, to be in alignment with and responsive to the Department Strategic Plan.
- F. Management Directives. The Department has issued this manual to establish improved and consistent processes and decision making across HHS to govern the management of real property assets. This manual will be updated as necessary to support changes in the mission and strategic objectives of HHS and to comply with evolving FRPC guidance. It may be supplemented by directives which establish reporting requirements and define roles and responsibilities for real property planning and management.

## 2-1-10 PROCEDURES

Each OPDIV shall establish and maintain a single, comprehensive descriptive database of all real property under its custody and control, in accordance with the FRPC guiding principle to accurately inventory and describe all assets. This requirement is fundamental to successful Real Property Asset Management.

The FRPC has identified and defined mandatory data elements that will be captured and reported by all agencies. These data elements support the goals of the executive order, as well as the requirements of the Performance Measures Committee. In addition to Performance Measures included among the mandatory FRPC data elements, HHS has established department specific performance measures. The topic of Performance Measures is covered in a separate section of this manual.

The FRPC's intent is that agencies will report data at the constructed asset level. Agencies that do not follow the definitions outlined within the guidance or do not report at the constructed asset level must coordinate those deviations from the Guidance with OMB.

## 2-1-20 GUIDANCE AND INFORMATION

It is important for HHS and its OPDIVs to maintain complete and accurate property inventory and management information systems with regard to the location, size, and other relevant characteristics of real property assets. Active and efficient stewardship of government assets should be an objective for every landholding agency to appropriately maintain those properties that are truly needed.

Consolidated Real Property Asset Database: HHS provides a data warehouse for real property asset information. Each OPDIV is required to provide consistent information, drawn from its own real-time management systems, to populate the HHS system.

## 2-1-30 REPORTING REQUIREMENTS

OPDIVs shall make every effort to continually maintain current and accurate information in the database concerning their real property inventory, including at a minimum the mandatory data fields required by the Federal Real Property Council and those data elements specified as mandatory by HHS. The mandatory data elements are not listed here since they may change over time based on evolving policies and requirements, but they will be identified in the database itself. FRPC mandated data elements are thoroughly described in the most current "Guidance for Real Property Inventory Reporting" distributed by GSA's Office of Government-wide Policy.

The data to be reported to GSA on an annual basis is to reflect information current at the end of each fiscal year (September 30). The deadline for upload of HHS inventory data to the Federal Real Property Profile (FRPP) is typically late during 1<sup>st</sup> quarter each year. To ensure that HHS meets this deadline, OPDIVs are to complete all data input no later than 30 days prior to the deadline established for upload to the FRPP. This is an absolute deadline that cannot be waived.

Note: Although some data elements apply to landholding OPDIVs, all OPDIVs are required to provide data on the elements that apply to both landholders and non-landholders.

## SECTION 2-2: PERFORMANCE MEASURES

2-2-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 2-2-00 POLICY

HHS utilizes the following mandatory performance measures in the management of real property assets:

- Mission Dependency
- Condition Index
- Facility Utilization
- Operations and Maintenance Costs
- Construction Program Performance

Use of other, optional performance measures is encouraged.

#### A. MISSION DEPENDENCY

HHS measures the “Mission Dependency” of each of its real property assets to determine the value an asset brings to the performance of the mission as determined by the OPDIV in the categories of Mission Critical, Mission Dependent – Not Critical, and Not Mission Dependent. Mission Dependency applies to each facility for each OPDIV. The applicability of this metric extends to all properties leased and/or owned and operated by the OPDIV.

#### B. CONDITION INDEX

HHS uses Condition Index (CI) as a metric to assess the physical condition of its facilities. CI is an indicator of the physical condition of a facility *at the time* a visual condition assessment is performed. In addition to the metric, the visual condition assessment process, which gathers information necessary to calculate CI, yields information about specific defects needed for planning and executing specific capital repair projects. CI is calculated as the ratio of repair needs to asset value. The CI will be calculated annually, will be reported as a “percent condition” on a scale of 0% to 100%, and will be calculated as  $[(1 - \text{\$repair needs}/\text{\$PRV}) \times 100]$ . (A higher CI indicates that a constructed asset is in better condition.) “Repair needs” is the amount necessary to ensure that a constructed asset is restored to a condition substantially equivalent to the originally intended and designed capacity, efficiency, or capability.

‘Repair need’ is a response to deferred maintenance, which is defined as maintenance that was not performed when it should have been or was scheduled to be and which, therefore, is put off or delayed beyond the year of the condition assessment. ‘Asset value’ is defined as “plant replacement value (PRV) where the PRV is the cost in current dollars to replace the existing facility with new construction supporting existing functions. The process and results of defining deferred maintenance are equally critical to consistently calculating the CI metric for each facility. CI applies to each HHS owned building and structure as reported in accordance with FRPC requirements.

C. FACILITY UTILIZATION INDEX

HHS utilizes a Facilities Utilization Performance Measure in conformance with FRPC guidance to determine the extent of facilities' utilization in five major property types occupied by HHS. HHS has provided guidance to the OPDIVs for reporting facility utilization. The information is reported and kept current in the Automated Real Property Information System. The performance measure applies to each HHS office, warehouse, laboratory, hospital, and residence (as defined by the Federal Real Property Council). Applicability extends to all properties leased and/or owned and operated by HHS, but not properties owned by the HHS and operated by others, such as the IHS properties operated by tribes.

D. OPERATIONS AND MAINTENANCE COSTS PERFORMANCE MEASURES

The purpose of this measure is to facilitate the ability to compare facility operating costs in a meaningful fashion and identify facilities that operate most/least efficiently. This will be valuable information for decision-makers in determining how to invest resources for maximum return or improved performance. Each OPDIV or other HHS component will follow uniform procedures in reporting total operating and maintenance costs on a 'by building' basis. This performance measure applies to all HHS-owned buildings. The operating and maintenance cost measure is made up of four component costs:

- (1) Recurring maintenance and repair costs;
- (2) Utilities (includes central plant operation and purchase of energy);
- (3) Cleaning and/or janitorial costs (includes pest control, refuse collection, and disposal to include recycling operations); and
- (4) Road/grounds costs (includes grounds maintenance, landscaping, and snow and ice removal from roads, piers, and airfields).

E. CONSTRUCTION PROGRAM PERFORMANCE MEASURES

The purpose of these measures is to -

- (1) determine the percent a project changes in scope from planning through completion;
- (2) to determine the percent a project changes in cost from planning through completion; and
- (3) to determine the percent a project changes in schedule from planning through completion.

These performance measures apply to all projects that require an FPAA. With respect to change in project cost, each OPDIV shall generate a Project Budget Template.

2-2-10 PROCEDURES

A. MISSION DEPENDENCY

Each OPDIV is responsible for the following to assure appropriate implementation:

1. Each OPDIV will apply the measure to 100 percent of the facilities in its inventory. Reporting will be part of the testing process for metric applicability purposes.
2. Each land-holding OPDIV will utilize an electronic asset inventory system. The OPDIV is to ensure that the inventory system has a data field called "Mission Dependency," allowing for the input of one of the Mission Critical letter designations identified in the procedures below. Additionally, a text field must be provided for use in providing an explanation for any assets designat-

ed as “Not Mission Dependent.” The OPDIVs will ensure this system is coordinated with HHS prior to implementation.

The OPDIVs will utilize the following procedure:

1. Each OPDIV will evaluate the functions within each of its assets, categorize the asset, and enter the category into the OPDIV’s asset inventory system using the following designations:

**Mission Critical** - Without the constructed asset or parcel of land, mission is compromised.

**Mission Dependent** - The asset does not fit into Mission Critical or Not Mission Dependent categories. The asset’s primary function supports the Mission.

**Not Mission Dependent** - Mission is unaffected.

2. Each asset will receive only one categorization designation. Where there are multiple functions for a facility, then the highest applicable mission dependency category should be utilized.
3. The evaluation will be based on the facilities function under normal operations, not a catastrophic scenario.
4. Where any asset is designated as “Not Mission Dependent”, the OPDIV will complete the text field to provide the explanation for this designation.
5. On an annual basis in the first quarter of each fiscal year, the OPDIV will review the asset categorizations and update the asset inventory system with any changes.

#### B. CONDITION INDEX

Each OPDIV is responsible for the following to assure appropriate implementation:

1. Each land holding OPDIV will perform a condition assessment process to identify repair needs at each OPDIV owned building and structure reported in ARIS. The process shall result in the calculation and reporting of a Condition Index (CI) according to methods prescribed by HHS policies.
2. Each land holding OPDIV will report CI as part of their annual ARIS data submission. The OPDIV is to ensure that their local automated inventory system has a data field for CI for export to ARIS.

#### C. FACILITY UTILIZATION INDEX

Each OPDIV is responsible for the following to assure appropriate implementation:

1. Each OPDIV or other HHS component will apply this measure to 100% percent of its relevant portfolio. Reporting will be part of the testing process for metric applicability purposes.
2. Each OPDIV will utilize an electronic asset inventory system. The OPDIV component is to ensure that the inventory system has data fields for the relevant property types and for the categories Over Utilized, Utilized, Under Utilized, and Not Utilized, allowing for the input of one of the Facilities Utilization letter designations identified in the procedures below. The OPDIV will ensure this system is coordinated with OFMP prior to implementation.
3. Each OPDIV component will follow the procedures below to determine the utilization of each property type, in accordance with the table that follows. On an annual basis in the last quarter of each fiscal year, the OPDIV will review the facility categorizations and update the building inventory system with any changes.

**Summary Table**

Rating	Office	Warehouse	Hospital	Laboratory	Housing
Over Utilized	>95%	>85%	> 120%	< 200 nasf	N/A
Utilized	75-95%	50-85%	80% -120%	200 – 460 nasf	85-100%
Under Utilized	<75%	10-50%	< 80%	> 460 nasf	<85%
Not Utilized		<10%			

**D. OPERATIONS AND MAINTENANCE COSTS PERFORMANCE MEASURES**

Each OPDIV or other HHS component is responsible for the following to assure appropriate implementation:

1. Each OPDIV will input operations and maintenance cost data from the prior fiscal year (including lease costs for leased assets) for each asset by November 15th each year, to facilitate the annual data import to ARIS.
2. Each OPDIV will utilize a computer system (with appropriate backup data) to report on the four operating and maintenance component costs at the asset level.

**E. CONSTRUCTION PROGRAM PERFORMANCE MEASURES**

1. **Change in Project Scope:** Reporting will be part of the testing process for metric applicability purposes. The following procedure shall be utilized to implement this measure:
  - a. Projects shall be measured annually.
  - b. Project Scope shall be defined as FPAA, block 13. Project Scope shall be further defined as physical size and characteristics, functions, and special features (see FPAA instructions).
  - c. The original HHS approved FPAA shall be the benchmark for project scope.
  - d. Annual reporting of this measure will utilize the most recent approved FPAA or Quarterly OFMP Report, whichever is most recent.
  - e. Final report of change in project scope shall occur when project reaches “Operational” (at “Use and Possession” of a facility).
  - f. Deliverable: Reporting of Change in Project Scope shall include the benchmark (original) FPAA, subsequent approved FPAA amendments, and the most recent FPAA (or Quarterly Report) with transmittal memo.
  - g. Additional explanation sheets submitted with FPAA can be included with Change in Project Scope.
  
2. **Change in Project Cost:** Each land holding OPDIV is responsible for the following to assure appropriate implementation:
  - a. Projects shall be measured annually.
  - b. Project Cost shall be defined as FPAA, block 6.b.
  - c. The original HHS approved FPAA shall be the benchmark for project cost.
  - d. Utilize an OPDIV generated project budget template to capture all project costs and cross reference with the FPAA cost data in boxes 9 and 10.
  - e. Annual reporting of this measure will utilize the most recent approved FPAA or the Quarterly OFMP Report, whichever is most recent.
  - f. Final report of change in project cost shall occur when all claims are resolved and the project reaches “Operational” (at “Use and Possession” of a facility).



- g. When submitting final report of change in project cost, provide explanation or notation for:
    1. Final project costs that are unknown (*e.g.*, pending litigation)
    2. Projects that are incremental in “Use and Possession”
  - h. Deliverable: Reporting of Change in Project Cost shall include the benchmark (original) FPAA, subsequent approved FPAA amendments, and the most recent FPAA (or Quarterly Report) with transmittal memo.
  - i. Additional explanation sheets submitted with FPAA can be included with Change in Project Cost.
3. **Change in Project Schedule:** Reporting will be part of the testing process for metric applicability purposes. The following procedure shall be utilized to implement this measure:
- a. Projects shall be measured annually.
  - b. Project Schedule shall be defined as FPAA, block 15.
  - c. The original HHS approved FPAA shall be the benchmark for project schedule.
  - d. Annual reporting of this measure will utilize the most recent approved FPAA or the Quarterly OFMP Report, whichever is most recent.
  - e. Final report of change in project schedule shall occur when project reaches “Operational” (at “Use and Possession” of a facility).
  - f. Deliverable: Reporting of Change in Project Schedule shall include the benchmark (original) FPAA, subsequent approved FPAA amendments, and the most recent FPAA (or Quarterly Report) with transmittal memo.
  - g. Additional explanation sheets submitted with FPAA can be included with Change in Project Schedule.

2-2-20 GUIDANCE AND INFORMATION

A. FACILITY CONDITION ASSESSMENT PERFORMANCE MEASURES

HHS recommends various optional metrics to assess the physical condition of its facilities. These metrics include: Assessment Freshness Index (AFI); Backlog of Maintenance and Repair (BMAR); Inventory Quality Index; and Sustainment Rate (SR). Each is described below:

1. Assessment Freshness Index

Assessment Freshness Index, or AFI, indicates how up-to-date facilities assessments are. AFI represents the number of up-to-date assessments divided by the total number of assessments required. Out-dated assessments may not adequately identify deficiencies that require rectification. AFI is one of the metrics available to accomplish the goal of maintaining reliable assessment information. In support of that goal, AFI supports the metric related to assessment ‘quantity’ (IQI) by providing a measure of assessment ‘quality’. AFI is a data point that may be used as an indicator by an OPDIV to manage risk based on how current their assessment data is. The higher the AFI ratio of up-to-date assessments to total assessments is, the more reliable the data. Current, credible data is key to making sound investment decisions in an environment of scarce resources.

Each land-holding OPDIV is encouraged to use an electronic asset inventory data processing system capable of automatically calculating, storing, and reporting values of AFI. Upon annual update of their assessment information, OPDIVs are encouraged to review their AFI ratio, to assess its driving factors, and to adjust their upcoming year’s assessment plan as warranted.

## 2. Backlog of Maintenance and Repair

The continued use of the term BMAR may be confusing since the FRPC does not recognize its use. Likewise, Federal Accounting Standards Advisory Board Standard No. 6 uses the term “deferred maintenance” instead of BMAR. The Department’s Performance Accountability Report (as prepared by ASBTF) also speaks to “deferred maintenance”. BMAR is only mentioned here to suggest that OPDIVs recognize the terms BMAR, “deferred maintenance”, and “repair needs” as all describing the same figure (*e.g.*, the numerator in the equation used to calculate Condition Index).

BMAR is essentially the same as “repair needs”. That is, a repair need is a “need” because it exists at the time of the condition assessment; having been left unaccomplished, put off or delayed (backlogged). If the associated repair had been done there would be no need (no backlog). If a repair is anticipated in the future, it should not be considered a “need” for condition assessment purposes since it is not needed at the time the assessment is being performed.

## 3. Inventory Quality Index (IQI)

*Inventory Quality Index*, or IQI, indicates the degree to which OPDIVs and HHS components are using standard processes and data elements to develop facility condition assessment information. IQI represents the sum of assessments conducted using the HHS process divided by the total number of assessments reported. IQI is one of the metrics available to be used to accomplish the goal of optimizing standardization of system and component inventory information. It is a data point that can be used as indicator of how an OPDIV’s assessment process conforms with HHS standards. The higher the IQI ratio of conforming assessments to total assessments, the more consistent the data. Consistent, credible data is key to making sound investment decisions in an environment of scarce resources.

Each land-holding OPDIV is encouraged to use an electronic asset inventory data processing system capable of automatically calculating and storing IQI. Upon annual update of their assessment information, OPDIVs are encouraged to review their IQI ratio to assess its driving factors and to adjust their upcoming year’s assessment plan as warranted.

## 4. Sustainment Rate (SR)

*Sustainment Rate*, or SR, indicates the degree to which necessary funding for routine maintenance, repair, and replacement projects is being expended. SR does not include Capital Improvement projects. SR represents the ratio of actual maintenance expenditures divided by total required expenditures. The result, multiplied by 100, yields a percentage; higher percentages represent better sustainment. If sustainment funding drops below acceptable profiles, the shortfall is likely to reduce the life of the asset and lead to increased long-term costs. Acceptable profiles are typically represented by industry standards for like-facilities over time (*e.g.*, 40 years, 67 years, 100 years). The determination of acceptable OPDIV funding profiles needed to achieve a minimum acceptable SR level will be based on OPDIV-specific condition assessments, competing requirements, and necessary mitigations.

SR is one of the metrics available to accomplish the goal of “obtaining and maintaining appropriate levels of maintenance funding”. Each OPDIV is encouraged to use an electronic asset inventory data processing system capable of calculating, storing, and reporting SR values. Upon annual update of their assessment information, OPDIVs are encouraged to review their SR ratio, to assess its driving factors, and to adjust their budget/investment strategies as warranted.

## B. FACILITY UTILIZATION INDEX

Each OPDIV or HHS component will follow the procedures below to determine the utilization of each property type as Over Utilized, Utilized, Underutilized, or Not Utilized.

Each OPDIV will base its measurement on an annual census. The census will count each staff person who both holds an HHS (or OPDIV) ID and occupies HHS (OPDIV) facilities. "Staff includes HHS (OPDIV) employees (FTEs), contractors, guest researchers, research fellows, tenants (such as day care centers and retail spaces), and volunteers. No distinction is made between part-time and full-time employees, each of whom is counted as a whole number. The census counts people in all facilities, leased or owned.

1. Offices – Defined as buildings primarily used for office space. The utilization measure for offices will be based upon the number of workstations currently being occupied relative to the total number of workstations available.

Office Space Utilized (%) = (Number of Personnel /Number of Workstations) X 100

- Number of Personnel = Each OPDIV would prudently determine the definition of “Number of Personnel” based upon their OPDIV factors such as FTE, etc.
- Workstation = A “Workstation” is defined as an area typically used for personnel to work. It can include a single desk available to one person (1 workstation), single large desk capable of providing workspace for 2-3 people (denoted as 2-3 workstations), or one desk shared by several temporary employees. Each OPDIV needs to provide further refinements applicable to their situation.
- It does not include building and floor common areas (public elevator lobbies, corridors, restrooms) and GSA or HHS joint use areas.

OPDIVs may utilize automated systems or other methods of calculating the utilization of offices that provide results consistent with the above noted performance measure.

2. Warehouse - HHS warehouses generally operate as centralized receiving, distribution, and stores operation. Their functions include, but are not limited to the following: receiving, bar-coding, staging, and distributing accountable property, short-term storage not to exceed six months, staging surplus property for disposal and/or reutilization, package, palletize, and stage shipments as necessary.

The utilization of warehouse will be measured by the ratio of occupied area to gross square feet. The formula for warehouses will consist of the area (square feet) currently occupied for storage, as a percentage of the total gross area (square feet) of the warehouse. The formula is:

Actual Utilization (%) = (Occupied Units/Design Capacity) X 100

- Units Occupied = the area (square feet) or number of units that are occupied.
- Design Capacity = can include any unit of measure based upon the material being stored or used. Examples include gross square feet, rental area, total number of units, total number or bins, etc.

HHS uses square feet as the standard unit of measurement and, in most cases, GSF will be the standard. However, OPDIVs wishing to use another unit of measure will need to convert their units to GSF.

3. Hospital - The Indian Health Service (IHS), an OPDIV of HHS, is responsible for the administration of the principal Federal health care programs for American Indian and Alaska Native (AI/AN) people. The IHS provides a unique health care delivery system and for approximately

1.34 million AI/AN people living on or near Federal Indian reservations or in traditional Indian country, such as in the states of Oklahoma and Alaska.

HHS will determine its utilization of its hospitals, including the inpatient and clinic components of the hospitals, by comparing required program space/existing space based on the IHS Health System Planning<sup>1</sup> (HSP) process where < 80% is under utilized, 80% to 120% is utilized, and > 120% is over utilized.

Example: The IHS Hospital at Winnebago has 169,678 nsf of existing space and according to HSP, Winnebago requires 149,214 nsf. Formula:  $149,214/169,678 = 88\%$ . 88% is utilized.

4. Laboratories - The design capacity for HHS research laboratory for planning and occupancy purposes shall not exceed 460 net assignable square feet (nasf) per scientist. Research laboratory (e.g. "wet laboratory") space includes: laboratory (based on a standard module of 11'x33'), laboratory support, and laboratory related offices. Laboratory personnel who are housed within the identified space are defined as budgeted FTEs including vacancies for which recruitment has been approved and applies to all acquisitions not already advertised, as well as to new construction and renovations not yet at an approved final design stage. It does not include building and floor common areas (public elevator lobbies, corridors, restrooms) and GSA or HHS joint use areas. Many HHS laboratories are unique because of the diverse missions of the Centers for Disease Control and Prevention, the Food and Drug Administration, and the National Institutes of Health. The following laboratory functions are excluded and will be measured separately from HHS standard laboratory utilization rate:

Centralized Support: Centralized laboratory stand alone support facilities, such as centralized freezers, glass wash facilities, and computer centers, are determined by use of appliances, equipment and instruments to support research on a centralized basis. Net assignable square feet per person will not be employed to determine the utilization rate for shared and centralized support laboratory spaces. Centralized support space exists to support research; therefore, they are utilized so long as there is research.

Instrument or Special Purpose Laboratories, High Containment Laboratories and Clinical Research: Special purpose and instrument laboratories are determined by size of equipment and instruments. Net assignable square feet per person will not be employed to determine the utilization of special purpose or instrument laboratories. Special purpose laboratories are utilized or not utilized; likewise high containment laboratories (BLS-4) and clinical research space will be utilized or not utilized.

Animal Research Facilities (Vivariums): The utilization of animal housing is based on the requirements in the *Guide for the Care and Use of Laboratory Animals*. The utilization of the related animal research facility support functions are determined by research protocols and species housed, including: necropsy, surgery, procedure room, cage wash, quarantine area, sterilizer room, isolation, locker room, feed and bedding storage, X-ray, treatment room, behavioral testing room, microinjection room, transgenic lab suite, diagnostic lab suite, environmental experiment room, cage decontamination area, surge cage storage, field equipment room, material decontamination/entry, incinerator, tissue digester, food preparation kitchen, automatic watering system room, CVAC system support room shared space for records, locker rooms, animal irradiator, analgesic inhaler device, and waste disposal are determined by research protocols and species housed. Animal research facility support spaces are utilized or not utilized.

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<sup>1</sup> Required program space in the HSP is determined by numerous factors such: as demography, function or discipline, staff travel time, service radius, work load threshold, work load limits, bed days, visits, man hours, exams, meals, staff, service, linen, billable test, births, work units, storage index, and surgical procedures

- HHS laboratory spaces that are less than 200 nasf/scientist<sup>2</sup> on average are over utilized.
  - HHS laboratory spaces that are between 200 and 460 nasf/scientist are utilized.
  - HHS laboratory spaces that are greater than 460 nasf/researcher on average are under utilized.
5. Housing - HHS housing is provided for IHS medical staff in remote locations. The Bethesda Campus of the NIH also provides staff housing, including a house for the U.S. Surgeon General. The utilization performance of housing will be measured based on percentage of occupancy of dwelling units per site specific location.
- HHS dwelling units of a specific site location that are occupied between 85% and 100% are utilized.
  - HHS dwelling units of a specific site location that are occupied below 85% are under utilized.

The initial categorization for each facility will be entered into the OPDIV's or other HHS component's building inventory system using the following designations:

- O Over utilized
- U Utilized
- N Underutilized
- V Not Utilized

C. OPERATIONS AND MAINTENANCE COSTS PERFORMANCE MEASURES

The data in the computerized system will contain the following information, with costs measured on a cost per gross square foot (GSF) basis.

Site	Building Number	Recurring Maintenance and Repair Costs	Utility Costs	Cleaning/Janitorial Cost	Roads and Grounds Costs	Total	Comments
Site xx	Building xx	\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	
Site xx	Building xx	\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	
Total Site xx		\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	\$ xxxx	

If all cost information is not available at the building level then costs may be allocated using an algorithm. OPDIVs shall be able to describe the algorithm applied for each measure, but need not include that explanation in the database. For example an algorithm uses weighting factors to allocate costs by building type for Recurring Maintenance and Repair, Utilities, and Cleaning/Janitorial costs. Roads and Grounds cost do not need to be weighted.

Where some of the operating and maintenance functions are performed by contractors and the costs are not allocated at the building level, the OPDIVs should revise the contract format to capture actual costs at the building level when the requirement is re-solicited.

Explanations for measuring the four components of the operating and maintenance costs are described below:

1. Recurring Maintenance and Repair Costs (\$/GSF):
  - a. Includes the following building systems and/or components:

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<sup>2</sup> Research at the National Institutes of Health is similar to a university biomedical research program that utilizes a large number of Post Doctorate Fellows in their research laboratories and therefore their density would be higher. The Centers for Disease Control and Prevention and the Food and Drug Administration biomedical research programs are more aligned with industry and their density would be lower.

- HVAC systems to include building automation systems;
  - Electrical systems to include uninterruptible power systems, emergency power, and emergency generators;
  - Plumbing systems to include restroom fixtures, domestic water, sanitary sewer, reverse osmosis, natural gas, and compressed air;
  - Chilled water systems;
  - Steam and condensate systems;
  - Fire protection to include fire alarm systems, sprinkler systems, exit lights, fire stopping, cooking hoods, rated walls, and rated doors;
  - Architectural components to include flooring, doors with associated hardware, ceilings, painting, wall coverings;
  - Refrigeration for cold rooms and DX systems;
  - Card access systems to include readers, panels, and software;
  - Medical gas systems;
  - Nurse call systems;
  - Building structure and components;
  - Laboratory fume hood exhaust systems;
  - Roofs, downspouts and gutters;
  - Predictive maintenance monitoring equipment;
  - Perimeter fencing and gates; and
  - Elevators, escalators, and lifts.
- b. Includes labor and materials for the following services:
- Preventive or predictive maintenance procedures on building equipment and components;
  - Service or trouble calls related to HVAC, electrical, plumbing, architectural components such as doors, floors, and windows, lighting, fire alarms, and any other component directly related to the safe operation of the building;
  - Miscellaneous repairs less than \$10,000;
  - Facility management services;
  - 24/7 emergency response (15 minutes);
  - Day to day operations function of routine checks of critical equipment or problem areas;
  - Maintaining an accurate building equipment inventory and accurate building drawings;
  - Operating support for program related upgrades or capital repairs to include shutdowns as well as providing basic information about the building and associated systems; and
  - Associated support for all operations and maintenance services such as vehicles, vehicle maintenance, training, computer equipment, maintenance related software systems, office supplies, copiers, fax machines, phones, radios, IT support, and supervision;
- c. *Does not* include the following:
- Facility condition assessments;
  - Loading dock management services;
  - Animal care cage wash equipment maintenance and repair;
  - Other miscellaneous program related equipment maintenance and repair;
  - Telecommunication systems maintenance and repair; and
  - Portable equipment such as refrigerators, freezers, and laboratory equipment.

2. Utilities Costs (\$/GSF):

a. Includes the following utility distribution systems and central utility plant equipment:

- Primary domestic water distribution system including fire hydrants;
- Primary sanitary sewer distribution system;
- Primary natural gas distribution system;
- Primary compressed air distribution system;
- Primary chilled water distribution system;
- Primary steam and condensate return distribution system;
- Primary electrical distribution system;
- SCADA System;
- Metering systems; and
- Central Utility Plant equipment to include boilers, chillers and air compressors;

b. Includes labor and materials for the following services:

- Preventive or predictive maintenance procedures and repairs on all Central Utility Plant equipment;
- Repair of all primary utility distribution systems;
- Operation of Central Utility Plant;
- Maintenance and repair of metering systems, and meter reading;
- Purchase of all utilities to include electricity, natural gas, water/sanitary sewer, propane, and fuel oil;
- Maintaining an accurate Central Utility Plant equipment inventory and accurate primary utility systems distribution drawings;
- Operating support for program related upgrades or capital repairs to include shutdowns as well as providing basic information about primary utilities systems; and
- Associated support for all operations and maintenance services such as vehicles, vehicle maintenance, training, computer equipment, maintenance related software systems, office supplies, copiers, fax machines, phones, radios, IT support, and supervision.

3. Cleaning/Janitorial Costs (\$/GSF):

a. Includes the labor and materials for the following services:

- Custodial cleaning services to include offices, laboratories, restrooms, corridors, stairwells, building entrances, conference rooms, and break rooms;
- Trash/Refuse collection;
- Window washing;
- Recycling operations; and
- Pest control operations.

b. *Does not* include the following:

- Removal of hazardous waste.

4. Roads/Grounds Costs (\$/GSF):

Roads and Grounds costs shall be allocated based on the GSF of a building. Because the size of campuses and the build-out per campus can vary substantially, the cost per acre can be included in the comment field if that helps to explain costs that might seem high as compared to a building located off campus or on a densely developed campus.

- a. Includes the following services:
  - Maintenance of landscaping to include grass cutting, tree trimming, shrub trimming, mulching, fertilizing, application of herbicides, shrub bed maintenance, flower planting, tree planting, shrub planting, and removal of leaves;
  - Snow and ice removal from all roads, parking lots, sidewalks, and building entrances;
  - Maintenance and repair of exterior and transportation signage and electronic control devices;
  - Maintenance and repair of roads, sidewalks, parking lots, bridges, pavement marking, and street lights;
  - Removal of litter;
  - Street sweeping; and
  - Parking garage cleaning, striping, lighting, and washing.
- b. *Does not* include the following:
  - Any new construction of roads, sidewalks, or parking lots;
  - Purchase and maintenance of interior plants;
  - Setting up for special events held outdoors; and
  - Work required to comply with changes in security color codes;

#### 2-2-30 REPORTING REQUIREMENTS

Minimum reporting requirements are as follows:

- A. MISSION DEPENDENCY is a mandatory real property inventory data element that each OPDIV shall review at least annually and update the database with any changes.
- B. CONDITION INDEX is mandated by FRPC and must be reported by OPDIVs to HHS and by HHS to OMB. This first tier performance measure applies to each HHS owned and operated building and shall be collected and reported in accordance with HHS prescribed processes.
- C. FACILITIES UTILIZATION is a first tier performance measure mandated by FRPC. Each OPDIV will base its utilization results on objectively established space standards and on an annual census conducted in accordance with Section 2-2-20-B. Each OPDIV is responsible to assure appropriate implementation including timely entry of the resulting data into the asset inventory system. The OPDIV will review the facility utilization categorizations and update the building inventory system with any changes during the last quarter of each fiscal year (reflecting the census data).
- D. OPERATIONS AND MAINTENANCE COST is a first tier performance measure mandated by FRPC. It is applicable to all HHS owned, operated, and leased buildings and must be reported at the constructed asset level by OPDIVs to HHS and by HHS to OMB.
- E. CONSTRUCTION PROGRAM PERFORMANCE MEASURES. See reporting requirements included under 2-2-10 "Procedures".



SECTION 2-3: FACILITY CONDITION ASSESSMENTS

2-3-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements
X2-3-A	Guideline Specification for HHS Facility Condition Assessments

2-3-00 POLICY

HHS facilities policy, in general, is to exercise responsible stewardship of its infrastructure. Linking facilities requirements to the budget decision-making process is a key element of stewardship, with facility condition assessments being fundamental to establishing facilities requirements. HHS specific policy relative to facility condition assessments is as follows:

- A. HHS land-holding OPDIVS will conduct visual facility condition assessments of their constructed assets (buildings and structures) at a minimum of once every five years to identify associated deficiencies.
- B. A “desk-top” assessment will be conducted every year in the off-years of the visual assessment cycle. The purpose of a desk-top assessment is to update the cost-basis of visual assessments, to add any deficiencies that have emerged since the last visual assessment, and to delete any deficiencies that have been mitigated since the last visual assessment.
- C. Condition assessment data will be reported in compliance with HHS ARIS (Automated Real Property Information System) data and data transport standards. Note that Condition Index (CI) is a required field for ARIS reporting purposes but that total Repair Needs is not. The CI reported shall be calculated as follows, and formatted on forms and reports as a percentage value:

$$(1 - (\text{total repair needs}/\text{plant replacement value})) \times 100$$

- D. Available capital will be invested in the maintenance, repair, renovation and construction of facilities consistent with condition assessment metrics, sound business practices, and HHS/OPDIV priorities. Among the top priorities is to reduce repair needs so as to achieve a condition that reflects comprehensive stewardship of Department assets. For classification purposes, ranges of CI will be:

- Level 1: Excellent: CI  $\geq$  95% and  $\leq$  100%
- Level 2: Good: CI  $\geq$  90% and  $<$  95%
- Level 3: Fair: CI  $\geq$  65% and  $<$  90%
- Level 4: Poor: CI  $<$  65%

*HHS's goal is to achieve a minimum CI of 90 per every constructed asset in a land-holding OPDIV's owned portfolio.*

- E. The Facilities Condition Assessment Program (FCAP) will be a pillar of the land-holding OPDIV facilities program as it is an essential investment decision-making tool for OPDIV and HHS senior management. CI will be one of the indicators used to grade OPDIV scorecards.

2-3-10 PROCEDURES

Consistent identification of repair needs is a key to an effective condition assessment program. The following elements are provided to assist in implementing an effective program and in linking it to a landholding OPDIVs budget decision-making process. These elements are not intended to supersede policy or to limit OPDIV flexibility.

- A. ASTM standard E 2018-01 “Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process” shall be considered in developing an assessment program.
- B. As a compliment to ASTM E2018-01, assessment and data quality control procedures shall follow the Guideline Specification for HHS Facility Condition Assessments attached as Exhibit X2-3-A.
- C. Assessment scope for reported CI shall include only physical deficiencies that exist at the time the assessment is conducted and should not include program related deficiencies (*i.e.*, deficiencies that require correction from a funding source other than facilities). “Repair needs” should be linked to existing defects. If a physical defect affects the mission or operation of a facility at the time the assessment is being conducted, then it should be considered to be a “repair need”. Potential defects that have not manifested into physical defects that affect mission or operation, but based on analysis of industry standard EUL/RUL data, will do so before the next scheduled assessment, should not be identified as a “repair need” since they are not reflective of the condition of the facility at the time it is being inspected. Layout alterations, additions, customer-requested improvements, or any other projects that are not linked to defects are not “repair needs”.
- D. Standard/recognized cost sources such as R.S. Means or DoD Cost Estimating Guide shall be used to estimate repair needs and plant replacement values.
- E. Plant Replacement Value (PRV) shall be the total cost, at current rates, for constructing existing assets to current construction standards using existing asset sizes and layouts. PRV shall not include personal property, *e.g.*, portable fixtures, furnishings, and equipment that are not part of the constructed fabric of the asset.
- F. Only include repair needs greater than a minimum threshold value of \$1,000.
- G. The total cost for each repair need, including both direct and indirect costs, shall be identified. Total cost shall include the rates/costs used for non-construction items associated with repair needs. Such items/rates may include, but are not limited to, Contingencies, Architects/Engineers fees, Pre-design & Design Fees, Contracting Fees, and Management Fees.
- H. All valid repair needs, regardless of priority, shall be used to calculate the CI value. Estimates of potential available budget or potential project timing, though they may be used in prioritization, are irrelevant and should be ignored when calculating CI.
- I. Replacements that have become necessary due to failure of aged or obsolete systems should be identified as repair needs. Allowances should be made for performing repairs or replacements with modern systems.
- J. The prioritization of deficiencies across an OPDIV’s portfolio shall be based on the careful consideration of the mission dependency and use of the constructed asset, as well as on the nature of the associated deficiencies and the risks associated with them. Hence, it is important that the assessment data includes the mission and use of the constructed assets as well as the nature (category), severity of the

deficiencies, and other prescribed attributes. It is this data set that facility planning/programming personnel shall rely on in developing projects, annual budget submissions, and out-year plans.

#### 2-3-20 GUIDANCE AND INFORMATION

Guidance for developing effective condition assessment contracting and data collection procedures are contained in the Guideline Specification at Exhibit X2-3-A. This guidance is provided in recognition of the significant time and effort required to organize and/or contract for services, collect, validate, and document accurate condition assessment information and to calculate and report an accurate, reliable condition index. It is important for facility management personnel to recognize and consider that other facility management objectives, both at the OPDIV and Department levels, are supported by the assessment process. To realize maximum benefit, the process must be efficient and the data collected must be accurate, complete, and useful.

#### 2-3-30 REPORTING REQUIREMENTS

OPDIV's are required to report CI for each constructed asset (buildings and structures) by November 30<sup>th</sup> as part of their annual ARIS data submission.

# **HHS FACILITY CONDITION ASSESSMENT PROGRAM ASSESSMENT GUIDANCE**

*FACILITIES MANAGEMENT  
BUSINESS PROCESS AND TECHNOLOGY PLANNING  
FOR*



**DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)**  
**FACILITY CONDITION ASSESSMENT GUIDANCE**

*The assessment guidance contained in this document is created specifically for the Department of Health and Human Services (HHS) landholding operating divisions (OPDIVs). It shall be used in conjunction with ASTM E2018-01 (produced by ASTM International); which is the current recognized standard for facility condition assessment. If discrepancies arise between this assessment guidance document and ASTM E2018-01, this HHS document shall be used. This guidance document is intended for use only when assessing assets that are reported by HHS to OMB and shall not be used for any other purpose. To the extent allowed by federal law, this guidance document shall be reproduced by and on behalf of HHS (including HHS contractors and tribal members whose tribe is operating a facility pursuant to an Indian Self-Determination Act agreement who must have access to this guidance document) and shall not otherwise be reproduced or used by or for any other organizations.*

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## 1.0 Introduction

### 1.1 Document Use

*This document is intended to be used by OPDIVs to help define appropriate scope of work documents for performing facility condition assessments at their facilities. In addition to requirements defined by the guide, OPDIVs will need to prepare a request for proposal and define OPDIV (or site) specific requirements. Sections of this guide that are highlighted within boxes may be used by HHS OPDIVs as necessary and may be inserted into specifications or Request for Proposals (RFPs) as required. Text written in italics is intended to be guidance information.*

### 1.2 Objectives

*The objectives of this guide are to:*

**Objective 1** - *Provide OPDIVs with a standardized template and suggested content for a visual assessment project. OPDIVs are required to perform visual assessment of each OPDIV owned & operated constructed asset at a frequency of no greater than five years. In addition, OPDIVs must maintain a Condition Index (CI) for each owned and operated constructed asset and report the CI to HHS OFMP annually. Maintaining a CI involves updating the capital repair projects list to account for completed and new projects as well as updating the estimated cost basis for each project. The purpose of the objective is for OPDIVs to utilize similar practices consistent with industry best-practices in order to streamline OPDIV efforts and so that results are uniformly superior.*

**Objective 2** - *Define, for real property constructed assets owned and operated by HHS, the scope, level of detail, processes and practices for performing facility condition assessments (FCA) and generating condition index (CI) metrics by performing visual surveys, research and interviews.*

**Objective 3** - *Define assessment and reporting methods and results so that they support and contribute to both Department and Federal requirements for reporting real property management information.*

**Objective 4** - *Provide assessment results in useful formats, to include a written report that identifies repair needs and condition index values for each constructed asset and electronic data sets to allow recordkeeping, analysis and reporting.*

*Terminology used throughout this guide and in ASTM E2018-01 is referenced in Appendix A.*

*The objective/purpose of the facility condition may be communicated to assessors as follows:*

#### 1.2.1 Purpose

The purpose of the Facility Condition Assessment is to:

1. Identify and communicate “repair needs” to operating departments (OPDIVs). The term “repair needs” means “the amount necessary to ensure that a constructed asset is restored to a condition substantially equivalent to the originally intended and designed capacity, efficiency or capability.” (FRPC Guidance for Real Property Inventory Reporting – Section 2.11).
2. Produce a “Condition Index” (CI) for each constructed asset. CI is a general measure of the constructed asset’s condition at a specific point in time. CI is calculated as the ratio of repair needs to “plant replacement value (PRV)”. The CI will be reported as a “percent condition” on a scale of 0% to 100% (positive whole numbers; for cases in which the calculation results in a negative number, the percentage should be reported as zero). The higher the CI the better the condition the constructed asset is in. The “Plant Replacement Value” is the cost of replacing an existing constructed asset at today’s standards. (see Section 3.7 for formula)

### 1.3 Limitations

*Contractual and legal obligations are entirely beyond the scope of this guidance document. Neither the guide as a whole nor individual elements should be used in legal documents without HHS and/or OPDIVs first applying appropriate contractual and legal language and review processes. This applies to both internal and external (e.g.,: agreements with outside assessors or reviewers) uses.*

*The guide is a companion to HHS facility management policy documents. As such, it must be reviewed, revised and updated whenever policies are revised and/or re-interpreted.*

*Appendix C of this guide identifies many physical conditions that may exist in HHS constructed assets, but it does not describe every possible physical condition. HHS is encouraged to revise Appendix C of the guide as new common physical conditions are discovered in HHS constructed assets.*

*This guide does not replace the need for assessors to have completed suitable training for performing facility condition assessments and is not a substitute for such training.*

*This guide does not address safety concerns when performing visual assessments. It is the responsibility of the OPDIV and assessor using this guide to establish and define appropriate safety and health practices.*

### 1.4 Anticipated Results

*This guide will:*

- *Describe and define the practice necessary for performing facility condition assessments of HHS constructed assets;*
- *Describe and recommend standard of care and practices for visual assessments and research;*
- *Describe and recommend protocols for communicating results in a manner meaningful to the OPDIVs and to the Department;*
- *Facilitate consistent FCA results.*

## 2.0 Assessor & Reviewer

*The quality of a FCA is highly dependent on the qualifications of the assessment team. Improved assessment results are achieved by using both assessors and reviewers. Assessors and/or Reviewers may be either HHS staffs or contractors. Either resource must, however, meet all qualifications described in Section 2.1.*

*Ideally, these should be two functionally separate individuals or teams. Assessors and reviewers do not need to be organizationally independent from each other and are often part of the same company, team or organization.*

*The descriptions of the assessors and reviewers may be communicated as follows:*

#### **2.0 Assessor & Reviewer**

The Assessor is the person or team that performs the visual assessments and records the results. The Reviewer is the person or team that checks the accuracy of the assessor's results and presentation of their findings.

## 2.1 Qualifications

*Qualifications should include factors such as experience, education, training, certification, and professional registration/licensure in appropriate subjects. The following minimum qualification standards should be used and, in addition, each OPDIV should augment their standards to account for local factors such as asset type and scope (special functional use, asset size, age, complexity, etc.), and the OPDIV's risk tolerance level.*

*Each OPDIV will need to decide what characteristics demonstrate professional competence and compare this with the subject property type and scope (size, complexity, etc). For example, a shed may be assessed by an individual with a basic background in construction (e.g., building engineer), while a high-rise building should be assessed by an experienced Registered Professional (e.g., professional engineer).*

*The qualification requirements of the assessors and reviewers may be communicated as follows:*

<p><b>2.1 Qualifications</b></p> <p><b>2.1.1 Qualifications of the Assessor:</b></p> <p>An Assessor shall have a minimum of 1 year professional experience and demonstrated professional competence in the scope element for which he/she is responsible for assessing (e.g., architectural experience for the assessment of physical building elements and mechanical engineering experience for the assessment of mechanical systems, etc).</p> <p><b>2.1.2 Qualifications of the Reviewer:</b></p> <p>A Reviewer shall have a minimum of 3 years professional experience and demonstrated professional competence in the performance of facility condition assessments. In addition, the Reviewer should have acceptable qualifications and experience commensurate with the subject property type and scope (size, complexity, etc). Suitable experience combined with Registered Architect (RA), Professional Engineer (PE) licensure/registration, or Chartered Surveyor (MRICS) designations will demonstrate professional competence for Reviewers.</p>
---

## 3.0 Assessment Scope

### 3.1 Standard of Care

*[ASTM E2018-01, Section 3 also discusses Standard of Care]*

*OPDIVs should balance the costs and time demands involved in performing condition assessments. It is unreasonable for OPDIVs to expect assessors to identify every deficiency in minute detail or undertake exhaustive analysis where not warranted.*

*Standard of care requirements may be communicated to assessors as follows:*

<p><b>3.1 Standard of Care</b></p> <p>Assessors and reviewers shall perform condition assessments using the degree of care and skill ordinarily exercised by licensed professionals practicing in the same or similar locality under similar conditions.</p> <p>Assessors shall make visual observations, review records, and conduct interviews to enable them to identify and describe repair needs that are required at the asset.</p> <p>Assessors shall gather sufficient information to provide reasonably-accurate opinions of costs for repair needs (20% error against actual costs shall be considered to be reasonably accurate). Assessors are not expected to enter every single room or area of a building, but should review sufficient areas to obtain the necessary information to identify and report repair needs.</p> <p>Representative observations may be used when assessing conditions at similar locations and construction types. Where repetition is apparent and sampling can be justified, Assessors may perform representative sampling techniques and extrapolate the results.</p>
---



## 3.2 Scope Elements

*Consistent assessment scope definitions are necessary for the generation of consistent assessment results that provide useful metrics to allow direct comparison of different constructed assets.*

*The following scope of services should be included in a facility condition assessment.*

### 3.2 Scope Elements

Assessments shall identify and evaluate physical deficiencies. In addition, assessments shall identify and discuss existing warranties, provide opinions of costs for repair needs, and provide a comparison of estimated useful life to remaining useful life. In addition, a checklist for the elements that should be reviewed during an assessment is provided in Appendix B.

*[If OPDIVs use the reference checklist, include Appendix B in the Scope of Services document]*

#### 3.2.1 Site Systems:

Identify the extent of the site systems and visually observe the systems for each of the following (if present). Site assets that are not reportable as 'constructed assets' to OMB are considered to be land elements. Land elements are not included in Federal Real Property Council (FRPC) reporting requirements. Constructed site assets not reportable under FRPC rules should be separately identified if they are to be assessed for HHS or OPDIV internal use.

Adjoining assets - if part of building or within the boundary, include:

**Drainage:** Identify and observe the condition of the storm water collection and drainage systems and note any problems with the removal of storm water and evidence of poor curbing and gutter systems.

**Site Elements:** Identify and observe the condition of site elements such as sidewalks, plazas, patios, decks, retaining walls, irrigation systems, fountains, lighting, signage, ponds, and recreational facilities, and note any physical deficiencies.

**Utilities:** Identify and observe the condition of on-site utility systems that are owned and operated by HHS. Examples may include water systems, wastewater treatment systems, power generation systems, gas supply pipelines, telecommunications lines, etc. Exclude utilities that are the responsibility of utility companies. Review operating costs against age and use of the systems. Assessors should not access concealed spaces (*e.g.*, underground services, manholes or utility pits).

*[While OPDIVs may elect to assess land elements, repair needs should not be included in CI metrics. Land elements are therefore excluded from this assessment scope.]*

**3.2.2 Structural Systems:**

Identify and observe the condition of the structure for each constructed asset. Observe the substructure, including the foundation system, superstructure, or structural frame (floor and roof framing systems). Observe the structural elements for visible signs of distress (wall cracking, displacement, etc.). Perform seismic evaluations (Probable Maximum Loss (PML) Studies) in high earthquake risk areas that have been identified according to NEHRP guidelines.

Observations of the building's structure generally are to be limited to vantage points that are on-grade or from readily accessible balconies or rooftops. In order to adequately understand the structure, where drawings are available, assessments should include a detailed drawing review. The assessment should not include a review of original design assumptions, calculations, or structural design analyses. Entering of crawl or confined space areas is excluded (however, the assessor should observe conditions to the extent easily visible from the point of access to the crawl or confined space areas), determination of previous substructure flooding or water penetration unless easily visible or if such information is provided.

Observations of the building's structure generally are to be limited to vantage points that are on-grade or from readily accessible balconies or rooftops. In order to adequately understand the structure, where drawings are available, assessments should include a detailed drawing review. The assessment should not include a review of original design assumptions, calculations, or structural design analyses. Entering of crawl or confined space areas is excluded (however, the assessor should observe conditions to the extent easily visible from the point of access to the crawl or confined space areas), determination of previous substructure flooding or water penetration unless easily visible or if such information is provided.

**3.2.3 Building Exterior Elements:**

Identify and observe the condition of the building envelope including facades and/or curtain wall system, glazing system, exterior sealants, exterior balconies, windows, doors, stairways, parapets, canopies, etc and record physical deficiencies, including masonry pointing and sealant repair requirements. Identify the apparent or reported ages of building exterior elements and, combined with visual observations, identify the remaining useful life (RUL).

High level access either by ladders, lifting machines or exterior suspended platforms or slings is excluded. Observations of the building's exterior generally are to be limited to vantage points that are on-grade or from readily accessible balconies or rooftops.

**3.2.4 Roof Systems:**

Identify and observe the condition of the roof systems, accessories and details (exposed membrane and flashings) including, parapets, slope, drainage, etc. Identify previous repairs, evidence of significant ponding, or roof leaks. Observe flashing and penetration details for condition and conformance with standard accepted industry practices. Inquire as to the age of the roof and whether a roof warranty is reported to be in effect. Identify the apparent or reported ages of roof systems and, combined with visual observations, identify the remaining useful life (RUL).

Assessors should not walk on pitched roofs, or any roof areas that appear to be unsafe, or roofs with no built-in access. Assessments should exclude determining roofing design criteria.

**3.2.5 Interior Finishes and Appliances:**

Identify and observe the condition of floor, wall, ceiling and door finishes of typical internal areas, including, but not limited to, lobbies, corridors, assembly areas, and restrooms. Observe the condition of building amenities or other special features that are secured to the building fabric or are major components (such as pools, spas, fountains, major kitchen appliances, etc). Portable items (such as furniture or portable kitchen appliances) are beyond the scope of the condition assessment process. Assessors are not required to activate or operate appliances or fixtures. Assessments should exclude determining or reporting STC (Sound Transmission Class) ratings, and flammability issues/regulations.

**3.2.6 Fire and Life Safety:**

Identify and observe the condition and capabilities of structural fire protection, means of egress, fire suppression systems, and fire detection and alarm systems. Risks to general health and safety shall also be observed and recorded. Identify and observe the condition of life safety and fire protection systems, including sprinklers and standpipes (wet or dry, or both), fire hydrants, fire alarm systems, water storage, smoke detectors, fire extinguishers, emergency lighting, stairwell pressurization, smoke evacuation, etc. Identify the apparent or reported ages of life safety/fire protection systems and combined with visual observations identify the RUL. Assessments should exclude determining NFPA hazard classifications, classifying, or testing fire rating of assemblies.

**3.2.7 Plumbing:**

Identify and observe the condition of the plumbing systems, including piping (sanitary, storm and supply water), fixtures, and domestic hot water production, etc. Identify the apparent or reported ages of plumbing systems where available and, combined with visual observations, identify the RUL. Assessment should exclude determining adequate pressure and flow rate, fixture quantities, or pipe size verification.

**3.2.8 Mechanical Systems:**

**Heating Systems:** Identify and observe the condition of the heat generating and distribution systems, previous replacements/upgrades, the apparent level of maintenance exercised, and whether a maintenance contract is reported to be in place. Identify the apparent or reported ages of heating systems and, combined with visual observations, identify the RUL. The assessment should include a review of operating costs in relation the age and use of the heating systems. Observation of equipment in concealed spaces is excluded (*e.g.*, interiors of chimneys, flues or boiler stacks).

**Cooling and Ventilation Systems:** Identify and observe the condition of air conditioning and ventilation systems including air handlers, cooling towers, chillers, package units, split systems, thermal storage equipment, distribution systems, etc. Identify previous replacements/upgrades, apparent level of preventive maintenance exercised, and whether a maintenance contract is reported to be in place. Also identify and observe the condition of refrigeration equipment for cold storage systems, special computer cooling equipment, etc. Identify the apparent or reported ages of air conditioning and ventilation systems and, combined with visual observations, identify the RUL. The assessment should include a review of operating costs in relation the age and use of the air conditioning and ventilation systems. Observation of concealed spaces is excluded (*e.g.*, air plenums). Process-related equipment is also excluded from the assessment scope.

**3.2.9 Electrical:**

Identify and observe the condition of the electrical service and electrical distribution system including distribution panels, transformers, meters, emergency generators, lighting systems, security systems, telecommunications systems and other such asset-related equipment or systems. Observe types of wiring, energy management systems, emergency power, lighting protection, etc. Identify the apparent or reported ages of electrical systems and, combined with visual observations, identify the RUL of the electrical components. Assessments should exclude the removal of electrical panel and device covers, electrical testing, EMF issues, or operating of any electrical devices. Process-related equipment is also excluded from the assessment scope.

**3.2.10 Vertical and Horizontal Transportation:**

Identify and observe the condition of elevator cabs, escalators and moving walkways, equipment and controls in machine rooms, hoistways, cabs, communication equipment and lobby finishes. For safety reasons, assessors shall be escorted at all times by qualified elevator inspectors or maintenance personnel within machine rooms or hoistways. Identify the apparent or reported ages of vertical transportation and horizontal transportation systems and, combined with visual observations, identify the RUL. Assessments should exclude unescorted access of machine rooms and hoistways and entering concealed spaces such as elevator/escalator pits or shafts.

**3.2.11 Accessibility Issues**

Perform cursory level site reconnaissance to observe major systems that may not comply with the applicable accessibility requirements. This should also include a review of accessibility into and around facilities, including access from parking areas and nearby public transit routes. While HHS OPDIVs are not required to make each of their existing facilities accessible, they are obligated to comply with Section 504's program accessibility standard. See 45 C.F.R. 85.42. Under Section 504's accessibility standard, an HHS OPDIV is obligated to operate each program or activity so that, when viewed in its entirety, it is accessible to and usable by persons with disabilities. In meeting that requirement, an OPDIV would not be required to take any action that would result in a fundamental alteration or undue financial and administrative burden.

*[OPDIVs should note that it may be necessary to seek legal counsel for Accessibility Issues.]*

### **3.3 Identification of Deficiencies & Repair Needs**

*Instructions on identification and reporting of repair needs may be communicated to assessors as follows:*

**3.3 Identification of Deficiencies & Repair Needs**

**3.3.1 Questionnaire**

The assessor shall generate and provide {OPDIV}, occupant/user, or both, with a pre-survey questionnaire. The purpose of this questionnaire should be to obtain details of available records (including drawings) and to provide an indication of construction/installation dates and recent maintenance history. Examples of the type of information that should be requested are provided in Sections 3.3.3 and 3.3.4.

*[Commercially-available assessors will have their own questionnaire, which is normally issued to the asset/building managers for them to provide advance information prior to site visits.]*

### 3.3.2 Visual Observations

During the site visit, the assessor shall record the general physical condition of the constructed assets and identify physical deficiencies observed or reported. Assessors shall use pre-defined checklists to collect all necessary assessment information<sup>1</sup>. Testing, measuring, or preparing calculations to determine adequacy, capacity, or compliance with any standard is typically not required. However, sufficient quantities should be estimated and recorded to allow Assessors to identify repair needs and formulate opinions of costs.

Assessors shall document physical deficiencies and repair needs with photographs. Photographs should include examples of each repair need as a minimum. Excessive photographs of typical systems and components that do not help document repair needs should be avoided.

*[See Appendix B for details of “necessary assessment information”]*

### 3.3.3 Interviews

Prior to the site visit(s), {OPDIV} will identify those individual(s) that are knowledgeable of the physical characteristics, maintenance, and repair of the property and available for interview. During the assessment interviews, assessors shall inquire about:

- Approximate ages of systems
- Previous repairs and replacements and their costs
- Preventive maintenance details and frequencies
- Pending repairs and improvements
- Frequency of major repairs and replacements
- Ongoing problems or issues related to physical condition or building use (e.g., known roof leaks or inadequate heating/cooling). Avoid questions about availability of space or items considered to be “desired”.
- Existence of ongoing or pending litigation related to physical condition.

The Assessor shall comply with ASTM E2018-01, Section 7.7.

### 3.3.4 Maintenance History Reviews

Where available, {OPDIV} will provide the following information for review by assessors. This information shall be requested in the pre-survey questionnaire (see Section 3.3.1).

- Certificate of Occupancy
- Safety inspection records
- Warranty information
- Records indicating the ages of systems such as roofing, paving, plumbing, heating, air conditioning, electrical, etc.
- Historical costs for repairs, improvements, replacements, etc.
- Description of future work and contracts/proposals for executed and planned capital projects.
- Outstanding code violations.
- Previous assessments and studies and the status of any previously-identified repair needs.
- Drawings and specifications (as-built or construction).

Assessors may gather information from previous facility condition assessment reports. However, the assessor should exercise care when relying upon this information. Assessors shall comply with ASTM E2018-01, Section 3.5 for reliance on previous information.

### **3.3.5 Expected Useful Life (EUL) Matrix**

When the annualized cost to maintain a building system or component exceeds its annualized replacement cost, then it has exceeded its expected useful life (EUL). In these circumstances a suitable repair need should be identified, which will usually be replacement of the system or component.

The following organizations have published standard guides for use in calculating EUL data for various building systems and components.

- Building Owners & Managers Association (BOMA)
- RS Means
- Building Cost Information Service (BCIS)

Assessors shall use these guides when identifying EUL information. Assessors shall make adjustments to the standard EUL data to reflect individual conditions, such as location, exposure, levels of maintenance, etc.

Assessors should also identify systems and components that are likely to reach the end of their expected useful life during the assessment forecast period or before the next planned assessment (see Section 3.8.1). The unexpired life should be recorded as the RUL, and a repair need should be identified and triggered at the end of the RUL.

*[Repair needs may not simply reflect physical deficiencies but may be required due to age and maintenance costs. Abbreviated EUL data from recognized organizations are represented in Appendix D.]*

## **3.4 Describing Deficiencies & Repair Needs**

*[ASTM E2018-01, Section 10 discusses producing an understandable assessment.]*

*The consistent identification of repair needs is a key element of an effective condition assessment program. See Section 3.6 and Appendix C for guidance relative to categorizing, and prioritizing repair needs. This guidance is provided to assist in implementing an effective condition assessment program and linking it to an OPDIV's budget decision-making process. It is not intended to supersede policy or limit OPDIV flexibility.*

*The assessment results are also only valid at the point in time at which the assessor's observations and research were performed.*

*Instructions on how to describe repair needs may be communicated to assessors as follows:*

### **3.4.1 Understandability**

For each material physical deficiency, Assessors shall identify one or more repair need, which may include recommending further research or testing, or both, if necessary. The assessor should provide sufficient detail (*i.e.*, location within asset, work required, opinion of cost, and the reason for the repair need) so that {OPDIV} can formulate an outline scope of work for the repair need without needing to revisit the asset.

*Ideally, OPDIVs should communicate their desired report format that best meets their own individual preferences and operational requirements. OPDIVs should provide the desired report headings to the assessors. These headings typically include the following:*

- *Executive Summary (including summarized repair needs and metrics)*
- *Scope of Services*
- *System Description, Conditions, Recommendations and Photographs*

*In the absence of specific requirements, report format requirements may be communicated to assessors as follows:*

<p><b>3.4.2 Report Formats</b></p> <p>Assessors shall provide written reports in accordance with ASTM E2018-01, Section 10.</p>
---

*Classification and organization of repair needs can help OPDIVs run reports that present and summarize condition assessment data in a consistent manner.*

*Common classification requirements may be communicated to assessors as follows:*

<p><b>3.4.3 Common Classification</b></p> <p>Assessors shall associate one of the following classifications with each identified repair need.</p>
---

Type of Repair Need	Common Classification Reference
Physical Repair Needs	Provide Uniformat II (Level 3) reference, (e.g., B2010 Exterior Walls, B3010 Roof Coverings, C3010 Wall Finishes, D3030 Cooling Generating Systems, D5010 Electrical Service & Distribution, etc).
Code-related Repair Needs	Provide relevant code name and clause number, (e.g., National Fire Protection Association – NFPA, International Building Code – IBC, Local Codes, etc).
Accessibility Repair Needs	Provide relevant clause reference from Americans with Disabilities Act Guideline clause (ADA-AG) or Fair Housing Act (FHA).

### 3.5 Costing Repair Needs

*The consistent calculation of costs associated with repair needs is critical to providing information that allows for direct comparison of CI metrics.*

*Instructions on how assessors should prepare consistent opinions of costs for repair needs may be communicated as follows:*

<p><b>3.5.1 Requirements</b></p> <p>When calculating Repair Needs costs, Assessors shall:</p> <ul style="list-style-type: none"> <li>- Identify the total cost for each repair need.</li> <li>- Only include physical deficiencies, not program-related deficiencies.</li> <li>- Only include ‘repair needs’ greater than the minimum threshold value of \$1,000. If there are similar separate repair needs that can be grouped and are below this threshold requirement, but collectively total over \$1,000, such items should be included as one grouped item.</li> <li>- Identify and include replacements that have become necessary due to failure of aged or obsolete systems. Allowances should be made for performing repairs or replacements with modern systems.</li> <li>- Identify and include the rates/costs used for non-construction costs associated with “repair needs” using standard rates issued by each OPDIV. These rates may include but are not limited to Contingencies, Architects/Engineers fees, Pre-design &amp; Design Fees, Contracting Fees, and Management Fees.</li> </ul>
---

**3.5.2 Acceptable Cost Sources**

Assessors shall use the following sources to provide acceptable opinions of costs for repair needs:

- RS Means, DoD Estimating Guide or other nationally recognized cost estimating standard
- Actual historic costs adjusted for inflation and location (*i.e.*, recent costs incurred for similar work).
- Contractor's actual quotations

**3.6 Classification of Repair Needs**

*It is not the intent of the facility condition assessment program to bring an existing building or structure into full compliance with the latest building code. The purpose of this section is to assist in providing uniformity in the classification of deficiencies.*

*The use of a facility generally determines its life-safety and health risk. The classification of buildings and structures or portions thereof is based on the purpose for which the building or structure is used. Use groups, as defined below, shall be used to determine the appropriate deficiency classification; provided found in Appendix C.*

*In order to allow assessors to provide consistent priorities for each repair need, the following classes shall be communicated by the OPDIV to the Assessor; and the OPDIV shall assign each asset to one of these classifications.*

**3.6 Classification of Repair Needs**

**3.6.1 Asset Classifications**

{OPDIV} has classified each constructed asset into one of the prescribed categories. The Assessor shall reference these categories when assigning priorities to each repair need. [See Appendix D - FRPC codes for "predominant use categories" of buildings and structures.]

*A list of deficiencies represents the work necessary to bring the facility into a proper and acceptable state of repair so that it will maintain and enhance the OPDIV's mission and its work environment.*

**3.6.2 Maintaining Integrity of Deficiency Definitions**

Assessors shall classify deficiencies and repair needs as objectively as possible. In no case shall a higher classification be assigned to increase the likelihood that a deficiency will be funded. The integrity of the system must be maintained through professional objectivity.



*Instructions need to be provided by OPDIVs to assessors explaining how deficiencies and repair needs should be classified (e.g., prioritized). The deficiency classification system may be communicated to assessors as follows:*

### **3.6.3 Deficiency Classifications/Prioritization**

It is strongly recommended that repair needs be classified into one of three categories as follows. While it is not required that OPDIVS use these letter-type codes, the coding schemes used must support reporting of deficiency details in these three summary groupings when requested by the Department.

**THE FOLLOWING CLASSIFICATIONS ('S', 'A' & 'MR') SHOULD BE CONSIDERED TO BE REPAIR NEEDS AND SHOULD BE INCLUDED IN CI CALCULATIONS:**

Classification 'S'- Projects for immediate implementation to correct hazardous life safety and health deficiencies.

Classification "A" - Projects to correct accreditation and Federal regulation related deficiencies. At the OPDIV's discretion, this category may be further subdivided into:

- A1 Deficiencies that are identified in an accreditation report such as AAALAC and JCAHO.
- A2 Deficiencies that are not in compliance with Federal or Departmental regulations or local codes.

Classification 'MR' - Projects for repair, replacement, or maintenance. At the OPDIV's discretion, this category may be further subdivided into:

- MR1 Deficiencies requiring repair, replacement, or maintenance that may result in an interruption of facility operations if not corrected.
- MR2 Deficiencies requiring repair, replacement, or maintenance that have minimal impact on operations that can be abated through OPDIV maintenance until the deficiency can be corrected.

**THE FOLLOWING CLASSIFICATIONS SHOULD NOT BE CONSIDERED TO BE REPAIR NEEDS AND SHOULD NOT BE INCLUDED IN CI CALCULATIONS:**

IMPROVEMENT PROJECTS - user requested or otherwise - are not to be considered to be repair needs.

## **3.7 Metrics – Calculation and Reporting**

*Instructions to assessors on how to calculate CI metrics for each constructed asset may be communicated as follows:*

### **3.7.1 Condition Index**

For each constructed asset, Assessors shall calculate and report the Condition Index (CI), as follows:

- *CI Formula*—Use the following formula to calculate a CI value for each constructed asset:

$$CI = (1 - (\text{Repair Needs}/\text{Plant Replacement Value})) \times 100.$$

- CI values shall be formatted as a percentage on forms and reports. All valid (*i.e.*, Class 'S', 'A' & 'MR') repair needs, regardless of priority, should be used to calculate CI values. Estimates of potential available budget or potential project timing, though they may be used in prioritization, should be ignored when calculating CI.
- CI field shall be formatted per ARIS specifications for data transfer.

### 3.8 OPDIV-Defined Scope Information

#### 3.8.1 Required Information [ASTM E2018-01, Section 4 discusses required information]

*As the requirements for each OPDIV and location are different, OPDIVs will need to provide certain information to assessors prior to performing assessments. The following master list includes items that an OPDIV should include in an assessment briefing/RFP.*

*Information may be communicated to assessors as follows:*

<b>3.8 {OPDIV} Supplied Information</b>
<b>3.8.1 Timeline Requirements:</b>
* Critical contract performance dates: Contract Award: _____ Start Date: _____ Site Visit(s): _____ Submit Report(s): _____
* Planned Assessment Frequency: Every _____ Years
* Start Year for assessment results: 2____. <i>[This is typically the current year if the FCA is completed before June 30; or following year if the FCA is completed after July 1.]</i>
* Forecast period for assessment results: _____ Years <i>[e.g., 1, 3, 5, 10 or 20-year forecast period. A 10-year forecast period is generally the industry standard. Alternatively, if funding for assessments is limited, the forecast period may equal the assessment frequency.]</i>

<b>3.8.2 Constructed Asset details</b>
* Number of assets: _____
* Location of each asset: [Provide List]
* Type/Use of each asset: [Provide List]
* Size of each asset: [Provide List]
* Number of floors for each asset: [Provide List]
* Brief description of property construction: [Provide List]
* Approximate age of each asset: [Provide List]
* Plant Replacement Value (PRV) for each constructed asset: [Provide List]

*[If PRV is unknown it may be necessary to instruct the assessor to estimate these values as part of the Condition Index (CI) calculations.]*

*[This information can be effectively presented to Assessors in a tabular format]*

<b>3.8.3 Access Restrictions</b>
* Site contact for each asset: [Provide List of Names and Contact Details]
* Security & identification requirements (e.g., badges): [Describe Requirements]
* Working hour restrictions: [Text or List (if different for each asset)]
* Office space availability: [Text or List (if different for each asset)]

*[This information can be effectively presented to Assessors in a tabular format]*

<b>3.8.4 Availability of background information</b>
* Drawing availability: [Provide List of Drawings per Asset]
* Maintenance history availability: [Provide List of Documents per Asset]

*[This information can be effectively presented to Assessors in a tabular format]*

### 3.9 Technology Requirements

*OPDIVs are required to report CI results to HHS in a format that can be uploaded into the HHS ARIS system. While most assessment software packages should be able to satisfy this requirement, OPDIVs should also evaluate how they want to use the assessment results to plan and manage capital projects and how they want to manage assessment information (e.g., OPDIV ability to manipulate repair needs, priorities, costs, produce reports, etc).*

*Most commercially-available assessors prefer to use their own proprietary assessment software systems. If these are required, OPDIVs will need to specify their own technology requirements. If OPDIVs use their own in-house systems, details, training, and access will need to be provided to assessors.*

*Software requirements may be communicated to assessors as follows:*

<p><b>3.9 Technology Requirements</b></p> <p>Assessment information shall be collected and stored within an automated data-processing system that allows secure real-time access and remote manipulation of information.</p> <p>As a minimum requirement, Assessor-supplied software should be capable of providing the following functions:</p> <p>Calculate CI Information per Constructed Asset</p> <ul style="list-style-type: none"><li>* Export CI Information to HHS ARIS system</li><li>* Enter &amp; Alter Classifications/Prioritizations of Repair Needs</li><li>* Enter &amp; Alter Costs for Repair Needs</li><li>* Enter &amp; Alter Repair Need Status information (e.g., is it planned, in design, completed)</li><li>* Obtain and View Repair Need Information and Photographs</li><li>* Produce Pre-defined and User-defined Queries and Reports</li></ul>
--

*If required, OPDIVs should also define the following for the Assessor:*

- Required interaction with existing IT systems
- Photograph parameters (file format and size, naming protocol, file storage location, etc)
- Data Entry Methods
  - On-site / Web / Remote
- Reporting Methods
  - Required pre-defined queries and reports
  - Required user-defined queries and reports
- Communication
  - Web Capability requirement
  - Intranet Capability requirement
- Ownership of Information (OPDIV or Assessor). Typically OPDIVs should have ownership rights for all information produced by outside assessors and be able to distribute assessment information and results freely without hindrance.

## APPENDIX A

### Glossary

This section provides definitions, descriptions of terms, and a list of acronyms, where applicable, for the words used for defining condition assessment processes.

- A list of industry-standard terms may be found in Section 2 of ASTM E2018-01.

Additional terms:

- *AAALAC*, *n*— Association for Assessment and Accreditation of Laboratory Animal Care International.
- *Assessor*, *n*—the entity or individual that is responsible for the observance of and reporting on the physical condition of constructed assets in accordance with this guide. The assessor generally is an independent contractor; however, the assessor may be an HHS employee. The assessor may be an individual that is both the assessor and reviewer as described in Section 6.
- *ARIS*, *n*—HHS data-processing system used to capture information on constructed assets.
- *ASTM*, *n*—American Society for Testing and Materials ([www.astm.org](http://www.astm.org)).
- *BCIS*, *n*—see [www.bcis.co.uk](http://www.bcis.co.uk)
- *BOMA*, *n*—see [www.boma.org](http://www.boma.org)
- *Chartered surveyor*, *n*—designation reserved for a person professionally qualified, examined, and chartered by the RICS ([www.rics.org](http://www.rics.org)) to perform facility condition assessments.
- *Condition Index*, *n* (*CI*) —the second of four performance measures established by the Federal Real Property Council. It is defined in Section 2-2 of the HHS Facilities Program Manual.
- *Constructed asset*, *n*—buildings and structures (not land) that are required to be reported by HHS to OMB
- *de minimis*, *adj*—describes repair needs with costs below the HHS defined threshold value (\$1,000 as of January 2006).
- *Facility Condition Assessment (FCA)*, *v*—the process by which a person or entity observes a property, interviews sources, and reviews available documentation for the purpose of developing an opinion and reporting current physical condition (similar to ASTM definition of “property condition assessment”).
- *HHS*, *n*—Department of Health and Human Services.
- *JCAHO*, *n*—Joint Commission on Accreditation of Health Care Organizations
- *OMB*, *n*—United States Government Office of Management and Budget
- *OPDIV*, *n*—Operating department of Health and Human Services (*e.g.*, National Institutes of Health (NIH), Centers for Disease Control and Prevention (CDC), Indian Health Service (IHS), and Food and Drug Administration (FDA)).

- *Opinions of costs, n*—determination of costs, a preliminary budget, for a suggested repair need (similar to ASTM definition of “opinions of probable costs”)
- *NEHRP, n*—The National Earthquake Hazards Reduction Program (<http://www.nehrp.gov/>)
- *Plant Replacement Value, n (PRV)*—shall be the total cost, at current rates, for constructing existing assets to current construction standards using existing asset sizes and layouts. PRV shall not include fixtures, furnishings and equipment that are not part of the constructed fabric of the asset.
- *PML, n*—Probable Maximum Loss
- *Remaining useful life (RUL), n*—the unexpired amount of time in years that an item, component or system is estimated to function. RUL may be calculated as the EUL (in years) minus the Age (in years). RUL values should be adjusted to reflect actual conditions observed during visual assessments (See ASTM E2018-01 for EUL definition).
- *Repair need, n*— means the amount necessary to ensure that a constructed asset is restored to a condition substantially equivalent to the originally intended and designed capacity, efficiency, or capability. It is an opinion as to a course of action to remedy or repair a physical deficiency. Such an opinion may also be to conduct further research or testing for the purposes of discovery to gain a better understanding of the cause or extent of a physical deficiency (whether observed or highly probable) and the appropriate remedial or reparatory response. A suggested repair need may be preliminary and does not preclude alternate methods or schemes that might be more appropriate to remedy the physical deficiency or that may be more commensurate with HHS requirements. Also, repair needs only include physical deficiencies, not program-related deficiencies. If a physical deficiency affects the mission or operation of a facility, then it should be considered to be a repair need and the appropriate system or component should either be repaired or replaced. Repair needs that have not yet manifested into physical deficiencies that affect mission or operation, but, based on analysis of industry standard EUL/RUL data, will do so before the next scheduled visual assessment, should also be identified as a repair need. Layout alterations, additions, improvements, or any other projects that are not linked to defects are not repair needs.
- *Reviewer, n*—the individual that both exercises responsible control over the assessor and who reviews the results of the FCA prior to delivery to HHS/OPDIVs.
- *RS Means, n*—see [www.rsmeans.com](http://www.rsmeans.com)
- *Visual survey, v*—the assessor’s site visit of the constructed asset, consisting of non-intrusive visual observations, survey of readily accessible, easily visible components and systems of the constructed asset (similar to ASTM definition of “walk-through” survey).

## APPENDIX B

### Typical Assessment Elements

*The following list highlights the elements typically reviewed during a facility condition assessment. A contracted assessor should provide their own formatted checklist for use during an assessment (see Section 3.3). It is not intended to be a finite list, simply a list to assist OPDIVs define the elements that should be reviewed during the assessment process.*

These information points should be collected by Assessors and are used to aid the identification of repair needs and formulation of realistic opinions of costs for performing the identified repair needs.

#### Site Features

- Type/Material
- Age
- Approximate Quantity (Area/Length)
- Condition
- Previous Repairs

#### Structural Systems

- Foundation Type
- Bearing Pressures
- Foundation Wall Type
- Waterproofing & Underdrain Methods
- Grade Slab/Structural Slab Construction and Thickness
- Column Type (& Spacing)
- Elevated Floor Slab Construction
- Roof Framing/Support System
- Post-Tensioning (if present)
- Previous Repairs
- Building Loads
- Seismic Zone
- Wind Loads
- Condition
- Previous Repairs

#### Roof Systems

- Roof Type
- Age
- Surface Material
- *Manufacturer*
- *Substrate*
- Insulation
- Deck
- Slope
- Warranty
- Previous Repairs
- Leak History
- Roof Area
- Flashing Details
- Parapet Wall/Coping
- Drainage (Inc. # Drains)
- Overflow Protection

- Gutters & Downspouts
  - Condition
  - Previous Repairs
- Other (Check - Weathering, Cracking, Ponding, Open Seams, Blistering, Wrinkling, Missing Ballast, Holes/Tears, Fasteners, Flashing, Pitch Pockets, Walk Pads)

### **Building Exterior Elements**

- Exterior Wall Type
- Insulation Type & Thickness
- Wall Areas (per elevation)
- Sealants Type & Spacing
- Window Type
- Glazing Type
- Window Quantity/Area (per elevation)
- Window Sealants Type
- Window Installation Date
- Leaks
- Condition
- Previous Repairs
- Other (Check- Cracking, Displacement, Weep Holes, Settlement, Trim Rot, Efflorescence, Corrosion)

### **Interior Finishes & Appliances**

- Floor Finish Type
- Wall Finish Type
- Ceiling Finish Type
- Lighting Type
- Finish Surface Area (Quantities)
- Door Type (Inc. Hardware)
- Major Kitchen Appliances
- Major Components (*e.g.*, pools, spas, fountains, etc)
- Condition
- Previous Repairs

### **Fire and Life Safety**

#### **Means of Egress & Life Safety**

- Use Group
- Type of Construction
- Occupant Load
- # Exits/Floor
- Exit Remoteness
- Exit Lights
- Emergency Lights
- Battery Back-up
- Max. Travel Dist
- Stairs (Width, Doors & Fire Resistance)
- Fire Door Rating
- Signage
- Penetrations
- Maintenance of Egress Areas (Obstructions)

**Emergency Power System**

- System Type
- Emergency Power Generator
- Generator Load Bank Tests
- UPS System
- Age of Systems
- Condition
- Previous Repairs

**Fire Alarm System**

- System Type
- Annunciator Panel Manufacturer & Location
- Pull Station Location and Type
- Strobes/Bells Location and Type
- Fire Extinguishers Location and Type
- Age of Systems
- Previous Fire Alarm Test Results
- Condition
- Previous Repairs

**Automatic Fire Suppression System**

- Sprinkler System Type
- Sprinklered Locations
- Fire Pump Type and Suitability
- Age of System
- Condition
- Previous Repairs

**Standpipe System**

- Wet-pipe Standpipes
- Valves & Connections
- Street Level Connections (siamese)
- Fire Pump Type and Suitability
- Age of Systems
- Condition
- Previous Repairs

**Smoke Management Systems**

- Type of System
- Smoke Dampers Type and Location
- Stairwell Pressurization Fans

**Mechanical Systems**

**Common Elements (for all types of equipment):**

- Manufacturer
- Model No
- Age of Systems
- Condition
- Previous Repairs



### **Heating Systems**

- Heating Source (Steam/Hot Water/Direct Gas-Fired/Electric)
- Boiler Type (Fuel-Oil/Nat. Gas/Electric)
- Boiler Product (Steam/Hot Water)
- Boiler Capacity
- Boiler Type: (Fire Tube/Water Tube/Cast Iron/Other)
- Boiler Feed Water System
- Water Treatment
- Condensate Return System
- Heat Exchangers

### **Heating Water Pumps**

- Type
- Motor HP

### **Heating Water Piping**

- Material (Black Steel/Copper, Welded/Soldered/Victaulic)
- Insulation
- Risers (# of Risers & Size)

### **Cooling and Ventilation Systems**

#### **Condenser Water System**

- Cooling Tower Type (Crossflow/Counterflow, Induced Draft/Forced Draft, # Cells)
- Nominal Capacity
- Equipment Served
- Piping Type
- Insulation
- Water Treatment

#### **Pumps (Condenser & Chilled Water)**

- Type
- Motor HP

#### **Chilled Water System**

- Chiller Type (Centrifugal/Reciprocating, Hermetic/Open, Water Cooled/Air Cooled)
- Nominal Capacity
- Refrigerant
- Expansion Tank
- Heat Exchanger

#### **Chilled Water Piping**

- Material (Black Steel/Copper, Welded/Soldered/Victaulic)
- Insulation
- Risers (# of Risers & Size)

#### **Air Handling Units**

- Typical Capacity
- Motor HP
- Coils (Chilled Water/Heating Water/Steam/Other)
- Drain Pans
- Casing
- Outside Air (Central/Per AHU/Other)

- Starter (X-Line/VFD/RV)
- System Type (Constant Volume/VAV/FPMB/Multi-zone)
- Self-Contained/Split System
- Ducts (Metal/Other)
- Insulation

**Heat Pumps**

- Air/Water Cooled
- Capacities

**Fan Coil & Induction Units**

- Capacities
- Type (2-Pipe/4-Pipe/Other)
- Controls
- Drain Pans

**Fans**

- Capacities
- Motor HP
- Starter (X-Line/VFD)

**Exhausts**

- Capacities
- Motor HP

**Electrical Systems**

**Service Entrance**

- Utility Company
- Transformer (Vault, Pad Mounted, Pole Mounted)
- Transformer ownership
- Service Characteristics (Voltage, Phase, Watts)
- Service Conductors (Busway, Underground Ducts, Aerial Drop, Copper, Aluminum, Concrete Encased, Other)
- Meter Ownership

**Main Electrical Room**

- NEC Clearances
- Fire Protection
- Storage/Piping in Room

**Main Switchgear**

- Bus & Mains Rating
- GFI Protection
- # of Distribution Sections
- # of Feeder Devices
- Feeder Breakers/Switches

**Motor Control Center**

- # of Sections
- # of Devices
- Bus Rating
- Type of Protective Devices (Circuit Breakers / MCP's/Fusible Switches)

- Type of Starters (Magnetic / VFD)

**Distribution Panels**

- Bus Ratings
- Feeder Devices (Breakers / Switches)
- # of Feeder Devices
- Types of Loads Served

**Panelboards**

- Overcurrent Devices (Circuit Breakers / Fusible Switches / Plug Fuses)
- # Devices
- Bus Rating

**Transformers**

- Type
- Ratings (Voltage, Phase, Watts)

**Power Distribution**

- Conduit
- Conductors (Copper / Aluminum)
- Insulation (Thermoplastic / Rubber / Cloth / Other)
- Busway (Feeder / Plug-In)

**Emergency Power Systems**

- Generator Type & Fuel Source (Diesel / Nat. Gas / Gasoline)
- Characteristics (Voltage, Rating)
- Tank Capacity

**Security Systems**

- Cameras
- Monitors
- Sequencers
- Recording Capabilities
- Electric Door Locks
- Card Readers/Keypads
- Internal Communications

**Lighting Protection System**

- Material (Copper / Aluminum)

**Plumbing Systems**

**Domestic Cold Water**

- Incoming Water Pipe Size & Material
- Insulation
- Booster Pumps
- Motor HP
- Controls
- Capacity
- Distribution Piping Material

**Domestic Hot Water**

- Water Heater (Central/Distributed)
- Fuel (Steam/Nat. Gas/Electric/Other)

- Style (Instantaneous/Remote Storage/Self-Storage)
- Heating Capacity
- Tank Capacity
- Circulating Pumps
- Motor HP
- Hot Water Piping Material

**Storm Drainage**

- Roof Drains
- Overflow Drains
- # of Risers
- Piping Material
- Sump Pumps
- Motor HP

**Sanitary Drainage**

- # of Risers
- Piping Material
- Ejector Pumps
- Motor HP

**Vertical & Horizontal Transportation**

- Speed
- Capacity
- Type
- Manufacturer
- Age
- Machine Room Characteristics & Equipment
- Hoistway Characteristics & Equipment
- Car Characteristics & Equipment

**Accessibility**

**Accessible Entrance**

- Location & Setting
- Parking
- Entrances

**Access to Goods and Services (Horizontal Circulation)**

- Interior Doors
- Corridors
- Stairs

**Access to Restrooms**

- Entrance Doors & Lobbies
- Signage
- Stalls
- Appliances

**Elimination of Remaining Barriers**

- Drinking Fountains
- Telephones
- Mail Boxes
- ATM's, etc

## APPENDIX C

### Typical Estimated Useful Life Data

Repair needs may not simply reflect physical deficiencies but may be required due to age and maintenance costs. When the annualized cost to maintain a building system or component exceeds its annualized replacement cost, then it has exceeded its expected useful life (EUL). In these circumstances a suitable repair need should be identified, which will usually be replacement of the system or component.

Several organizations have published standard guides for use in calculating EUL data for various building systems and components. Assessors should use these guides when identifying EUL information. Assessors should make adjustments to the standard EUL data to reflect individual conditions, such as location, exposure, levels of maintenance, etc.

Abbreviated EUL data from the following organizations is provided as follows:

System / Component (EUL in # Years)	BOMA	RS Means	BCIS	Average
EPDM Roof	15	20	25	<b>20</b>
Asphalt Built-up Roof	25	28	35	<b>29</b>
Modified Bitumen (2-ply)	20	25	20	<b>22</b>
Asphalt Shingles (Average)	22	20	N/A	<b>21</b>
Slate Roof	75	70	75	<b>73</b>
Curtain Wall – Glass	30	N/A	45	<b>38</b>
Curtain Wall – Metal	40	35	45	<b>40</b>
Exterior Windows (wood frame)	30	40	35	<b>35</b>
Exterior Windows (aluminum frame)	30	50	45	<b>42</b>
Vinyl Flooring	12	18	15	<b>15</b>
Exterior Roll-up Doors	N/A	35	25	<b>30</b>
Interior Doors – Hollow Core	N/A	30	35	<b>33</b>
Carpet (Broadloom)	5	8	15	<b>9</b>
Interior Paint (Walls)	5	5	N/A	<b>5</b>
Suspended Ceiling	25	20	25	<b>23</b>
Fire Alarm System	10	15	N/A	<b>13</b>
Sprinkler System	25	20	35	<b>27</b>
Air-Conditioners (Package)	15	20	15	<b>17</b>
Air-Handling Units (Packaged)	25	15	N/A	<b>20</b>
Boilers (Gas)	25	30	20	<b>25</b>
Furnaces	18	15	N/A	<b>17</b>
Unit Heaters (Electric)	10	15	N/A	<b>13</b>
Fans (Axial)	20	20	15	<b>18</b>
Fan Coil Units	20	15	N/A	<b>18</b>
Ductwork	30	N/A	35	<b>33</b>
Package Chillers (Reciprocating)	20	20	15	<b>18</b>
Cooling Towers (Metal)	18	15	N/A	<b>17</b>
Condensers (Air-Cooled)	20	15	N/A	<b>18</b>
Pumps (Base-Mounted)	25	20	15	<b>20</b>
Electric Transformers	30	30	N/A	<b>30</b>
Automatic Transfer Switch	25	18	N/A	<b>22</b>
Emergency Generator	20	25	N/A	<b>23</b>
Interior Light Fixtures	20	20	15	<b>18</b>
Elevator (Hydraulic)	15	N/A	30	<b>23</b>
Elevator (Traction)	20	N/A	30	<b>25</b>
Domestic Water Heaters	10	15	N/A	<b>13</b>
Exterior Pavement	30	25	25	<b>27</b>

**APPENDIX D**

**FRPC Predominant Use Category Codes for Buildings and Structures**

Excerpted from “Quick Guide – Predominate Use Categories and Codes”, *Real Property Inventory – Interim User Guidance for FY2005 Reporting*, Federal Real Property Council, page 33 of 65. OPDIVs and Assessors should verify values shown on these tables with current FRPC publications at the time assessments are performed.

**Building Predominant Use Categories**

Code	Predominant Use Category
10	Office
14	Post Office
21	Hospital
22	Prison (Government Owned only)
23	School
29	Other Institutional Uses
30	Family Housing
31	Dormitories/Barracks
41	Warehouses
50	Industrial
60	Service
72	Communications Systems
73	Navigational and Traffic Aids
74	Laboratories
80	All Other

**Structure Predominant Use Categories**

Code	Predominant Use Category	Valid Units of Measure
12	Airfields Pavements	Square Yards
13	Harbors and Ports	Square Yards
15	Power Development and Distribution	Each, Linear Feet
16	Reclamation and Irrigation	Each, Linear Feet
18	Flood Control and Navigation	Each, Linear Feet
40	Storage (other than buildings)	Each, Linear Feet
50	Industrial (other than buildings)	Each, Linear Feet
60	Service (other than buildings)	Each
65	Space Exploration Structures	Each
66	Parking Structures	Square Yards
70	Research and Development (other than Labs)	Each
71	Utility Systems	Each, Linear Feet, Miles
72	Communications Systems	Each, Miles
73	Navigation and Traffic Aids (other than buildings)	Each
75	Recreational (other than buildings)	Each
76	Roads and Bridges	Lane Miles, Square Yards
77	Railroads	Miles
78	Monuments and Memorials	Each
79	Miscellaneous Military Facilities	Each
82	Weapons Ranges	Each
80	All Other	Each, Lane Miles, Linear Feet, Miles, Square Yards



United States Department of  
**Health & Human Services**

**3**

## **Regulatory Compliance & Reporting**



**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

## SECTION 3-1: ENVIRONMENTAL PROTECTION

3-1-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 3-1-00 POLICY

The Department of Health and Human Services is committed to complying with all applicable Federal, state, and local environmental laws, statutes, and regulations; protecting the environment; and conserving our environmental resources by being proactive and cost effective in our environmental stewardship. It is HHS policy that pollution be prevented or reduced at the source. All HHS organizations shall give first priority to avoiding or reducing the generation of hazardous substances, pollutants, and contaminants at the source. Pollution and hazardous wastes that cannot be prevented or recycled must be treated in an environmentally safe manner to reduce volume, toxicity, and/or mobility. Only as a last resort should disposal or other release into the environment be considered and employed. Such disposal or release must be conducted in accordance with all applicable authorities and in an environmentally safe manner. Managers and employees are expected to execute their responsibilities in a way that is proactive and cost effective in the protection and conservation of our environmental resources and in a manner that complies with all applicable Federal, state, and local environmental laws, statutes, and regulations.

### 3-1-10 PROCEDURES

#### A. GOALS AND OBJECTIVES

The goals of HHS environmental efforts are to prevent harm to the environment and enhance the quality of human health by conserving our environmental resources. These goals are satisfied by meeting the following objectives:

Compliance - To comply with all applicable Federal, state, and local environmental laws, statutes, and regulations;

Conservation - To protect and conserve our environmental resources through pollution prevention and hazardous waste minimization through waste reduction and recycling;

Pollution Prevention - To protect and conserve our environmental resources through source reduction in facility management and acquisition practices, where practicable, as a primary means of achieving and maintaining compliance with applicable Federal, state, and local environmental laws, statutes, and regulations; and

Restoration - To repair damage to a site caused by human activity, industry, or natural disasters to restore the site as closely as possible to its natural condition before it was disturbed

#### B. ENVIRONMENTAL MANAGEMENT SYSTEMS (EMS)

In addition to what is contained in GAM 30, landholding OPDIVS are required to develop an EMS where required by Executive Order 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*. An EMS is a business management practice that allows an organization to systematically manage and improve its environmental program. Implementation reflects accepted quality management



principles based on the “Plan, Do, Check, Act,” model using a standard process to identify goals, establish supporting procedures, review progress, and make adjustments to ensure continual improvement.

Elements of an EMS include:

- Developing a policy endorsed by top management stating the organization’s environmental commitments.
- Identifying significant environmental aspects (*i.e.*, organizational activities that impact or potentially impact the environment).
- Establishing objectives and targets to reduce these aspects/impacts and improve the overall system.
- Developing programs and procedures to support the organization in meeting those targets and objectives.
- Engaging top-level management in reviewing implementation and progress to identify areas for improvement.

### 3-1-20 GUIDANCE AND INFORMATION

See the [HHS GAM, Part 30—Environmental Protection—February 2000](#), for additional guidance and information.

Contractors. All OPDIVs shall provide, in all future contracts between the organization and its relevant contractors, for the contractor to supply all information the OPDIV deems necessary for it to comply with this requirement. In addition, to the extent that compliance with any environmental law, regulation, and/or Executive Order is made more difficult due to lack of information from existing contractors, an OPDIV shall take practical steps to obtain the information from such contractors that is needed to comply.

## SECTION 3-2: EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986 (EPCRA) REQUIREMENTS

3-2-00	Policy
10	(Reserved)
20	Guidance and Information
30	(Reserved)

### 3-2-00 POLICY

EPCRA's provisions form two primary programs: 1) emergency planning, and 2) community right-to-know. EPCRA establishes a mechanism for providing the public with important information on the hazardous and toxic chemicals in their communities, and it creates emergency planning and notification requirements to protect the public in the event of a release of extremely hazardous substances. The law requires local communities to prepare plans for dealing with emergencies relating to the release of extremely hazardous substances from facilities within those communities. EPCRA also provides the public and local and state governments with the right to obtain information concerning the types, amount, location, storage, use, disposition, and possible health effects from the release of hazardous and extremely hazardous substances from facilities that are in their communities. Executive Order 12856 ("Federal Compliance With Right-to-Know Laws and Pollution Prevention Requirements", Aug 3, 1993) requires all Federal agencies to comply with EPCRA.

### 3-2-20 GUIDANCE AND INFORMATION

Facilities that are subject to EPCRA are required to provide information and reports to EPA and state and local groups. Five distinct reporting requirements are contained in EPCRA:

- (1) Emergency planning (GAM 30-60-20);
- (2) Notification of release (GAM 30-60-30);
- (3) Material safety data sheet submission (GAM 30-60-40);
- (4) Emergency and hazardous chemical inventory reporting (GAM 30-60-50); and
- (5) Toxic chemical release reports (GAM 30-60-70).

Each of these reporting requirements and other facility responsibilities are described in GAM 30-60, <http://www.hhs.gov/hhsmanuals/read/gam/part30/>. It is not intended that these cited GAM provisions be used as the sole source of information for these EPCRA compliance requirements, but only as a starting point. The Department recognizes that any of the authorities and requirements described in these cited GAM provisions may have been revised since the issuance of GAM Chapter 30 in February 2000. Therefore, the current specific EPCRA statutory and regulatory provisions and any relevant Executive Orders should also be reviewed when any specific question or issue arises.

## SECTION 3-3: ENERGY AND WATER MANAGEMENT

3-3-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 3-3-00 POLICY

The purpose of this section is to provide policy directives and procedures for the efficient use of energy and water at facilities associated with the Department of Health and Human Services (HHS). The section outlines the Department-wide energy and water management program that provides the foundation and direction for the Operating Divisions (OPDIVs) and individual facility energy and water conservation programs. All HHS personnel shall support the goals of energy and water conservation and cooperate with program initiatives.

In August 2005, the Energy Policy Act (EPACT) of 2005 was signed. EPACT 2005 requires a reduction in energy use of 2% per year when compared to a 2003 baseline.

On January 24th, 2007, President George W. Bush signed Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management." This EO addresses a wide array of environmental and energy-related management areas including energy efficiency, water conservation, green procurement, toxics reduction, recycling, renewable energy, sustainable buildings, electronic stewardship, and fleet fuel efficiency. It also calls for more widespread use of EMS as the framework to manage and continually improve these sustainable practices. (Executive Order 13423 superseded EOs 13101, 13123, 13134, 13148, and 13149.)

In terms of facility energy management, this EO is significantly more stringent than the EPACT of 2005. The EO sets forth the following energy management and water conservation goals:

- **ENERGY EFFICIENCY:** Reduce energy intensity by 3 % annually through 2015 or by 30% by 2015.
- **GREENHOUSE GASES:** By reducing energy intensity by 3% annually or 30% by 2015, reduce greenhouse gas emissions.
- **RENEWABLE POWER:** At least 50% of current renewable energy purchases must come from new renewable sources (in service after January 1, 1999).
- **BUILDING PERFORMANCE:** Construct or renovate buildings in accordance with sustainability strategies, including resource conservation, reduction, and use; siting; and indoor environmental quality.
- **WATER CONSERVATION:** Reduce water consumption by 2% annually through 2015.

The EO also establishes additional goals that, while not pertaining directly to facility energy and water use, will have an overall impact on energy and water. These additional goals are as follows:

- **ELECTRONICS MANAGEMENT:** Annually, 95% of electronic products purchased must meet Electronic Product Environmental Assessment Tool standards where applicable; enable Energy Star® features on 100% of computers and monitors; and reuse, donate, sell, or recycle 100% of electronic products using environmentally sound management practices.

- **PROCUREMENT:** Expand purchases of environmentally-sound goods and services, including bi-obased products.
- **POLLUTION PREVENTION:** Reduce use of chemicals and toxic materials and purchase lower risk chemicals and toxic materials from top priority list.
- **ENVIRONMENTAL MANAGEMENT SYSTEMS:** By 2010, increase to at least 2,500 the number of Federal operations that implement environmental management systems, up from about 1,000 today.
- **ALTERNATIVE FUEL USE:** Increase alternative fuel consumption at least 10% annually.
- **VEHICLES and PETROLEUM CONSERVATION:** Increase purchase of alternative fuel, hybrid, and plug-in hybrid vehicles when commercially available and reduce petroleum consumption in fleet vehicles by 2% annually through 2015.

The Executive Order establishes stringent goals, practices, and reporting requirements for environmental, energy, and transportation performance and accountability.

Each OPDIV is hereby tasked with responsibility to meet or exceed these mandates for assigned facilities based on guidelines and policy issued by the HHS Office of the Secretary, Energy Program Officer.

#### A. MANAGEMENT

It is the policy of HHS and its OPDIVs to manage its facilities in the most energy and water efficient manner consistent with: 1) Federal energy and water efficiency requirements, 2) safety of personnel and protection of facilities, 3) reliability and maintainability of its building operating systems, 4) protection of the environment (*e.g.*, reduction of emissions, elimination of CFC refrigerants), 5) maximum effectiveness of its employees, and 6) the mission of HHS, the OPDIVs, and individual facilities.

Management encompasses the full scope of energy and water impacting activities, including design, construction, and renovation of buildings; purchase and operation of building equipment, energy consuming personal property, and fuel sources; and employee actions. OPDIVS and facility managers will comply with specific requirements of applicable energy and water conservation-related laws, regulations, and executive orders. Life Cycle Cost (LCC) alternatives will be considered and will be pursued whenever feasible in order to achieve greater energy conservation than standards require. OPDIVs are encouraged to favorably consider additional capital expenditures and/or personnel costs for activities that will reduce overall energy usage. OPDIVs and facilities will evaluate energy conservation opportunities at least annually and prepare and fund a plan to implement the most significant of the identified opportunities.

#### B. APPLICABILITY

The Department of Health and Human Services (HHS) energy and water management program provides policy guidance, tools, and assistance to the OPDIVs for energy and water conservation. The Department program coordinates the efforts of the OPDIVs and serves as a model for individual OPDIV and facility programs. The program is managed by the Office of the Secretary, Assistant Secretary for Administration and Management, Office for Facilities Management and Policy.

Each HHS OPDIV is required to develop a centralized energy and water management program consistent with the applicable laws, regulations, guidelines, and policies, as well as the agency program described in this chapter. The purpose of the OPDIV program is to coordinate the efficiency efforts and provide specific guidance to facility managers, engineers, architects, managers, procurement officials, and others involved in energy and water efficiency operators, and users within the OPDIV. Individual facilities may

establish their own energy and water efficiency program based on the goals of the Department program while using the existing tools and resources.

The policies and procedures described in this chapter are applicable to all HHS owned space and General Services Administration (GSA) delegated space or privately leased space for which HHS pays the utility costs.

In all new lease agreements (except leased space from Tribal organizations), the OPDIVs must require the lessors to implement all energy conservation improvements to the building that have a payback period less than the term of the lease or 10 years, whichever is the shorter period. In GSA leased space, GSA will be the lead agency in creating or renewing leases and in designating operating procedures to minimize energy usage unless HHS has delegated management authority.

### 3-3-10 PROCEDURES

#### A. ENERGY CONSUMPTION AND GREENHOUSE GAS EMISSION REDUCTION

Energy and water consumption and greenhouse gas emission reduction in each HHS facility is the responsibility of the OPDIV Facility Director. The Facility Director should plan to reduce facility energy and water consumption and greenhouse gas emissions to meet Federal requirements through a multifaceted approach including, but not limited to, the following:

- Maximize use of available alternative financing contracting mechanisms, including ESPCs and utility energy service contracts.
- Consider the LCC of combinations of projects, particularly to encourage bundling of energy efficiency projects with renewable energy projects.
- Operate the existing building equipment in the most energy efficient manner to minimize operating hours and temperature setpoint extremes while maximizing productivity in the space.
- Conduct Energy Audits.
- Analyze and implement energy and water conservation projects identified in audits.
- Establish an energy awareness program for all employees.
- Monitor utility billing and energy consumption to evaluate progress toward conservation goals and eliminate the potential for billing errors.
- Construct new facilities and perform building renovations to comply with Federal energy performance standards.
- Procure low cost fuel from deregulated markets, where available.
- Select Energy Star® and other energy efficient products (in the upper 25 percent of energy efficiency) when acquiring energy-using materials and equipment.
- Limit the number of personal appliances (*e.g.*, refrigerators, water coolers) brought into the facility.
- Enforce restrictions on personal space heaters and reduce the need for this equipment by ensuring building equipment and systems are operating properly.
- Encourage use of energy saving software for personal computers.
- Encourage all employees to turn off lights and other equipment at the end of the day.
- As required by EPCACT 2005, separately meter all buildings as provided for in Departmental guidance.
- Develop a water conservation plan to implement projects to reduce water consumption.

## B. ENERGY AUDITING

Each agency is required to continue conducting energy and water audits for approximately 10 percent of their facilities each year, either independently or through ESPCs or utility energy efficiency service contracts. HHS will integrate the Energy Star® Building rating tool and/or the LEED Existing Buildings Criteria into these facility audits, whenever possible.

There are several resources available to complete a comprehensive energy audit. Facilities are encouraged to take advantage of low cost comprehensive facility audits, such as those provided by DOE, GSA, or local utilities. If a facility is considering an ESPC, the comprehensive energy audit may be performed by the company interested in the contract (*i.e.*, a utility or energy services company) and then financed as part of the contract agreement. Often there are barriers involved when pursuing any of these audit options, such as time constraints, unfavorable utility stipulations, or unavailability of these options. At that point, facilities will turn to either in-house audits using energy simulation software or contract with an engineering company to perform the audit.

1. Local Utility: The first resource a facility should pursue is their local utility to see what type of, if any, programs are available specifically for comprehensive facility audits. Local utility companies, both electric and gas, may offer low cost facility audits. Utility companies vary widely in the type of programs they offer for energy management. In some cases, the utility company may offer to pay a portion of the cost for a facility audit. When consulting with the utility company, it is important to specifically ask what type of audit will be performed. For example, an electric utility may only look at the lighting or electrical systems. This is not a comprehensive audit since it does not reflect the entire building as a whole system.
2. Federal Resources: If a utility audit is not feasible, then the facility should consider a federal program, through either DOE or GSA. DOE FEMP has developed the SAVEnergy Program to conduct energy and water audits and present action plans that will facilitate project implementation and maximize both energy and dollar savings. SAVEnergy Audits are not available for direct leased facilities. DOE FEMP will pay a portion of the audit cost to their contractor while the facility uses direct agency funding to make up the rest. It is important to note that DOE FEMP does not guarantee that all requests will receive audit funding. Request forms are reviewed and judged upon factors such as high energy costs, funding availability, aggressive utility demand side management programs, and on-site energy management leadership. Only those facilities with high opportunities are chosen for comprehensive audits. Request forms are available from the DOE FEMP website at [http://www1.eere.energy.gov/femp/services/assessments\\_savenergy.html](http://www1.eere.energy.gov/femp/services/assessments_savenergy.html).
3. ESPC/UESC Audit: Often the only means by which a facility can implement energy and water efficiency projects is by using an alternative financing contract (ESPC or UESC). The utility or company involved in the alternative financing contract will often offer the completion of a comprehensive energy audit in their proposal, and most include the performance of an audit in their price as a standard line item. The cost of the audit can be paid up-front or financed in the contract agreement with the recommended projects. Therefore, if a facility is strongly considering an ESPC or UESC, the most cost-effective manner of completing a comprehensive energy audit is with the interested company or utility.
4. In-House Audit: Another resource for comprehensive facility audits is an in-house audit. Many facilities have an engineering design or operations staff that is fully capable of performing a comprehensive facility audit. In many cases, these facilities have already performed numerous studies and evaluations of energy and water conservation projects. In order for an in-house audit to qualify as a comprehensive facility audit, it must meet the following requirements:

- a. Generation of an energy simulation model, for use in developing and comparing energy conservation measures, from computer software such as ASEAM, FEDS, DOE2, Trane Tracer, Carrier;
- b. Exploration of water conservation measures and renewable energy applications;
- c. LCC comparisons of energy and water conservation measures;
- d. Analysis of operation and maintenance procedures for energy efficiency; and
- e. A complete report stating method of audit, energy and water conservation measures analyzed, economic justification, and implementation plan of recommendations.

DOE FEMP distributes, free of charge, many computer programs and publications that can assist agencies in performing in-house audits. More information on these programs can be found on the FEMP website at [http://www1.eere.energy.gov/femp/information/access\\_tools.html](http://www1.eere.energy.gov/femp/information/access_tools.html).

5. Engineering Firm Audit: The final resource for the completion of comprehensive energy audits is an engineering firm. There are many companies, from small consulting firms to large energy service companies, who can perform energy audits. The major drawback with using an outside company is the initial funding required to contract for their services. As mentioned previously, a local utility company may help to offset the cost for the audit. Otherwise, the agency is required to budget funding appropriately in order to comply with audit requirements. The GSA Energy Services schedule can be used to expedite contracting with an engineering firm to perform a comprehensive audit.

### C. ENERGY EFFICIENCY AND WATER CONSERVATION PROJECT IMPLEMENTATION

Agencies and facilities will utilize LCC energy measures to meet the greenhouse gas emissions, energy consumption, and water consumption reduction goals. The implementation of energy efficiency and water conservation projects is the foundation of compliance with the Executive Order.

### D. ENERGY ACCOUNTING

All HHS facilities responsible for the direct payment of utility bills must report energy consumption and cost data on an annual basis to the OPDIV energy office. The OPDIV energy office is then required to report this information to the HHS Energy Officer in the annual energy report. Therefore, it is extremely important that the facility or energy manager coordinate the consolidation of energy consumption and cost data for all types of energy including electricity, natural gas, fuel oil, propane, coal, purchased steam, and water.

The facility or energy manager should review energy consumption and cost data monthly and compare usage to previous months and corresponding timeframes in prior fiscal years. Monitoring usage rates can highlight areas of concern and consumption anomalies in the building operating plan such as high consumption during off peak hours, unusually high usage peaks, or prolonged excessive consumption. These problems may not be apparent during day-to-day activities, but could be revealed by analysis of monthly utility bills. Careful review of utility bills may also disclose errors by the utility company.

### 3-3-20 GUIDANCE AND INFORMATION

#### A. ENERGY MANAGEMENT TRAINING

A key individual must be appointed at each HHS land holding OPDIV as the ODIV Energy Coordinator to serve as the focal point for all energy matters and to manage and monitor energy consumption and conservation. These individuals should become trained energy managers as defined below.

The Energy Policy and Conservation Act (EPACT) requires executive departments and agencies to establish and maintain programs to ensure that facility energy managers are "trained energy managers." This entails demonstrated proficiency or a completed course of study in all of the following areas:

- Fundamentals of building energy systems
- Building energy codes and applicable professional standards
- Energy accounting and analysis
- LCC methodology
- Fuel supply and pricing
- Instrumentation for energy surveys and audits

Demonstrated proficiency can be verified by on-the-job performance in current or previous positions or through certification as an energy manager by an appropriate professional organization such as the Association of Energy Engineers or a public education institution. Courses of study in the topics listed above may be through private or public education institutions, a government agency program, a professional association training program, or a private company.

In addition, HHS is required to ensure that all energy managers receive training for implementing EO 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*, and its provisions, and EPACT 2005.

#### B. ENERGY AWARENESS PROGRAM

The energy used by lights and miscellaneous equipment such as computers, printers, refrigerators, freezers, and laboratory equipment is often a very large percentage of a facility's total annual energy consumption. The use of this equipment is normally controlled by the occupants. Therefore, the most effective method of energy and water conservation in this area is an employee energy awareness program consisting of education, information, and support.

First, the occupants of the building must be educated on the amount of energy that is used to operate the lights and miscellaneous equipment and the role it plays in the energy costs of the entire facility. Next, the occupants must be given direction and information on how they can control these energy costs in their own offices and labs. Finally, the occupants must receive support, feedback, and recognition for their efforts in energy and water conservation.

Several tools are necessary for an energy and water awareness program to be successful. There needs to be a primary tool for communication such as a newsletter, flyer, or electronic mail. It is important that the communication tool is available to all employees and is sent directly to them, particularly in the early stages of the awareness program. Once a communication tool is established, information can be given to the employees about energy consumption, reduction tips, and various activities. It is also very important to allow employees to use this tool as a means of providing feedback to facility management.



Marketing tools work well to keep the awareness program visible throughout the facility. These tools would include posters, stickers, pamphlets, post-it notes, pens, magnets, etc. Many of these items are available at no charge through FEMP energy conservation campaigns, local utilities, large vendors or private companies, EPA, and professional organizations.

The DOE FEMP “You Have the Power Campaign” was established to support the President’s goal of developing outreach programs that educate and promote energy efficiency. A communications initiative, the campaign raises awareness of the energy-saving activities at Federal agencies across the country and around the world. Individual and group energy efficiency efforts are championed through promotional materials, successful public/private partnerships are showcased, and interagency cooperation is highlighted. To learn more about participating in the campaign or to request campaign materials, browse the website at <http://www.eere.energy.gov/femp/services/yhttp/>.

A measurement tool should be in place to establish baseline awareness habits and monitor progress towards improving these habits. Monitoring tools may include off-hour audits or walk-throughs, security personnel reports from after-hours rounds, or a building energy monitor program where specific individuals are assigned to monitor the actions of fellow employees. Monitoring must be completed on a routine basis and the results must be communicated to the employees.

Recognition tools are strongly recommended to keep interest in the awareness program. These may vary widely from having an OPDIV awards program that recognizes leaders in energy and water conservation to a spoken or written word from high-level management, or to actual material rewards.

The keys to a successful energy management program are to provide statistical data and information, communicate your facility's energy reduction goals, provide guidance and reduction tips, recognize achievements, and keep it fun.

### 3-3-30 REPORTING REQUIREMENTS

HHS as an agency is required by EPACT 2005 to measure and report its progress on an annual basis. The OPDIV reports will include descriptions of how energy and greenhouse gas reduction goals are being met and will also detail why certain strategies, if any, have not been used. Exempt facilities will be listed and an explanation about these facilities’ status will be included. In addition, OPDIV budget submissions shall specifically request funding necessary to achieve the goals of EO 13423 and EPACT 2005, including the costs associated with ESPCs, utility energy service contracts, and implementing LCC measures. The HHS annual energy report is generated as a summary document of the individual OPDIV annual energy reports. Therefore, each facility must report energy consumption and cost data, and energy management activities annually to their corresponding OPDIV energy office. The OPDIV Energy Coordinator must then submit an annual report to the HHS Energy Officer that consolidates all of the information from the facilities.

Each agency’s progress will be evaluated by OMB and DOE through an energy scorecard and scoring system. The scoring criteria will include the extent to which agencies are taking advantage of key tools. The scorecards will be based on the annual energy reports submitted by HHS. In turn, the OPDIVs will receive a report card based on these criteria.

The HHS Energy Officer distributes the annual energy report format and guidelines in August of each year to the OPDIV Energy Coordinators. The Energy Coordinators are then responsible for gathering the required information from the individual facilities.

## SECTION 3-4: HISTORIC PRESERVATION

3-4-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 3-4-00 POLICY

It is the policy of HHS that OPDIVs and other HHS organizations whose activities may affect a historic or cultural asset of the United States, will comply with “The Secretary of the Interior’s Guidelines and Standards for Historic Preservation Programs” in order that all HHS activities will be carried out in compliance with the National Historic Preservation Act (NHPA) of 1966, as amended and other related laws and Executive Orders. For HHS grants that affect historic properties please see HHS Grants Policy.

#### A. PRESERVE AMERICA

Executive Order 13287, "Preserve America," which was signed by the President on March 3, 2003, established Federal policy to provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties.

The Executive Order directs Federal agencies to improve their knowledge about, and management of, historic resources in their care. It also encourages agencies to seek partnerships with state, tribal, and local governments and the private sector to make more efficient and informed use of these resources for economic development and other recognized public benefits.

The Executive Order shines a spotlight on the value of heritage tourism to the nation through historic preservation, recognition of important natural assets, public education, and economic activity. It directs the Secretary of Commerce, working with other agencies, to use existing authorities and resources to assist in the development of local and regional heritage tourism programs that are a significant feature of many state and local economies.

It is the policy of the Federal Government to provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties. The Federal Government shall recognize and manage the historic properties in its ownership as assets that can support department and agency missions while contributing to the vitality and economic well-being of the Nation's communities and fostering a broader appreciation for the development of the United States and its underlying values. Where consistent with executive branch department and agency missions, governing law, applicable preservation standards, and where appropriate, executive branch departments and agencies, ("agency" or "agencies") shall advance this policy through the protection and continued use of the historic properties owned by the Federal Government, and by pursuing partnerships with state and local governments, Indian tribes, and the private sector to promote the preservation of the unique cultural heritage of communities and of the Nation, and to realize the economic benefit that these properties can provide. Agencies shall maximize efforts to integrate the policies, procedures, and practices of the National Historic Preservation Act (NHPA) and this order into their program activities in order to efficiently and effectively advance historic preservation objectives in the pursuit of their missions.

## B. FEDERAL MANDATES

Relevant statutes and regulations include but are not limited to:

- Executive Order 13287, *Preserve America*
- National Historic Preservation Act (NHPA) of 1966
- Protection of Historic Properties Section 110
- Protection of Historic Properties Section 106, 36 CFR Part 800
- 36 CFR 61, Professional Qualifications for Historic Projects
- 36 CFR 67, The Secretary of the Interior's Standards for Rehabilitation
- 36 CFR 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties

## 3-4-10 PROCEDURES

### A. BUILDING PRESERVATION PARTNERSHIPS

The following procedures apply to Executive Order 13287, *Preserve America*.

When carrying out its mission activities, each OPDIV, where consistent with its mission and governing authorities, and where appropriate, shall seek partnerships with state and local governments, Indian tribes, and the private sector to promote local economic development and vitality through the use of historic properties in a manner that contributes to the long-term preservation and productive use of those properties. Each OPDIV shall examine its policies, procedures, and capabilities to ensure that its actions encourage, support, and foster public-private initiatives and investment in the use, reuse, and rehabilitation of historic properties, to the extent such support is not inconsistent with other provisions of law, the Secretary of the Interior's Standards for Archeology and Historic Preservation, or essential departmental and OPDIV mission requirements.

### B. IMPROVING HHS PLANNING AND ACCOUNTABILITY

Accurate information on the state of HHS owned historic properties is essential to achieving the goals of this order and to promoting community economic development through local partnerships. Each HHS/OPDIV with real property management responsibilities shall prepare an assessment of the current status of its inventory of historic properties required by section 110(a)(2) of the NHPA (16 USC 470h-2(a)(2)), the general condition and management needs of such properties, and the steps underway or planned to meet those management needs. The assessment shall also include an evaluation of the suitability of the OPDIV's types of historic properties to contribute to community economic development initiatives, including heritage tourism, taking into account HHS/OPDIV mission needs, public access considerations, and the long-term preservation of the historic properties. The first status reports required by E.O. 13286, were due to the Chairman of the Advisory Council on Historic Preservation (Council) and the Secretary of the Interior by September 30, 2005. Follow-up reports are due every third year thereafter.

### C. IMPROVING FEDERAL STEWARDSHIP OF HISTORIC PROPERTIES

Each OPDIV shall ensure that the management of historic properties in its ownership is conducted in a manner that promotes the long-term preservation and use of those properties as Federal assets and, where consistent with OPDIV missions, governing law, and the nature of the properties, contributes to the local community and its economy.

1. Where consistent with OPDIV missions and the Secretary of the Interior's Standards for Archeology and Historic Preservation, and where appropriate, agencies shall cooperate with communities to increase opportunities for public benefit from, and access to, federally owned historic properties.
2. The Council is directed to use its existing authority to encourage and accept donations of money, equipment, and other resources from public and private parties to assist other agencies in the preservation of historic properties in Federal ownership to fulfill the goals of the NHPA and this order.
3. The National Park Service, working with the Council and in consultation with other agencies, shall make available existing materials and information for education, training, and awareness of historic property stewardship to ensure that all Federal personnel have access to information and can develop the skills necessary to continue the productive use of Federally owned historic properties while meeting their stewardship responsibilities.
4. The Council, in consultation with the National Park Service and other agencies, shall encourage and recognize exceptional achievement by such agencies in meeting the goals of the NHPA and this order.

#### 3-4-20 GUIDANCE AND INFORMATION

OPDIVs have or should be developing reporting systems to fulfill the assessment and reporting requirements of subsections 3(a)-(c) of EO 13287. To assist agencies, the Council, in consultation with the Secretary of the Interior, has prepared advisory historic preservation program guidelines for agencies to use at their discretion.

The Secretary of Health and Human Services has designated the DAS, OFMP as the HHS senior policy level official to have policy oversight responsibility for the agency's historic preservation program. The DAS, OFMP has further designated a qualified subordinate employee to serve as the agency's Federal Preservation Officer in accordance with section 110(c) of the NHPA. The Federal Preservation Officer is qualified consistent with guidelines established by the Secretary for that position and has access to adequate expertise and support to carry out the duties of the position.

##### A. PROMOTING PRESERVATION THROUGH HERITAGE TOURISM

1. To the extent permitted by law and within existing resources, the Secretary of Commerce, working with the Council and other agencies, shall assist states, Indian tribes, and local communities in promoting the use of historic properties for heritage tourism and related economic development in a manner that contributes to the long-term preservation and productive use of those properties. Such assistance shall include efforts to strengthen and improve heritage tourism activities throughout the country as they relate to federally owned historic properties and significant natural assets on Federal lands.
2. Where consistent with OPDIV missions and governing law, and where appropriate, OPDIVS shall use historic properties in their ownership in conjunction with state, tribal, and local tourism programs to foster viable economic partnerships, including, but not limited to, cooperation and coordination with tourism officials and others with interests in the properties.

## B. NATIONAL AND HOMELAND SECURITY CONSIDERATIONS

Nothing in this section shall be construed to require any agency to take any action or disclose any information that would conflict with or compromise national and homeland security goals, policies, programs, or activities.

## C. DEFINITIONS

For the purposes of this section, the term "historic property" means any prehistoric or historic district, site, building, structure, or object included on or eligible for inclusion on the National Register of Historic Places in accordance with section 301(5) of the NHPA (16 USC 470w(5)). The term "heritage tourism" means the business and practice of attracting and accommodating visitors to a place or area based especially on the unique or special aspects of that locale's history, landscape (including trail systems), and culture. The terms "Federally owned," "in Federal ownership," and similar terms, as used in this order, do not include properties acquired by agencies as a result of foreclosure or similar actions and that are held for a period of less than five years.

### 3-4-30 REPORTING REQUIREMENTS

Each OPDIV with real property management responsibilities reported September 30, 2005, and is responsible for reporting every year thereafter on its progress in identifying, protecting, and using historic properties in its ownership. The report should be provided to OFMP, which is responsible for consolidating the reports and sending to the Council. The Council shall incorporate this data into a report on the state of the Federal Government's historic properties and their contribution to local economic development and submit this report to the President. The main topic areas to be addressed are:

1. What types of historic properties does your agency own or manage and how is this information collected and maintained?
2. How would you characterize the distribution and general condition of these properties?
3. What reporting mechanisms and systems are used by your agency for carrying out its resource management responsibilities?
4. Does your agency coordinate its data gathering for historic properties under its ownership or control with required Federal audit, accounting, and financial management reporting?
5. How is your agency fulfilling its historic preservation program responsibilities under Section 110 of NHPA?
6. How is your agency complying with Section 111 of NHPA when historic properties are transferred, leased, or sold?
7. If your agency does not currently have a historic preservation program or procedures for complying with Sections 110 and 111, what future actions will be taken to meet these statutory requirements?
8. What issues regarding your agency's mission, internal policies, location of its inventory of historic properties, or use of such properties could potentially hinder the agency's ability to contribute to community economic development initiatives?
9. Does your agency have programs and policies that help it to identify historic preservation opportunities and promote preservation through partnerships?
10. How would your agency characterize its overall progress in meeting its property management and stewardship responsibilities since filing its last Executive Order 13287, Section 3 Report?

## SECTION 3-5: ARCHITECTURAL BARRIERS COMPLIANCE

3-5-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 3-5-00 POLICY

#### A. THE ARCHITECTURAL BARRIERS ACT (ABA) OF 1968

Most Federal buildings and certain federally funded buildings are covered by the Architectural Barriers Act (ABA) of 1968. This act is enforced by the Access Board and requires that covered federally funded buildings and facilities be accessible to persons with disabilities. The Board was created to enforce the ABA, which it does through the investigation of complaints.

### 3-5-10 PROCEDURES

#### A. EXISTING FACILITIES

The ABA Guidelines cover new construction and planned alterations and do not apply to existing facilities except where altered. Existing facilities built or altered according to earlier versions of the ABA standards will not necessarily have to meet the updated version except where they are subsequently altered or renovated. (Additional information on accessibility requirements for persons with disabilities is provided in Chapter 3 of Volume I).

#### B. COMPLAINT HANDLING

1. Complaints of inaccessible conditions received by HHS OPDIVS from employees or facility users should be resolved at the OPDIV level, when possible. Otherwise, they may be forwarded to OFMP for review and resolution.
2. Complaints received from the Architectural and Transportation Barriers Compliance Board (ATBCB) shall be forwarded to the appropriate agency facilities office for review and necessary action.
3. Complaints received by OFMP that require site investigation to determine validity or means of resolution will be forwarded to the appropriate OPDIV facilities office for investigation and action. An interim reply will be prepared and sent by OFMP to the party submitting the complaint (*i.e.*, the ATBCB or the complainant).
4. Upon completion of its investigation, the OPDIV facilities office will notify the ATBCB or complainant, as appropriate, of the results. A copy of final resolution shall be furnished to OFMP. In cases where remedial action is required, the facilities office will notify the HHS OPDIV official responsible for operating or funding the facility of any standards violation, and any necessary remedial action.

### 3-5-20 GUIDANCE AND INFORMATION

Facilities not constructed with Federal funds, but which house federally conducted programs and activities, are covered by Section 504 of the Rehabilitation Act of 1973 (29 USC 794) which is enforced by the Office for Civil Rights (OCR). Effective May 8, 2006, the Uniform Federal Accessibility Standards

(UFAS) were replaced by the Architectural Barriers Act (ABA) Accessibility Guidelines, codified at 36 C.F.R. Part 1191 (ABA Chapters 1, 2 and 3 through 10) (the ABA Accessibility Guidelines are available at [www.access-board.gov](http://www.access-board.gov)). The General Services Administration adopted the ABA Accessibility Guidelines as enforceable standards in November of 2005. These new standards apply to construction and alterations that commence on or after May 8, 2006 and to leases entered into on or after that date. For construction or alteration projects that began before May 8, 2006 and for projects whose designs were substantially complete before that date, reliance on the UFAS standards would be permissible.

For guidance and information contact:

The United States Access Board  
1321 F. Street, N.W. Suite 1000  
Washington DC 20004-1111

(800) 872-2253 (v)

(800) 993-2822 (TTY)

Fax: (202) 227-0081

[www.access-board.gov](http://www.access-board.gov)

e-mail: [info@access-board.gov](mailto:info@access-board.gov)

## SECTION 3-6: WASTE MANAGEMENT

3-6-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 3-6-00 POLICY

This section establishes HHS policy and responsibilities for compliance with statutory and procedural requirements for solid waste management including disposal, waste minimization, recycling, and resource recovery requirements. The Solid Waste Disposal Act (SWDA), as amended by the Resource Conservation and Recovery Act (RCRA), establishes requirements concerning the disposal and management of solid wastes.

#### AUTHORITIES AND REFERENCES

- Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.).
- Solid Waste Disposal Act of 1965, as amended of 1976 (42 USC 6901 et seq.).
- Clean Air Act (CAA) of 1970, as amended (42 USC 7401 et seq.).
- Pollution Prevention Act (PPA) of 1990 (42 USC 13101 et seq.).
- Executive Order (EO) 12873, Federal Acquisition, Recycling, and Waste Prevention, October 20, 1993.
- Executive Order (EO) 13423, Strengthening Federal Environmental, Energy and Transportation Management, January 24, 2007.

### 3-6-10 PROCEDURES

The HHS facility will design solid waste disposal programs as total systems that consider the relative economic advantages of the latest technology as well as the potential for resource recovery. The program will explore shredding, compacting, energy recovery, and similar processes. A facility solid waste management plan must be developed addressing each of the following: Material Reuse, Recycling, Energy Recovery, Disposal, and Source Reduction.

All HHS organizations and tenants must participate in a facility recycling program. A facility-recycling program shall be established for the following purposes:

- To protect the environment and prevent the depletion of valuable natural resources.
- To comply with Federal, state, and local environmental laws and regulations.
- To reduce the volume of waste disposed in landfills.
- To reuse readily available resources.
- To avoid excessive costs for the disposal of solid waste by other means.
- To obtain proceeds from the sale of recyclable material.

### 3-6-20 GUIDANCE AND INFORMATION

See [HHS GAM, Part 30 - Environmental Protection - February 2000](#), for more guidance on this topic.



## SECTION 3-7: PEST CONTROL

3-7-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements
X3-7-A	Sample Pesticide Authorized User List
X3-7-B	Sample Planned Pesticide/Herbicide Use Sheet

### 3-7-00 POLICY

This section presents information regarding facilities operations requirements associated with Pest and Weed control and establishes HHS policy and responsibilities for complying with the legal use of pesticides and herbicides at HHS facilities. Environmental compliance with respect to use of pesticides and herbicides must be integrated with occupational health and safety policies and regulations.

### 3-7-10 PROCEDURES

Properly implemented recurring pest and weed control services will eliminate or greatly reduce nuisance pests and in some cases prevent the intrusion of unwanted pests into buildings, lawns, plants and trees. Pests include any insects, rodents, vertebrates, vegetation, decay organisms, birds, animals, mollusks, and reptiles that are disease vectors or nuisances or are harmful to humans and their surroundings. Pest control actions shall include mechanical, chemical, physical, or construction as necessary to prevent/remove the identified pest.

Product Technical Specification Changes. It may become necessary to alter technical specifications and products used when:

1. Newer, safer, and more effective methods become available.
2. More selective pesticides become available.
3. Less toxic and less persistent pesticides become available.

Performance Requirements. Work shall be accomplished in accordance with applicable federal and state regulations and guidelines at a minimum. Common categories of facilities or land treatment include: Fire Ant Control, Mole Cricket Control, Mosquito Control, Animal Control, Weed Control, Plant & Tree Care, and Structural Pest Control Inspection and Treatment.

Pesticide Disposal. Every effort must be made to ensure that pesticides do not become hazardous waste (HW). Excess EPA-registered pesticides should be returned to the supplier, transferred to another HHS facility that is able to use the material, or transferred to another OPDIV.

#### A. ENVIRONMENTAL PROTECTION AND SAFETY REQUIREMENTS

Programs shall minimize environmental impact by using integrated pest management techniques. Proper safety precautions shall be specified and implemented including posting of appropriate warning/caution signs, use of barriers, etc., to provide sufficient warning to people in the vicinity of applied treatments, and to prevent potential dangers or hazardous situations. Pesticides shall be properly handled and transported, including use of proper identification on both sides of vehicles carrying pesticides.

## B. PEST MANAGEMENT PLANS

Pest management plans shall be implemented that utilize integrated pest management techniques. An approved list of pesticides and pest control products shall be maintained and complied with as the Pesticide Authorized User List (AUL). See a sample authorized user list at Exhibit X3-7-A. OPDIVs shall ensure that within their areas of responsibility:

- knowledgeable persons are designated to exercise control over the AUL, and
- AULs are kept current and are complied with at each independent site.

An example of a product information form for requesting additions to the AUL is provided as Exhibit X3-7-B.

## C. LICENSING, PERMITS, AND PERSONNEL QUALIFICATIONS

Contractor and in-house pest control operators and applicators shall be licensed by the state in which work is to be performed and such license shall specify those categories of pest control in which the licensee is qualified and authorized to perform pest control services. As a minimum, all requirements with respect to business licensing, certifications, employee identifications, and actual work performance shall fully comply with state laws and regulations applicable to the state in which the work is performed.

## D. DEFINITIONS

Integrated Pest Management Plan (IPMP) - A planned program incorporating continuous monitoring, education, record-keeping, and communication to prevent pests and disease vectors from causing unacceptable damage to operations, human, property, material, or the environment. IPMP uses targeted, sustainable (effective, economical, environmentally sound) methods including education, habitat modification, biological control, genetic control, cultural control, mechanical control, physical control, regulatory control, and, where necessary, the judicious use of least hazardous pesticides.

Pesticide - Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

Vector – Organisms that play a role in the transmission of a pathogen/infective agent from one host to another (between humans or from animals to humans).

## E. AUTHORITIES/REFERENCES

1. Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) of 1972, as amended (Public Law 92- 516, 7 USC 136 et seq.).
2. Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 USC 6901 et seq.).
3. Federal Water Pollution Control Act of 1972, as amended by the Clean Water Act of 1977 (33 USC 1251 et seq.).
4. Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (42 USC 11001 et seq.).
5. Toxic Substances Control Act (TSCA) of 1976 (15 USC 2601 et seq.).
6. Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq.).
7. Migratory Bird Treaty Act of 1918, as amended (16 USC 703 et seq.).
8. Federal Noxious Weed Act of 1974 (7 USC 2801 et seq.).
9. National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et seq.).

## F. RESPONSIBILITIES

All HHS personnel whose duties involve aspects of pest and weed control shall carry out the following responsibilities to the extent of their respective span of control and level of organizational authority:

- Establish and coordinate programs to achieve, maintain, and monitor compliance with applicable Federal, state, and local statutory and regulatory requirements for pest management.
- Emphasize techniques to reduce pesticide risk and prevent pollution. Monitor pesticides to ensure the pesticides available are least hazardous and comply with applicable Federal, state, and local laws.
- Ensure, through staff assistance visits and Environmental Compliance monitoring, departmental/ regional cooperation and compliance with Federal, state, and local regulatory agencies with regard to pesticide management regulations.
- Ensure procedures are established so that recommendations from onsite pest management program reviews will result in appropriate corrective action.
- Coordinate pest management actions, as appropriate, with state and local governments involved with pest management when human health is an issue.
- Cooperate with state and local government agencies involved with pest management.
- Conduct special environmental compliance and protection studies with regard to pest management to assist in establishing policy or initiating actions.
- Exercise oversight and review of pest management programs within assigned area of responsibility.
- Establish surveillance programs to assess potential adverse environmental or public health effects from pesticide use and monitor the health and safety of persons who apply pesticides.
- Ensure that all pest management operations performed at the facility are properly recorded, and that all records are properly maintained.

### 3-7-20 GUIDANCE AND INFORMATION

Warranty of Structural Pest Control Treatment: typically, a five-year written warranty is required from commercial service providers to warrant the areas treated against existing and new infestations of subterranean termites or powder post beetles. The warranty shall state that chemical concentrations, rates, and methods of application complied with the EPA label. The warranty period shall commence from the date of satisfactory completion of the work. Visual sightings of pests, additional damage, new mud tubes, or other signs of living pests within the structure during the warranty period shall be grounds for re-treatment under warranty.

### 3-7-30 REPORTING REQUIREMENTS

Every HHS organization responsible for providing Pest Control services shall have a written Integrated Pest Management Plan (IPMP) that establishes an early prevention program to eliminate and control pest infestations. All necessary safety, environmental, and regulatory specifications and requirements shall be implemented in a manner which offers maximum protection to human life and property with special emphasis on protecting the environment. OPDIVs and other HHS activities have discretion to publish umbrella IPMPs that adequately address the issues at their sites, so long as the sites operate in accordance with those plans. Facilities shall maintain complete daily pesticide application and pest management operations records as required by FIFRA and 7 USC 136i-1 and ensure that these records are archived after 2 years for permanent retention.

<b>SAMPLE PESTICIDE AUTHORIZED USER LIST</b>			
<b>Pesticide</b>	<b>Common Name</b>	<b>Intended Use</b>	<b>Approved</b>
Acephate	Orthene	Roaches, Ants	Yes
Altosid Briquettes	Methoprene	Mosquito Larvae	Yes
Amdro Fire Ant	Hydramethylnon	Ants	Yes
Aqua Bac	Bti	Larvicide	Yes
Avitrol	4-Aminopyridine	Birds	Yes
Award	Fenoxycarb	Ant Bait	Yes
Banner/Maxx	Propiconazde	Fungicide	Yes
Bayleton 50%	Triadimefon	Turf Fungus	Yes
Baytex	Fenthion	Mosquitoes	Yes
Bentgrass Select.	Dimethylamine Salt	Herbicide	Yes
Bird-Proof	Polybutene 49%	Bird Repellent	Yes
CB-80 Extra	Pyrethrins 5%	Roaches	Yes
Diazinon 4E	Diazinon	Roaches	Yes
Diazinon 5G	Diazinon	Ants	Yes

PLANNED PESTICIDE/HERBICIDE USE SHEET (non-mandatory sample)

<b>Activity Name:</b>	<i>Enter site name, Location</i>
Applicator:	
Target Pest:	
Purpose:	
Trade Name:	
Common Name:	
EPA Regulation No.:	
Formulation:	
CONC AI:	
Possible Source(s):	
Use %:	
Diluent:	
Rate:	
Method:	
Units Treated:	
Site:	
Months:	
Sensitive Areas:	
Inspection Methods:	
Other Controls:	
	Approved → <input type="checkbox"/> Disapproved → <input type="checkbox"/>
Date: _____	Authorized Signature and Title: _____



United States Department of  
**Health & Human Services**

**4**

## **Building & Installation Operations**



**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

## SECTION 4-1: ASSIGNMENT AND UTILIZATION OF SPACE

4-1-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 4-1-00 POLICY

HHS and OPDIVs, when acquiring or utilizing federally owned and leased space under the Federal Property and Administrative Services Act of 1949, as amended, must:

- promote the optimum use of space for each assignment at an economical cost to the Government, provide quality workspace that is delivered and occupied in a timely manner, and assign space based on mission requirements;
- provide assignment and utilization services that will maximize the value of Federal real property resources and improve the productivity of the workers housed therein;
- provide a quality workplace environment that supports program operations, preserves the value of real property assets, meets the needs of the occupant agencies, and provides childcare and physical fitness facilities in the workplace when approved;
- promote maximum utilization of Federal workspace, consistent with mission requirements, to maximize its value to the Government; and
- track the percent facility utilization at the constructed asset level in accordance with current FRPC guidelines for this performance measure.

Where there is no Federal agency space need, executive agencies must make every effort to maximize the productive use of vacant space through the issuance of permits, licenses, or leases to non-federal entities to the extent authorized by law. All proposals for acquisition of space including office, laboratory, animal research, hospital, clinic, warehouse, etc, and/or HHS joint use space will require prior approval from OFMP.

#### A. GENERAL HIERARCHY OF CONSIDERATION THAT HHS AND OPDIVS MUST FOLLOW IN THEIR UTILIZATION OF SPACE

1. First, utilize space in Government-owned and Government-leased buildings.
2. If there is no suitable space in Government-owned and Government-leased buildings, utilize space in buildings under the custody and control of the U.S. Postal Service.
3. If there is no suitable space in buildings under the custody and control of the U.S. Postal Service, agencies may acquire real estate by lease, purchase, or construction.
4. Federal agencies must assume responsibility for the preservation of the historic properties they own or control. Prior to acquiring, constructing or leasing buildings, agencies must use, to the maximum extent feasible, historic properties already owned or leased by the agency (16 U.S.C. 470h-2).

## B. MAXIMUM UTILIZATION RATE FOR OFFICE AND RELATED SPACE<sup>1</sup>

HHS provides the following policy to all OPDIV and STAFFDIV components which acquire office and related space, either directly by lease, construction, or purchase, or through GSA or other existing facilities. The maximum space allowable for planning and occupancy purposes is 215 useable square feet (as defined by the Building Owners and Managers Association) per person on average. Persons are defined as budgeted FTEs and contractors on-site, including vacancies for which recruitment has been approved. This standard refers to total space (office plus associated storage and special space) and applies to all acquisitions, as well as to new construction and renovations. It does not include building and floor common areas (public elevators, lobbies, corridors, restrooms) or GSA or HHS joint use areas. No private office shall exceed 350 usf.

For the purpose of this policy, “Special Space” includes the following: LAN room, break/kitchen rooms, telephone rooms or closets, copy rooms, reception areas, libraries (not staffed), training rooms (not staffed), and meeting rooms.

HHS Joint Use applications may include the following (with prior justification and approval): cafeterias/vending stands, day care facilities, health units, data centers (shared by installation), fitness centers, travel offices, credit unions, conference centers (shared by installation), training centers (staffed full time), libraries (staffed full time), and printing and reproduction units (staffed full time).

## C. EXCEPTIONS

An exception to this maximum utilization rate are acquisitions of field office space for 5 or fewer employees in cases where no blocks of space are offered which meet the requirement after all competitive procedures are exhausted. Other HHS offices in the area, if any, shall first be contacted to see if space which will accommodate the requirement is already under lease.

Offices over 250 usf are reserved to OPDV heads or equivalents, or Departmental level officials (Deputy Assistant Secretary or higher).

## D. TRIBALLY OPERATED FACILITIES

This policy is not applicable to Tribally Operated Facilities.

### 4-1-10 PROCEDURES

#### REQUEST FOR SPACE

Requests for approval to acquire space must be explained in a memo to OFMP. Additionally the requesting office shall provide physical security information on any property under consideration so that OS can evaluate the adequacy of physical security provisions. If an approved acquisition later requires additional space due to building characteristics discovered during design and layout, approval of the OFMP is required before taking action to acquire the additional space.

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<sup>1</sup> From POLICY: Office and Related Space Utilization Rate issued by Ed Sontag, Assistant Secretary for Administration and Management, OASAM, OS effective July 14, 2003.



## 4-1-20 GUIDANCE AND INFORMATION

HHS supports GSA's Integrated Workplace (IW) Program goal to "maintain a world-class workforce and world-class workplace," in order to promote development of high-performance workplaces that:

- meet HHS and OPDIV business needs;
- are best suited to their employees work functions; and
- can be readily adapted to accommodate new work practices and strategies while minimizing expense and delay.

High-performance workplaces are those that are developed in a sustainable way using an integrated process for their design, construction, and operation. GSA has developed the "Hallmarks of the Productive Workplace" to describe the important characteristics of such workplaces: spatial equity, healthfulness, flexibility, comfort, connectivity, reliability, and sense of place.

### A. HALLMARKS OF THE PRODUCTIVE WORKPLACE

Spatial Equity: Workspace provides adequate privacy, daylight, and access to views for all.

Healthfulness: The workplace is free of harmful contaminants and excessive noise.

Flexibility: Workspace can be quickly and inexpensively reconfigured to accommodate organization, work process, and technological changes.

Comfort: People can adequately adjust their personal working environment – including temperature, lighting, acoustics, and furniture – to meet their needs.

Technological Connectivity: There is good communication and information access among distributed co-workers.

Reliability: Building, security, computer, and telecommunication systems provide reliable service with minimal disruptions.

Sense of Place: The workplace has a unique character, enabling a sense of pride, purpose, and dedication for both the individual and the workplace community.

The Integrated Workplace is a comprehensive design approach to assist in creating workplaces that address the "Hallmarks of a Productive Workplace," and that integrate business plans, user needs, and space planning into an effective strategy for developing workspace and alternative strategies tailored to the specific needs of each individual and group within an organization. The basic elements of the integrated workplace are the people who use it, the space that houses them, and the work strategy, technology, and process tools that enhance productivity. Workplaces that engage these essential elements have been shown to increase the health and satisfaction of those using them, and to provide better value to the organization over their useful life.

### B. ADDITIONAL AUTHORIZED SPACE ALLOCATIONS

#### 1. CHILD CARE CENTERS

In accordance with 40 USC 590b, Federal agencies can allot space in Federal buildings to individuals or entities that will provide childcare services to Federal employees if:

- a. Such space is available;

- b. HHS and OPDIVs determine that such space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian who is a Federal Government employee; and
- c. HHS and OPDIVs determine that such individual or entity will give priority for available childcare services in such space to Federal employees.

## 2. FITNESS CENTERS

In accordance with 5 USC 7901, Federal agencies can allot space in Federal buildings for establishing fitness programs. The following elements must be addressed in planning efforts to establish fitness programs:

- a. A survey indicating employee interest in the program;
- b. A three-to five-year implementation plan demonstrating long-term commitment to physical fitness/health for employees;
- c. A health related orientation, including screening procedures, individualized exercise programs, identification of high-risk individuals, and appropriate follow-up activities;
- d. An approach that will consider key health behaviours related to degenerative disease, including smoking and nutrition;
- e. A modest facility that includes only the essentials necessary to conduct a program involving cardiovascular and muscular endurance, strength activities, and flexibility; and
- f. Provision for equal opportunities for all employees, regardless of gender or grade level.

HHS entities must conduct a cost analysis to determine the competitive cost of providing a fitness center verses subsidizing employee memberships at outside facilities.

## 3. FEDERAL CREDIT UNIONS

In accordance with 12 USC 1770, Federal agencies may allot space in Federal buildings to Federal credit unions without charge for rent or services if:

- a. At least 95 percent of the membership of the credit union to be served by the allotment of space is composed of persons who either are presently Federal employees or were Federal employees at the time of admission into the credit union, and members of their families; and
- b. Space is available.

## 4. FEDERAL EMPLOYEE HEALTH UNITS

The provision for establishing health programs for Federal employees is contained in P.L. 7-658 (5 USC 7901). The Act provides that employee health programs shall be established only after consulting with the Division of Federal Occupancy and Beneficiary Health Services Health Resources and Services Administration (HRSA), and consideration of its recommendations, and only in localities where there is a sufficient number of Federal employees to warrant the provision of such services.

Space for a full-time formally organized health program may be provided in buildings where the number of Federal employees to be served exceeds 300.

## 5. CONCESSIONS

Concessions activities are those that sell a commodity or perform a service at an established price. These include but are not limited to: barber and beauty shops, taxi stands, vending stands and machines, commissaries, mobile vending stands, canteens, soda fountains, lunch counters, and cafeterias.

- a. It is HHS policy to provide for concessions, which are both convenient and beneficial for employees and patients, and that are likely to increase employee morale and efficiency. OPDIVs will determine whether concessions are needed and feasible by the following criteria:
  - (1) Sufficient funds must be available to defray any cost for which the Government will be responsible for under contractual agreement.
  - (2) Sufficient and satisfactory space, not required for official purposes, must be available for the concession.
  - (3) The concession must operate in accordance with applicable safety, health, and sanitation codes and regulations.
  - (4) The commodities and services sold shall be limited to those that are beneficial for employees and patients that cannot easily be obtained from existing facilities.
  - (5) Each concession shall be required to serve all Federal employees or patients without regard to their religion, race, color, sex, age, or national origin.
- b. In granting permission to operate concession-type activities, consideration will be given in the following order:
  - (1) Activities involving the rehabilitation and therapy of patients under Sections 341-346 of the PHS Act, as amended, 42 USC § 257-261, the employment of Indian labor and selling of products of and selling of products of Indian Industry under the provision of Buy Indian Act, as amended, 25 USC § 47, and the operation of vending facilities for the blind under the Randolph-Shepard Vending Stand Act, as amended, 20 USC § 107 et. seq.
  - (2) Activities of HHS Employee Associations.
  - (3) Uses by private individuals and organizations.
- c. Commissaries and similar enterprises involving the use of HHS facilities for the sale of groceries, household goods, appliances, and any other commodity to employee will not be established at any installation unless it is isolated or remote and extreme hardship would result if such activities were not permitted. The OPDIV shall submit a statement justifying the need for the commissary to OFMP prior to establishing the commercial activity. The statement shall include information on the availability of foodstuffs and other supplies, transportation problems (goods and services), special living allowances, and other pertinent information.

The OPDIV responsible for the installation must ensure that applicable regulations are complied with and that proper conduct is maintained at each concession. In particular, the OPDIV must ensure that operations are conducted in conformance with the terms and conditions of the agreement, applicable Federal, state and local regulations for safety, health, and sanitation, and such other operating standards as may be issued.

Unless otherwise stipulated in the agreement, the Concessionaire shall provide as follows:

- (1) All equipment shall be in good condition and operating efficiently.
- (2) Space preparations and subsequent alterations required for the installation and operation of concession, and cost entailed in removal of equipment, restoration of premises, etc., upon termination of the agreement.
- (3) Cleaning of the area in an acceptable manner. If the Government provides cleaning and related services, the Concessionaire shall reimburse the Government at actual cost when known, otherwise at a cost estimated by the OPDIV.
- (4) Reimbursement for utilities such as heat, light, power, telephones, etc. as determined by the OPDIV, based on separately metered or estimated consumption.

The Concessionaire shall comply with the Equal Opportunity Clause prescribed by E.O. 11246 and "Rules of Conduct on Federal Property" as set forth in the FMR.

A Contracting Officer must sign the concession agreement, entered into in accordance to the FAR.

#### 6. VENDING STANDS FOR THE BLIND

The Randolph Sheppard Vending Stand Act (20 USC § 107 et seq.) provides priority for blind persons in the location and operation of vending facilities on Federal property. It also directs the assignment of vending machine income and establishes certain State Licensing Agency responsibilities for effective management of the vending facility program for the blind in each state.

Blind persons licensed by state licensing agencies designated by the Secretary of Education, under the provisions of the Act, shall be given preference in the operation of vending facilities on any HHS controlled property. Any limitation on the location or operation of a vending facility by a blind vendor, based on the finding that such location or operation would adversely affect the interest of HHS or its OPDIVs, shall be fully justified in writing to the Secretary of Education, who shall determine if such limitation is warranted. A decision made by the Secretary concerning such limitation shall be binding and shall be published in the Federal Register.

Consideration shall be given to the inclusion of vending facilities in the planning for construction, substantial alterations, or renovations of buildings, and in leasing of space when the population of the building is sufficient to support such facilities. Where it is determined that vending machines are to be installed on leased property, the necessary approval of the lessor shall be obtained prior to the approval of the U.S. Department of Education.

The appropriate State Licensing Agency shall be provided with written notice of HHS or OPDIV intention to acquire additional properties where 100 or more Federal employees will be occupying the space during normal working hours. In actions meeting the notice requirement, HHS shall offer a satisfactory site. See 34 CFR 395.31(c) and (d).

The permit shall be issued in the name of the applicant State Licensing Agency, shall prescribe such procedures as necessary pursuant to 34 CFR 395, and shall be for an indefinite term. No charge will be made to the State Licensing Agency for use of government furnished space, or for the maintenance and repair of building structure in and adjacent to the vending stand areas. This includes painting and decorating, utilities required to operate the vending stands and vending machines, and other related building services in accordance with normal levels of service.

The State Licensing Agency is responsible for purchase, installation, maintenance, repair, replacement, servicing, and removal of all vending facility equipment. It is also responsible for cleaning necessary for sanitation over and above the standard level of service, and the maintenance of vending facilities and vending machines in an orderly condition at all times.

In granting approval to designated licensing agencies, or by contract with others, such as a necessary basic food service operation, the Department of Education regulations (34 CFR 395) should be followed. It is the responsibility of the OPDIV to determine whether a vending machine on the property is in direct competition with a vending facility operated by a blind vendor, subject to the concurrence of the State Licensing Agency.

## SECTION 4-2: PARKING MANAGEMENT

4-2-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 4-2-00 POLICY

Parking facilities shall be in accordance with 41 CFR 102-74.265 through 41 CFR 102-74.310 and shall be compatible with the character of the neighborhood and consistent with local planning requirements. They shall not adversely affect the use or appearance of the property, and shall not create traffic hazards. HHS and its OPDIVs are not required to provide parking for employees; however, HHS and OPDIVs may do so as a convenience and reduce the impact on public and private parking facilities and streets. The number of spaces provided at any HHS facility should correspond to the availability of private and public parking, public transportation, and the extent to which carpools/vanpools may be feasible.

### TRIBALLY OPERATED FACILITIES

This policy is not applicable to Tribally Operated Facilities.

### 4-2-10 PROCEDURES

Prior to the assignment of parking spaces to employees, specific number spaces shall be reserved for official parking. Employees shall receive consideration for assignment of parking spaces in the following order of priority:

- a. Persons with disabilities.
- b. Executive personnel and persons who work unusual hours.
- c. Vanpool/carpool vehicles.
- d. Privately owned vehicles of employees that are regularly used for Government business at least 12 days a month and qualify for reimbursement of mileage and travel expenses under Government travel regulations.
- e. Other privately owned vehicles of employees, on a space availability basis.

### 4-2-20 GUIDANCE

#### A. GUIDANCE FOR IMPLEMENTATION

In most instances, the assignment of individual reserved spaces should be minimized; this allows the number of permits to be over-allocated and results in increased efficiency.

In order to promote fuel conservation, reduce traffic congestion, reduce the demand for parking spaces, and reduce air pollution, OPDIVs are encouraged to make available as many parking spaces as possible for the use of vanpools/carpools.

OPDIV procedures for the assignment of parking spaces should be maintained in writing. Provisions for reviewing assignments, enforcing compliance with regulations, and enforcing penalties for misrepresentation on applications are also recommended.

Subject to the availability of satisfactory and secure space and facilities, OPDIVs should reserve areas for the parking of bicycles and other two-wheeled vehicles.

#### B. TRANSPORTATION MANAGEMENT PLANS

Federal facilities with a large number of employees in the National Capital Region may be required by the National Capital Planning Commission to implement a Transportation Management Plan (TMP) to reduce traffic congestion. OPDIVs with binding agreements are encouraged to implement the goals and strategies of the TMP.

## SECTION 4-3: LEASE ADMINISTRATION

4-3-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 4-3-00 POLICY

A Federal lease provides specific rights to real property that has been assigned to the Federal Government. It is both a conveyance and contract to possess and use real property for a predetermined period of time. Lease administration ensures performance of the agreement that constitutes a lease and consists of: interpretation and enforcement of the lease; effecting renewal or extension of the lease; negotiation of changes to the lease; authorizing rent payments; termination of the lease; settlement of claims for restoration; and handling other related matters.

### RESTRICTIONS ON IMPROVEMENTS

The Government Accountability Office (GAO) has declared that generally, unless authorized by law, appropriated funds may not be used to make permanent improvements to property not owned by the federal government. However, this rule does not prohibit temporary improvements to a leased facility so long as the improvements remain the property of the government and the government reserves the right to remove them at the end of the lease. Therefore, appropriated funds may be used to fund a government-owned, removable improvement in leased space.

While appropriated funds may be used to fund temporary improvements, the B&F fund is not the proper funding source for this activity. It has been HHS' long-standing practice to use B&F appropriations to fund construction and permanent improvements of government-owned facilities and to use operating funds to finance temporary improvements in leased facilities. This policy is being continued. Therefore, unless specifically otherwise authorized by law, only operating funds may be used to fund temporary improvements in leased facilities. The General Law Division (GLD) of HHS's Office of the General Counsel believes this practice is legally justified and cannot be waived, unless there is specific language in the B&F appropriation which provides funding for such security purposes of leased facilities or (at the very least) clear legislative history providing that B&F funds may be used for temporary improvements to leased property.

If operating funds are not available for a given improvement (*e.g.*, OPDIV program funds), then the Lessor, as the owner of the facility, may be asked to pay for the improvements. The Lessor may either pay for the improvements outright, or they may pay for the improvements and increase the OPDIV's rent to cover the cost.

### 4-3-10 PROCEDURES

The lease is a legally binding document on the Government and the Lessor and it is the basis for lease administration. It is important for the files to be kept up to date. Should the lease not be clear on a matter that is in dispute, the lease file may contain related background of the agreements made during negotiations, which might clarify and resolve the issue amicably.

Only the Contracting Officer can authorize a change to a lease that is binding on the Government. If a change is necessary, it is desirable that the change be a bilateral agreement, documented in a supplemental

lease agreement, between the Government and the Lessor. A change to the lease is defined as a change in scope of services or a change in space and has financial consequences.

#### A. LEASE ADMINISTRATION

Ideally, once the Government occupies the space the only administrative action would be to pay the rent; however, it is rarely that simple. There will be times when it is necessary to make changes to the lease. There will also be times when disputes will arise between the Lessor and the Government.

1. Enforcement of the Lease: A Government lease has several mandatory clauses, such as Clause 15 (552.270-10 Failure in Performance Sep 1999), that provide the means for the Government to enforce the lease. On the other hand, there are provisions in the lease that the Government must comply with such as paying rent.
2. Facility Assessments: The Government will periodically conduct a facility assessment to determine Government needs, to identify facility deficiencies, and to prioritize their corrections. The facility assessment will identify the entity that is responsible for correcting the deficiencies. The facility assessment can be used to identify improvements made to leased property to meet the tenant's mission and programmatic needs.
3. Expanding the Square Footage after Award: Generally, leases do not provide provisions for the right to expand space. The possible need for new space is generally considered a new contract action and current regulations allow for noncompetitive expansion negotiations with the current Lessor in some situations. GSAR 570.403 addresses expansion of lease space. The Contracting Officer should determine if the need for additional space is within the scope of the lease. Generally, if the Government needs space very similar to that provided in the original lease and the amount of the space expansion is a reasonable percentage of the amount of space covered by the original lease, usually less than 10% of the space of the original lease, it is generally safe to assume the lease expansion falls within the general scope of the original lease and that space may be acquired from the lessor without a sole source justification under FAR 6.3. Federal real estate leases are usually for office, storage, and official parking space. Expansion of these categories is generally allowed under the GSAR. If the expansion is outside the general scope of the existing lease, FAR 6.3 requires written justification for other than full and open competition except when competitive procedures or simplified lease acquisition procedures are used.
4. Contract Modification or Supplemental Lease Agreement to Reflect the Expansion of Space: Identify how the escalation clause will be affected by expansion space. If the existing lease contains operating cost or tax adjustment clauses, then it is important that the contract modification describe how escalation formulas will be applied to the expansion space. In terms of operating cost adjustment clause, the first year base amount is usually described as an amount per square foot. Expansion space will increase the square footage so negotiation needs to address whether the CPI will be applied to the expanded square footage, or whether there will be some other approach. All other terms and conditions of the lease will remain in full force and effect.

If the expansion space is being accepted ("without alterations") for immediate occupancy, then an actual effective date for the expansion can be written into the supplemental lease agreement (SLA) without any other conditions. All other terms and conditions of the lease remain in full force and effect. However, if the expanded space is not suitable for occupancy, then the Government and the Lessor must negotiate provisions for an effective or actual date for when the Government can take possession of the expanded space. The SLA should describe that the expansion rent will not be due until the space is substantially completed and that the current rent for the original lease will continue in effect in the interim.



The original lease probably contained space preparation ratios for major items of the build out. If the expansion space rent is based on a specific layout plan rather than the original space preparation ratios, or some other ratios are needed, this should be specifically identified in the SLA. If the original lease contains cancellation rights or renewal options, then the negotiations must address whether these rights also apply to expansion space. This will affect the Lessor's pricing and future plans, so the understanding reached during negotiations should be included in the SLA for the expansion.

5. Reducing the Square Footage: A space reduction should not require any justification for other than full and open competition under GSAR 570 or FAR 6.3 because the Government is not acquiring new or additional contract obligation. If reduction involves significant changes to other aspects of the lease that would add to the overall scope of the contract, then such justification might be required. A good example of this would be a contract modification that allows partial reduction on square footage, but also adds months or years to the term of the remaining space. It should be pointed out that a reduction in space under contract puts the Government at a disadvantage. There is no incentive for the Lessor to agree to a reduction in space because the reduction represents a loss of income. Furthermore, if the Lessor agrees to the reduction there may be cost incurred to alter the released space so that it can be separated from the retained leased area, unamortized tenant improvement, restoration, etc. The tenant will be expected to provide lump sum payment, which might offset any savings from reduced rental. GSA leases will usually contain a cancellation clause in the Occupancy Agreement with 120 days advance written notice. The same lump sum payments will apply to GSA leases. However, GSA assumes the loss of future rents requirements.
6. Payee Changes: The payee must be specified in the lease. During the administration of the lease there may be several situations in which the payee may change while the ownership and the name of the owner would remain the same, or the original Lessor could have several reasons to name a new payee even if there is no change in ownership. The most frequent reasons for changing payee are to reflect a new address for the Lessor/payee or the appointment of a new property management company by the Lessor. A change in payee should only be considered valid if the most recent Lessor of record communicates it. The contract is with the Lessor designated on the lease (or a successor in intent which has to be approved by the Government). Only that Lessor should give directions about the recipient of rent payments. If the lease administrator receives a request from a new payee, a letter should immediately be sent to the current Lessor with copies to the current and alleged new payee. The letter should advise the Lessor that the Government would honor the change only if designated by the Lessor, and only if confirmed in writing. If there is any indication that a payee change is due to a change in ownership, then the guidelines under "Change to the Lessor Ownership" should be followed.
7. Change to Lessor Ownership: In accordance with the requirements of FAR 42.12 for direct leases, a novation agreement is required to include, but is not limited to, identifying the contracts to be transferred, the effective date of transfer, transferee acquirement of all assets of transferor, transferee assumption of all conveyance documents, etc.
8. GSA Policies for Ownership Changes: In accordance with the requirements of FAR 42.12, once the Government is advised of a change in lease ownership, the Government should send a letter to the current Lessor with a copy to the new owner, asking for the following information through a novation agreement:
  - A copy of the deed or other instrument of conveyance of ownership.
  - A Statement from the Seller. The statement from the seller should waive rights under the lease (the specific Government lease should be cited in the statement).

- A Statement from the Buyer. The statement from the buyer should agree to approve and adopt the lease (the specific Government lease should be cited in this statement), and further agrees to be bound by the terms of the contract.
- The taxpayer identification number (*i.e.*, W-9) for new ownership needs to be obtained for tax reporting purposes.
- The Lessor's banking information using an ACH form.

It is advisable that the General Counsel review and approve the package of information above before the lease administrator approves the new owner. When all the information has been received and approved, the lease administrator should draft a SLA that identifies the new owner's payee organization. The form of ownership must be obtained (*e.g.*, corporation, partnership, etc.). Without this information, the Government will not be able to determine who is legally authorized to make commitments for the new owner.

9. Suspending Rent: GSA policy is to suspend rent until an ownership change is satisfactorily documented with all the information outlined above. When everything is received and reviewed, then the suspended rents are released to the appropriate new owner/payee. This is because new lessors sometimes resist furnishing all the documents or because the former owner has no incentive to submit a statement that waives its right.
10. Estoppel Certificate – Statement of Lease: The statement of lease in the general clauses is intended to satisfy the desire of mortgagees and perspective purchasers for what are often called estoppel certificates or estoppel statements. A purchaser would buy a building subject to leases in effect, so it is considered important to verify the conditions of the leases that would be inherited if the purchase were complete. Lessors may want to sell or refinance their property while leases are in effect, and those buyers or mortgagees may want tenant verification, and a quick confirmation could be critical. Therefore, the Government agrees to provide within 30 days a confirmation of basic lease terms in effect.
11. Subordination, Nondisturbance and Attornment Documents: The Government agrees that the lease is subject and subordinate to all recorded mortgages, deeds of trust and other liens now and hereafter existing or imposed upon the premises, and to any renewal, modification or extension thereof.
12. Failure in Performance: The agreement to pay rent and the agreement to provide any service, utility, maintenance, or repair required under the lease are interdependent. If the Lessor fails to provide any service, utility, maintenance, repair, or replacement required under the lease the Government may, by contract or otherwise, perform the requirement and deduct the cost from the rent. If the Government elects to perform the work, the Lessor must allow the Government and its contractors access to the premises. The Government may deduct from the rent then or thereafter due an amount that reflects the reduced value of the contract requirement not performed.
13. Default by Lessor: As provided for in GSAR 552.270-22, default is the tenant's unilateral right to move out, stop paying rent, and possibly assess damages. The following constitutes a default by the lessor: 1) failure to maintain, repair, operate, or service the premises as specified in the lease, provided any such failure shall remain uncured for a period of 30 days following Lessor's receipt of notice from the Contracting Officer or an authorized representative; 2) repeated and unexcused failure by Lessor to comply with one or more requirements of the lease.
14. Damage by Fire or Casualty: If fire or other casualty destroys the entire premises, the lease will be immediately terminated. In case of partial destruction or damage, so as to render the premises untenable as determined by the Government, the Government may terminate the lease by

giving written notice to the Lessor within 15 calendar days of the fire or other casualty; if so terminated, no rent will accrue to the Lessor after such partial destruction or damage; and if not so terminated, the rent will be reduced proportionately by SLA. It should be pointed out that this provision in the lease does not relieve the Lessor from liability for damage to or destruction of Government property that is caused by the Lessor's willful or negligent acts or omissions.

15. Disputes and Claims: A contract dispute can only be between the parties that are privy to the contract. Clause 35 of the General Clauses includes specifics on the applicability of The Contract Disputes Act of 1978, as amended (41 USC 601-613), which applies regardless of the size of the area, lease term, or monetary value of the lease contract. GSAR 570.601 requires the Dispute clause (FAR 52.233-1) to be in all lease solicitations or contracts expected to exceed \$ 2,500.

## B. ALTERATIONS AND REPAIRS

If the proposed alterations are outside the general scope of the lease and the plan is to acquire them from the lessor without competition, the following justification and approval requirements apply:

- If the alteration project will exceed the simplified acquisition threshold, the justification and approval requirements in FAR 6.3 apply.
  - If the alteration project will exceed \$2,500, but not the simplified lease acquisition threshold, you may use simplified acquisition procedures and explain the absence of competition in the file.
  - If the alteration project will not exceed \$2,500, no justification and approval is required.
1. Requirements for Alterations: The Government's requirements are generally identified in general conditions, plans and specifications. These instruments are also known as contract documents. The contract documents instruct the contractors as to what is wanted. These documents should be prepared by licensed architects and engineers registered in the state where the work is to be performed.
    - a. General Conditions: The General Conditions of the contract set forth the terms of how the work is to be accomplished, such as: a written general scope of work; identification of the parties to the contract along with their rights and responsibilities; period of performance; requirements for submittals; progress payments; etc.
    - b. Specifications: There are generally three types of specifications, some times called technical specifications.
      - A proprietary specification. A proprietary specification is simply specifying a particular product, such as "Anderson Windows".
      - The second type of specification is a performance specification, which is encouraged for use in Federal contracts. Performance specifications specify the quality and performance of the product and should be limited to only the essential characteristics to avoid unnecessarily restricting competition.
      - Reference specifications are specifications that are industry standards such as those published by ASTM or the Underwriters Laboratory (UL).
    - c. Plans: The plans are the drawings that illustrate to the builder or contractor what is to be built or altered. The plans and specifications do not tell the contractor how to construct the alteration. Means and methods of construction are left up to the contractor.
    - d. Scope of Work: For alterations that do not require a design professional/licensed architect or engineer, a scope of work may be sufficient. If an alteration does not require a building

- permit, then it is safe to assume that professional design services are not required. The scope of work at a minimum should consist of the following: background for the need of the alteration; project description; codes and standards that apply to the project; scope of services and material needed to complete the project; Government furnished information; submittals if required; schedule; payment; interface and coordination; and options.
2. Design Contract: The need for the Lessor to have a contract with the architect/engineer firm to design the alteration work should not be overlooked. The Government must provide a program of requirements to the Lessor as a basis for design.
    - a. Design to Budget Clause: In public or private architect/engineer contracts, there is a clause that requires the architect/engineer to design the project so as not to exceed the established budget. Ensure that the budget and language requiring the architect/engineer to design to budget are included in the SLA.
    - b. Design Review of Alterations: The Government shall review the Lessor's or contractor's plans and specifications for compliance with the SOW or scope of work and the SLA for the alterations. The review intervals shall be established in the lease or through agreement between the Contracting Officer and the Lessor.
    - c. Local Building Codes and Ordinances: Clause 18 of GSA Form 3517 requires that the Lessor comply with all applicable codes and ordinances. This clause should be placed in any contract for alterations. Furthermore, all work must comply with the Americans with Disabilities Act (ADA).
  3. Contractual Relationships between the Parties in Alteration of Leased Property: It is important to understand the contractual relationship between the parties. The Government only has privity with the Lessor. The Government does not have privity with the architect/engineer, nor with the construction contractor. The Lessor's architect/engineer does not have privity to the construction contractor. Because of these contractual relationships, it is very important for the Government to express its requirements and produce a clear, correct, concise, and complete program of requirements. Requirements must be met through monitoring.
  4. Independent Government Estimate: When alterations, improvements, or construction are necessary, a written Government estimate is required. A government estimate will assist the Contracting Officer in negotiating a fair and reasonable price for the work. Without plans and specifications, it is difficult to do a government estimate. A budget estimate based on the broad order of magnitude (*e.g.*, a square foot estimate) may be sufficient in some cases. The tenant will provide the number of persons that will occupy the space. Normally lease space is area specific and it does not require a grossing factor to determine the actual size of lease space. A professional estimator should do estimates for the rehabilitation of building systems as well as any construction.
  5. Labor Standards: Since Federal funds will be used to finance the alterations, Federal labor laws for construction apply. The Secretary of Labor issued regulations to provide for the administration and enforcement of Federal labor standards in construction contracts. The Secretary's regulations cover the following wage determination procedures: duties of lessors on Government financed public buildings; labor standards for construction; labor standards for ratios of apprentices and trainees to journeymen; and wage determination review procedures (FAR 22.403-4). In addition, Congress passed the following statutory requirements concerning federally financed construction: Davis-Bacon Act, Copeland Act and Contract Work Safety Standards Act (FAR 22.403-3). Both public and private sector construction must comply with OSHA 29CFR 1910. The SFO states that the Government will be the sole or predominant tenant in order to apply Davis-Bacon rates; this information is generally found under section 1.18.

6. Government Acceptance: The Government shall conduct a final walkthrough with the Lessor to determine if the alterations are substantially complete. The Government and the Lessor will identify visible deficiencies in the built out space and establish a punch list for the Lessor to complete at a mutually agreed upon time between the Government and Lessor. Before the work is accepted, the Lessor must provide a copy of any certificate of inspection, occupancy, or approval by the jurisdiction having authority.
  - a. Beneficial Occupancy or Possession: Once the Government and the Lessor determine and agree that the alteration is substantially complete, the Government may take beneficial occupancy or possession.
  - b. Documentation of Acceptance: Acceptance by the Government establishes that the Lessor met the contract requirements. Acceptance may be documented on GSA Form 184 or 220, DD 250, or other appropriate form. The final status of defects and omissions at the time of final inspection must be documented.
7. Government Furnished Property: The alteration may include property furnished by the Government for installation by the Lessor. The Contracting Officer's Technical Representative (COTR) must assure that the property will be available at the time it is needed at the project. The Government should request a schedule from the Lessor giving the dates for delivery of the property to be installed. Upon receipt of the Lessor's construction schedule, the Contracting Officer should make the necessary arrangements to have the property delivered by the required date. Upon delivery, the Lessor and the COTR must jointly inspect the property for possible shortage or damage in transit. If any shortage or damage is found, the Lessor should follow instructions on the Government bill of lading for reporting to the carrier and should submit a detailed report to the Contracting Officer. The Contracting Officer may be required to take action against the supplier to correct the shortages or damages.

The contract documents should require the Lessor to: accept delivery of the property on the established dates; take steps to correct shortages or damage in transit; be responsible for proper storage and protection; provide any additional transportation required; uncrate, assemble, and install equipment; and dispose of waste/trash.

- a. Government Furnished Property: An agreement must be made stating what property the Government will supply and a definite time of delivery of the Government furnished property. As soon as the COTR has received notice from the Lessor of the required dates for delivery of the property, they must immediately notify the user group and confirm the delivery request in writing. Information concerning Government furnished property must be recorded in the official file, and any unusual durations must be brought to the attention of the Contracting Officer.
  - b. Delays: Government caused delays that impact on the lessor (e.g., untimely delivery of Government furnished property, changes in scope) may result in an increase in contract period of performance and could result in a time extension and an equitable adjustment in the contract amount. If delay is critical or is causing avoidable expense, consideration should be given to deleting the installation entirely and completing the work under a separate contract. In addition, consideration should be given to having the Lessor acquire the required property if it is feasible and reasonable; however, the Contracting Officer must document the decision in a determination and finding included in a SLA.
8. Ownership of Alterations and Improvements: General Clause 19, 552.270-12 – ALTERATIONS (SEP 1999) of GSA Form 3517B provides that the Government may make alterations, attach fixtures, and erect additions or signs in or on the premises. Furthermore, any fixtures, alteration, or structure placed on the premises by the Government remains the property of the Government.

The right to equipment or material must remain with the Government at the expiration of the lease. Depending on the clauses included in the lease agreement, the Government may be liable for damages to the premises when removing alterations, fixtures, structures, etc. and may be required to restore the premises to its original state in accordance with the existing conditions survey. If possible, a specific provision should be made in the SLA giving the Government the right to remove the equipment or material, or to abandon it in place, without restoration payment.

#### 4-3-20 GUIDANCE AND INFORMATION

##### A. RENT ADJUSTMENT CLAUSES

Lease provisions that adjust the rent during the term are classified as actions within the scope of the contract. Rent adjustment clauses in Government leases are not intended to guarantee or increase the Lessor's profit or return on investment during the lease, but they should protect the Lessor from major cost increases that cannot be accurately predicted.

Operating Cost Adjustments: Operating costs are the expenses incurred by the lessor as part of the operation and management of the premises. The operating cost may include interior and exterior cleaning; snow removal; maintenance of building systems; light bulb replacement; security systems and guard services for general building function; fuel; and water and sewage. The operating cost base amount should already be negotiated and identified in the awarded lease. The escalation will only be computed on the portion of rent that is identified as operating cost base; the entire gross rent will not be escalated.

1. Escalator Clauses: The operating cost clause in Section 3.6 of the standard SFO is virtually mandatory in all SFOs issued by GSA or under GSA delegation. This clause calculates future operating cost increases using the percentage change in the Consumer Price Index (CPI), multiplied by the first year base cost negotiated between the parties. This formula is used regardless of the actual expenses experienced by the lessor, whether they are higher or lower than the adjustment produced by the clause.
2. Real Estate Tax Adjustments (See Section 3.4 of the Standard SFO): Escalating clauses for real estate is a standard factor in commercial leases, just as operating cost escalators are now an accepted market practice. Adjustments to taxes are based on actual expense. The Lessor is eligible for tax escalation and the Government is eligible for a tax decrease only if there is actual evidence of increase/decrease. That evidence is the tax bill. The Government should be cautious not to mistakenly pay for the full amount of increase if the Government does not occupy the entire building. When the Government is a partial occupant, the amount of the increase for the total property should be reduced to the Government's percentage of occupancy. Adjustments are paid in a lump sum per annum. The tax clause is intended to reimburse the Lessor for tax expenses already incurred (not in the future).

##### B. RENEWALS OR EXTENSION OF THE LEASE

If the lease does not have negotiated (pre-established) renewal options, then there should be an appraisal of the leased property to determine the fair market rent. The rent should be negotiated and agreed to by both parties. Lease extensions should be administered in the same manner as lease renewals.

1. Negotiating Extensions of the Lease Ending Date: When an extension is necessary, one of the most effective techniques to maintain a cooperative relationship with a lessor is to begin discussion early. Most new leases require at least a year from market survey through actual occupancy. When there is only a year or less remaining on the existing lease term and

procurement for continued occupancy has not begun or is in its early stages, an extension at the current location will probably be necessary.

2. Noncompetitive Negotiation Justification: GSAR 570.405 states that the noncompetitive approval and justification requirements in FAR 6.3 must be followed when the value of a lease extension will exceed the simplified acquisition threshold. When noncompetitive justification is required, almost all lease extensions are covered by FAR 6.302-1, which allows contracting without full and open competition when there is only one responsible source to satisfy the need. GSAR 570.405 cites several examples of the most common lease extension situations: other space is identified but will not be ready in time; unexpected delays outside the Government's control will delay acquiring replacement space; and additional time is necessary to coordinate a consolidation of offices.
3. Improvements during the Extension of the Lease: Expiring lease locations often show signs of wear and tear after years of occupancy. Carpet, paint and wall coverings may need repair or replacement due to normal wear and tear. If the term of the extension will be a year or more, it may be too long to expect the Tenant to tolerate the existing condition. If the Government begins extension discussion well in advance of the termination date, there will be more time to discuss alternatives with both the Tenant and Lessor about possible improvement during the extension.
4. Administering Leases in Holdover Status: If continued occupancy is needed but negotiations have not produced a bilateral agreement by the date of expiration, the tenant is a holdover. Holdover tenancy generally applies to tenants that remain in possession after a lease that was for a period of a year or longer. Due to the unique nature of the Federal Government, a private sector landlord cannot evict a Federal tenant. The normal judicial remedies of state law are not applicable since Federal law controls the relationship. If a holdover cannot be resolved through negotiations, a Federal Court or a board of contract appeals might refer to general contract law principles to reach a decision, but that does not mean state law would directly apply.
5. Succeeding Leases: A succeeding lease is a follow on lease for continued occupancy of the same space, beginning the day after the former lease expires. A succeeding lease incorporates a new SFO with updated terms, conditions, and clauses. GSAR 570.402 contains special procedures for succeeding leases.
6. Exercising Renewal Options in Leases: Renewal options may be specified in Paragraph 5 of the SF 2 GSAR 570.401 contains general guidance for exercising a renewal option in a lease. The renewal option should contain cancellation rights during the option period. If renewal option periods are priced, then the analysis of prevailing rental rates discussed in the GSAR is required prior to the exercise of the option.
7. Vacating the Premises (Actions when Moving out of Expired or Terminated Leases): When the lease is about to expire, there are several steps that should be taken in the weeks preceding the move to minimize the Governments exposure. The following steps will help maintain a professional relationship with the Lessor:
  - a. A written inspection report that includes photographs of the conditions should be made before the Government vacates the premises.
  - b. The tenant must remove all Government and personal property prior to the termination date.
  - c. The Government is responsible to repair damages caused by its own negligence. The Government is not responsible to restore the premises to its original condition or to repair the effects of normal wear and tear.
  - d. Keys or security access cards for the premises should be returned to the Lessor.
  - e. Utility accounts that are paid separately by the Government should be terminated with the utility company.

- f. Telephone equipment is the responsibility of the Tenant and IT and they should arrange to transfer services to a new location.
8. Leasehold Condemnation: The Federal Government has the power of eminent domain regarding real property and it is usually applied in the condemnation of fee simple interest; however, Federal condemnation authority can also be used to condemn only the leasehold interest for a limited period of time in accordance with 40 U.S.C. 3113 - 3118. Whenever an OPDIV contemplates a lease holdover that could not be resolved through negotiations, as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4651, it should promptly contact the Office of General Counsel to discuss the possibility of initiating lease condemnation procedures. Once HHS has determined that such condemnation procedures are necessary, OGC will contact the Department of Justice (DOJ) because DOJ would be responsible for filing any such condemnation action in Federal Court. This approach is used as the last resort to protect continued Government occupancy in an expired lease. When condemnation of a leasehold is being considered, among the documents the Government will need the following:
  - a. Title search to determine current ownership;
  - b. Appraisal to determined just compensation;
  - c. Detailed record of negotiation demonstrating that serious good faith efforts were made to avoid condemnation;
  - d. Declaration of Taking that is filed with the U.S. District Court stipulating the estimated period of time the leasehold will be needed; and
  - e. U.S Treasury check for the total amount of rent that the Government claims is just compensation for the period of the condemnation.

### C. TERMINATION OF THE LEASE

Lease terms can either be firm, where there are no rights to cancel, or termination rights can be negotiated into the basic lease terms. Very few leases have termination rights that allow cancellation of only part of the space. Most termination rights only allow cancellation of the entire premises.

Early Cancellation: Leases may not contain cancellation for convenience clauses except for GSA Occupancy Agreements with the tenant agency. Cancellation for convenience can be made part of a new solicitation. However, if the lease does not contain a cancellation clause, then for direct leases the Contracting Officer may negotiate terms and conditions for a lease cancellation. It is permissible to negotiate a lump sum payment (buy-out) to the Lessor in lieu of future rent if this is financially advantageous. The negotiation of a lease buy-out involves the calculations required to determine the net present value of future lease payments due the Lessor. Additionally, the buy-out negotiations could take into account current fair market rental for similar space, the cost of new tenant build-out, the potential loss of rent during vacancy, and the cost of leasing out space.

Excluding GSA leases, if buy-out negotiations are not successful, then the Government has no choice but to continue making rent payments, excluding some operating cost (*e.g.*, custodial, some utilities, or other items that will not incur cost for the lessor due to vacancy of the space). It should be made clear to the Lessor that no other tenant is allowed to use the space in the interim.

### D. LEASE CLOSEOUT AND SETTLEMENT

At the close of the lease term, the Contracting Officer must ensure that all the obligations under the lease have been met. When vacating lease premises, it is important to clear the property of all Government



property and furniture. Failure to do so may be construed as constructive occupancy and could be the subject of a claim for additional rent on the Lessor’s behalf. If removal of Government property causes damage to the premises, minor repairs should be made so that the premises are left in the same relative condition as when first occupied, less ordinary wear and tear. Where damage has occurred, an agreement for compensation should be arranged and an SLA should be made to document this agreement. All actions required to closeout the lease need not be completed at the end of the term. Final payment should be authorized when all SLAs, adjustments, and required documents have been completed, all restoration actions taken, and all property removed from the premises. Once the final payment has been made, the lease contract is closed.

Sample Lease Closeout Checklist

Item	Action	Yes	No
1	Terminal condition survey completed?		
2	Lessor acceptance and release signed?		
3	Keys turned over to Lessor with receipt in lease file? If keys are not returned, is the attempt to return documented?		
4	All Government property removed from premises? If Government property is not removed, is documentation for abandonment in place in both file and personal property file?		
5	Is restoration necessary? If restoration is required, have arrangements been completed?		
6	All service contractors notified?		
7	CIT notified?		
8	Utility companies notified?		
9	Final payment made?		
10	Lease file completed?		
11	Notification of OFMP that the lease is no longer active?		

4-3-30 REPORTING REQUIREMENTS

Space Budget Justification - OMB Circular A-11 requires agencies to complete Exhibit 54 “Space Budget Justification” electronic report for rent payments to GSA or to others (*i.e.*, other Federal agencies or commercial landlords) in excess of \$5 mil annually for space, structures, and facilities, land and building services. A separate report is required for each subordinate organization that makes rental payments above \$5 million annually, therefore OPDIVs that obligate more than \$5 million annually for rental payments are required to submit a space budget justification, in the format of A-11 exhibit 54, to OFMP.

This report provides a justification to OMB of the agency’s budget request for rent. GSA uses this information to refine estimates of rental costs.

## SECTION 4-4: QUARTERS

4-4-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 4-4-00 POLICY

The purpose of this section is to establish those conditions under which HHS may provide quarters for its employees, and to establish requirements for quarter's management and reporting. It is the policy of HHS that quarters utilization and maintenance be managed efficiently, diligently, and in accordance with OMB Circular A-45, "Rental and Construction of Government Quarters."

Government quarters may be provided for employees in positions that require 24-hour presence at the installation for the provision of essential services or to protect Government property that cannot otherwise be protected. The need for these positions should be minimized, where possible, by the use of a "call room" with shift personnel, or a night watchman. Where it is deemed that the 24-hour presence of any position is necessary and Government quarters are provided for that position, mandatory occupancy of those quarters shall be clearly stated in the position description or billet and made a condition of employment. Government quarters may also be provided for other positions of the type that are not normally filled by "local hires," if it is determined that suitable private housing is not available within a one-way commuting time of 1 hour. Housing is not normally provided for local hires.

The following federal policies are summarized from OMB circular A-45:

- a. **Reliance on Private Housing Market.** It is the policy of the Federal Government to rely on the private housing market to provide housing for its civilian employees. If there is no requirement of service or protection or if there is no lack of available housing, agencies must not acquire additional rental quarters.
- b. **Determination of Rents.** Agencies of the Federal Government must adhere to the following in determining rental rates for Government rental quarters:
  - **Reasonable value to employee.** Rental rates and charges for Government quarters and related facilities will be based upon their reasonable value to the employee in the circumstances under which the quarters and facilities are provided, occupied or made available. Charges for rent and related facilities should be set at levels equal to those prevailing for comparable private housing located in the same area, when practicable.
  - **Subsidies, inducements prohibited.** Federal employees whose pay and allowances are fixed by statute or regulation may not receive additional pay and allowances for any service or duty unless specifically authorized by law. Consequently, rents and other charges may not be set so as to provide a housing subsidy, serve as an inducement in the recruitment or retention of employees, or encourage occupancy of existing Government housing.
  - **Fairness, consistency.** When properly determined in accordance with the provisions of this circular, rental rates will be fair as between the Government and the employee (or other authorized occupant) and as between employees of different agencies living in the same installation in similar housing, or employees living in Government quarters at different installations. Rents should not be set so as to serve as an inducement to recruit or retain employees. Moreover, rents should reflect a consistent local pattern for all Federal quarters in a given location.

c. Employee responsibilities. Employees have a responsibility to inform themselves of all the conditions that prevail in and near the quarters and duty stations to which they might be assigned before accepting transfer to or employment at such duty stations.

#### 4-4-10 PROCEDURES

As prescribed by OMB Circular A-45, "Rental and Construction of Government Quarters," each OPDIV's headquarters staff must maintain a central records system. Sufficient information will be maintained centrally by the OPDIV to allow agency management to be informed of, and to monitor, the status of administration of OMB requirements. At a minimum, the following information must be maintained for each location with a need for Government housing:

- A list of positions, for which Government quarters must be provided, in order to provide essential services or to protect Government property.
- The number of quarters required for staff, other than those listed above, due to the unavailability of suitable private housing (both rental and purchase) within a one-day commuting time of at least 1 hour.
- Quarter's classification, description, identification, assignment, and inventory.
- Assessment of total quarters needs versus current inventory, availability, and assignment of existing quarters.
- Current data concerning survey and appraisal results, rental rates, CPI implementation, maintenance schedule and costs, utility costs, and occupancy history.
- Rules and regulations concerning quarters occupancy.
- Establishment of housing committees and appeal committees.
- Maintaining of necessary quarters records and preparation of required reports.

#### 4-4-20 INFORMATION AND GUIDANCE

- A. Quarters Assignments/Quarters Termination. Documents are to be completed each time an employee, commissioned officer, or other occupant is assigned to quarters or terminates quarters occupancy.
- B. Reporting of Rental Rate Changes: The results of surveys and appraisals, including appropriate supporting documentation, must be submitted to and reviewed by the OPDIV, prior to implementing new rental rates.
- C. Consumer Price Index (CPI) Adjustments. OMB circular A-45 specifies that the new rates shall be effective at the beginning of the first pay period that starts on or after March 1 of each year. Though effective in March, the adjustment shall be based on the preceding September CPI data to provide the required lead-time.
- D. Management of Substandard Quarters. When quarters have been designated as substandard, the OPDIV may not assign the unit for occupancy. In addition, the OPDIV has only one year in which to take effective remedial action or to give up the structure. If an OPDIV decides to raze or abandon the structure, proper documentation in accordance with Chapter 5 must be prepared and submitted to OFMP.

4-4-30 REPORTING REQUIREMENTS

Exceptions. OMB circular A-45 considers and allows for unusual circumstances that may exist with respect to rental quarters. Exceptions to the requirements included in this circular will be permitted, therefore, only upon written request and in those very unusual circumstances when it is demonstrated to the Office of Management and Budget that the application of the provisions of this circular will not result in a rental rate equivalent to the reasonable value of the quarters to the occupant. Therefore, requests for exceptions to circular A-45 will be forwarded to OFMP for review. If OFMP concurs, the request will be forwarded to OMB, with a copy to the requesting OPDIV. If an exception is granted by the Director of the Office of Management and Budget, the agency concerned will be notified in writing.

## SECTION 4-5: EASEMENTS, LICENSES, AND USE PERMITS

4-5-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)
X4-5-A	Agreement and Grant of Easement
X4-5-B	Revocable License for Non-Federal Use of Real Property Form
X4-5-C	Permit for Use of Real Property by Federal Agency

### 4-5-00 POLICY

#### A. EASEMENTS

The granting of a right-of-way through Federal lands for a specified purpose, such as a highway or utility line for other than a temporary use, is a grant of an interest in the property of the Government, and under the Constitution it must be authorized by Congress. Section 1 of P.L. 87-852 (40 USC 319) granted the authority to grant easements in, over, and upon such property (other than public domain or property held in trust for Indians) for a right-of-way or other purpose with or without consideration and upon such terms as are deemed appropriate to protect the interests of the United States. Legislative jurisdiction over the subject real property may be relinquished to states, as deemed necessary or desirable.

#### B. REVOCABLE LICENSES

The Attorney General has ruled that the Government has the inherent right to license the use of property under its control for non-federal purposes, provided that the license is revocable at will. Such a revocable license does not convey any interest in the real property. An additional basis for the authority to license the temporary use of property under HHS control is 5 U.S.C. 301, which, among other things, authorizes the head of an Executive department to prescribe regulations for the custody, use and preservation of an agency's property. A revocable license issued by HHS must not interfere with the Government's use of the property and must not be adverse to the interests of the United States. Such a license must not be issued in a discriminatory manner or otherwise violate any statutory provision. Licenses are generally used for roof top antennas and associated space on Government owned property. Licenses are not to be used for sub-letting space.

#### C. USE PERMITS

HHS may acquire the right under a temporary permit to use the property of another Federal Government agency or, conversely, to permit another Federal Government agency to use HHS property. Permits granted under this authority are not permanent relinquishments of property. They merely provide permission for the temporary use of the property by another Federal agency so long as the property is not required by the permitter. They are revocable at will by the permitter, and are not assignable. Under the Federal Property Management Regulations (FPMR), HHS may acquire the right to use excess property prior to its declaration as surplus property pending its disposal. HHS assumes the responsibility for maintaining the real property while using it.

#### D. RIGHT-OF-WAY FOR FEDERAL AID HIGHWAY

Under 23 USC 317, HHS may transfer lands needed for a right-of-way for a Federal aid Highway to the Secretary of Transportation, who has the authority to make a grant of and transfer title to such land to State Governments for highways.

#### 4-5-10 PROCEDURES

##### A. TERMS AND CONDITIONS OF EASEMENTS

Grants of easements are usually made without monetary consideration if the easement is for the benefit of a Federal installation or the public.

Care should be exercised in providing terms that will protect the interests of the Government and restrict actions on the part of the grantee, which would create undue interference with the management and operation of the installation. When easements are granted without consideration, an assurance will be included that the grantee will not discriminate in the use of the property on the grounds of race, color, national origin, age, handicap, or sex, and will comply with the HHS regulations issued pursuant to Title VI of the Civil Rights Act of 1964 (P.L. 88-352), section 504 of the Rehabilitation Act of 1973 (P.L. 93-112), and Title III of the Age Discrimination Act of 1975 (P.L. 94-135). Title IX of the Education Amendments of 1972, Public Law 92-318 recipients of Federal financial assistance are prohibited from discriminating on the basis of sex in educational programs and activities. The easement document should at a minimum, contain the terms and conditions set forth in Exhibit 4-5-A.

Requests for the interim use of land pending the formal grant of easement may be granted with the prior approval of OFMP. All requests should contain sufficient information concerning the circumstances involved and the proposed effective date of interim use required in order that necessary action for approval may be taken and notice given thereof.

Upon receipt of the request for a grant of easement, and prior to delivery of the original easement document to the grantee, the grantee and the OPDIV shall inspect the land and then submit a formal report of the inspection, signed by both parties. This is essential for the future settlement of disputes.

##### B. TERMS AND CONDITIONS FOR REVOCABLE LICENSES

Licenses may be executed only by HHS officials who have authority based on a specific delegation. This authority has been redelegated, through channels, to the OPDIVs. The license must be revocable at the will of the Government, and must be of benefit to the Government. The nature of the benefit shall be stated in the license. The license must be without consideration, as consideration implies an interest in the property. Terms and conditions contained in X4-5-B must be included in the license, with any additional terms necessary to fit the particular circumstances. Care should be taken to assure that any modifications or additional conditions will not convey an interest in the land or be detrimental to the operation of the installation involved or to the Government. In some cases, the granting official may determine that the best interests of the Government will be served by requiring a performance or damage deposit (in the form of a bond).

Licenses may be terminated at any time in accordance with its terms by sending the licensee a formal notice of termination, signed by the approving authority, as in the granting thereof. The notice shall cite the license number and the reason for its termination. A termination inspection will be made in the same manner as prescribed for the initial inspection, and a report signed by both parties will be attached to the notice. The OPDIV will take necessary measures to ensure that any restoration required is accomplished

by the licensee. A termination request should be made in the same manner as the request for the initial license.

### C. USE PERMITS TO OTHER FEDERAL AGENCIES

The Use Permit, form HHS-588, shown in X4-5-C, should be utilized by HHS agencies when permitting use of real property under its control. The conditions included in the form are minimum requirements; additional provisions peculiar to the specific permit should also be included. Permits shall not be granted for the use of HHS land, buildings, or space within buildings, in order to circumvent or delay disposal of unneeded real property. Property held for foreseeable future use may be made available for temporary use by others in accordance with this Section. Ordinarily no money consideration will be required for permits to other Federal agencies. However, the permittee will reimburse HHS for utilities and services furnished. If property leased by HHS is temporarily unneeded and a permit to use it is granted to another agency, the permittee will reimburse HHS for its proportionate share of the rental and other operating costs. All proposed permits will be submitted by the OPDIV to HHS/OFMP for review, recommendation, and approval. After approval, the permit will be returned, through channels, to the OPDIV, who should obtain acceptance by permittee and return a fully executed copy to OFMP.

### D. HHS USE OF OTHER FEDERAL SPACE

Prior to obtaining the use of real property by permit, the benefits accruing from any needed alterations must be considered carefully and weighed against the anticipated term of tenure. Alterations should not be planned for space occupied on a minimum term arrangement. Permits will be executed by OFMP. The permit shall be submitted for approval, through agency headquarters, and contain sufficient justification for the proposed action. After approval, the original will be returned to the requesting office, which should ensure that the agency financial accounting office receives a copy when reimbursements are involved.

### E. TERMINATION OF EASEMENTS

Requests to terminate an easement should be forwarded in writing, through channels, to OFMP. The request should specify the basis for the termination, and should include an estimate of any anticipated cost of restoration.

Upon termination of an easement, the OPDIV will inspect the land and accompanying improvements and will then prepare a formal report, which will be compared with the initial inspection report to determine the nature and extent of restoration that the grantee will be required to perform.

## 4-5-20 GUIDANCE AND INFORMATION

### A. MANAGEMENT OF EASEMENT

The OPDIV administering the easement shall periodically inspect the property to ensure that the terms and conditions of the easement are being complied with, and will initiate, if necessary, measures to modify or terminate the easement.

The OPDIV must ensure that the payment of monetary consideration is made when the instrument granting the easement provides for such payment to the Government. Such collections shall be deposited into the Miscellaneous Receipts Account of the Treasury. If the circumstances warrant, a performance or damage deposit may be required to protect the Government's interest.

AGREEMENT AND GRANT OF EASEMENT

This AGREEMENT AND GRANT OF EASEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, by and between the UNITED STATES OF AMERICA acting by and through the Department of Health and Human Services, hereinafter referred to as the Grantor and \_\_\_\_\_ hereinafter referred to as the GRANTEE.

WITNESSETH

WHEREAS: the Grantor has need of \_\_\_\_\_ to operate facilities which it is required by law and public interest to operate; and

WHEREAS; in response to Grantor's need and request for \_\_\_\_\_ from Grantee, the Grantee has made application for the Grant of Easement in, under, upon, and across real property of said Department, situated in \_\_\_\_\_ County, in the State of \_\_\_\_\_, hereinafter more particularly described, said easement site to be used as a location of \_\_\_\_\_ for the purpose of providing \_\_\_\_\_ to said \_\_\_\_\_; and

WHEREAS, the (OPDIV Agency Head, or his/her designee) \_\_\_\_\_, of the Department of Health and Human Services, \_\_\_\_\_, has made an environmental assessment of this action in accordance with Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) and has found that there would be no significant impact on the quality of the human environment; and

WHEREAS, the Department of Health and Human Services has custody and control of the aforesaid property and undersigned, acting pursuant to authority under 40 U.S.C. 1314 has determined that said easement will not be adverse to the interest of the United States, but will promote and enhance the ability of the United States to provide health services, through \_\_\_\_\_.

NOW THEREFORE WITNESSETH THAT:

The Grantor in consideration of the premises and other good and valuable considerations; receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the Grantee, its successors and assigns, subject to terms and conditions hereinafter stated, an easement for a \_\_\_\_\_ and related purposes, including the right, privilege, and authority to install, operate and maintain said \_\_\_\_\_ in, on, over, under, and across real property of the Grantor situated in \_\_\_\_\_ County, \_\_\_\_\_ the easement site herein granted being more particularly limited and described as follows, to wit:

\_\_\_\_\_  
\_\_\_\_\_  
its precise location shown and described on the plat which is identified as \_\_\_\_\_ and which is attached hereto and made a part hereof, SUBJECT TO all easements, liens, reservations, exceptions of interest or record now existing on the above-described easement site.



PROVIDED, HOWEVER, that the said easement is granted under and subject to the following terms and conditions, which the grantee hereby accepts:

1. The said easement shall be utilized continuously for the above-stated uses and for no other purpose.
2. The Grantee will neither conduct mining operations nor remove any mineral substance from the land.
3. The Grantee will at its own expense, construct, mark, keep, and maintain, in good condition and repair, any improvements it makes on the property.
4. The Grantor reserves the right to enter on occasion the premises which are the subject of the grant to assure that the terms of the grant are being complied with.
5. The Grantee shall give written notice to Grantor prior to onset of construction, renovation, or maintenance work in said easement site and shall cooperate in scheduling and locating such activities to the satisfaction of the Grantor so as to cause the minimum possible disruption to the Grantor's health service activities.
6. The Grantee will indemnify and save the Government harmless from any liability or responsibility whatever arising directly or indirectly from Grantee's use of the easement and activities on the premises.
7. The Grantee will minimize damage to the scenic and esthetic values of the premises and otherwise protect the environment.
8. The Grantee will comply with air and water quality standards established by or pursuant to Federal, State and local laws and all regulations issued pursuant to said laws.
9. The Grantee will otherwise protect Federal property and economic interests and public interest in the lands traversed by the easement or land adjacent thereto.
10. The Grantee will comply with all applicable Federal, State and local laws, regulations and standards for public health and safety, environmental protection, and the siting, construction, operation, and maintenance of the easement.
11. Upon termination or forfeiture of the grant, the Grantee, if so requested by the Government, will remove from the premises all structures or other improvements belonging to the Grantee and otherwise restore the premises to the satisfaction of, and at no cost to the Government.
12. The Grantee will correct at no expense to the Government any drainage conditions adversely affecting the Grantor's land or improvements thereon resulting from the Grantee's use and enjoyment of the easement, within a reasonable time after the occurrence thereof, to the satisfaction of the Grantor.

In the event of the Grantee's failure to comply with any of the forgoing terms and conditions whether caused by the legal or other inability of the Grantee to perform the same or in the event of the Grantee's failure for a continuous 2-year period to use the said easement for the purpose for which it is granted, or of the Grantee's abandonment of said easement, said easement will terminate in whole or in part at the option of the Grantor, which shall have the right to so terminate in addition to all other remedies for such breach, and the Grantee shall forfeit all rights under said easement. Written notice of such a termination shall be given to the Grantee, and termination shall be effective as of the date of such notice. Upon termination, all right, title and interest to and in the land shall revert to the United States or its assignee, and the Grantee, if requested by the Grantor, shall deliver a Quitclaim Deed to the rights arising hereunder.

PROVIDED, HOWEVER, that the failure of the Grantor to insist in any one or more instances upon complete performance by the Grantee of any of the terms, covenants, or conditions of this grant shall not be construed as a waiver or relinquishment by the Grantor of future performance of any such terms, cove-

nants or conditions, but the Grantee's obligations with respect to such future performance shall continue in full force.

The Grantee further covenants and agrees, for itself, its successors and assigns, that by execution and acceptance of this easement, it will comply with the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352), Section 504 of the Rehabilitation Act of 1973 (P.L.93-112), Title IX of the Education Amendments of 1972 (P.L. 92-318), and the Age Discrimination Act of 1975 (P.L. 94-135), and all requirements imposed by or pursuant to the Grantor's regulations issued pursuant to said Acts.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

UNITED STATES OF AMERICA  
Acting by and through the Secretary  
of the Department of Health and Human Services

By: \_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF )  
COUNTY OF ) §

On this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me the undersigned officer, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_,

\_\_\_\_\_,  
Department of Health and Human Services, and known to me to be the person who executed the forgoing instrument on behalf of the Secretary of Health and Human Services, for the United States of America, and acknowledged to me that he subscribed to the said instrument in the name of the Secretary of Health and Human Services and on behalf of the United States of America.

Witness my hand and official seal.

(SEAL)

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

ACCEPTANCE

The \_\_\_\_\_ hereby accepts the easement and thereby accepts and agrees to all the terms, covenants, conditions and restrictions contained therein.

By \_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF )  
COUNTY OF ) §

On this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, \_\_\_\_\_ a Notary Public in and for the City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_, and known to me to be the person who executed the forgoing instrument on behalf of \_\_\_\_\_ and acknowledged to me that he executed the same as the free act and deed of \_\_\_\_\_.

Witness my hand and official seal.

(SEAL)

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

<b>REVOCABLE LICENSE FOR NON-FEDERAL USE OF REAL PROPERTY</b>		1. LICENSE NO.
A revocable license affecting property described and for the purposes designated below here by granted to the licensee herein named, subject to all of the conditions, special and general, hereinafter enumerated.		
2. NAME OF LICENSEE	3. ADDRESS	
4. PROJECT DESIGNATION AND ADDRESS	5. MAXIMUM PERIOD COVERED	
	FROM	TO
6. CONSIDERATION (\$)		
7. DESCRIPTION OF PROPERTY AFFECTED  <i>(As shown on Exhibit _____, attached hereto and made a part hereof.)</i>		
8. PURPOSE OF LICENSE		
9. By the acceptance of this, license, the licensee agrees to abide and be bound by the General Conditions on the rear of this form and following conditions:		
<b>10. SPECIAL CONDITIONS</b>		
That condition(s) No.(s) _____ was (were) deleted before the execution of this license.		
<b>U.S. Department of Health and Human Services Licensor</b>		<b>Licensee</b>
DATED (Month, day, year)		ACCEPTED (Month, day, year)
BY (Signature)		BY (Signature)
NAME		NAME
TITLE		TITLE
<i>If Licensee is a Corporation, the following Certificate of Licensee must be executed.</i>		
<b>CERTIFICATE OF CORPORATIVE LICENSEE</b>		
I certify that I was a Secretary of a corporation named as licensee herein; that the person who signed said license on behalf of the licensee was with said corporation; and that said license was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.		
	NAME OF CERTIFIER	
	TITLE OF CERTIFIER	
	NAME OF LICENSE SIGNER	
	TITLE OF LICENSE SIGNER	
	SIGNATURE OF CERTIFIER	

## 11. GENERAL CONDITIONS

a. **COMPLIANCE.** Any use made of property affected by the license and any construction, maintenance, repair, or other work performed thereon by the licensee, including the installation and removal of any article or thing, shall be accomplished in a manner satisfactory to the U.S. Department of Health and Human Services, hereafter referred to as HHS.

b. **STRUCTURES.** The licensee shall not place or construct upon, over or under the property any installation or structure of any kind or character, except such as are specifically authorized herein.

c. **LAWS AND ORDINANCES.** In the exercise of any privilege granted by this license, licensee shall comply with all applicable Federal, State, municipal and local laws, and the rules, orders, regulations and requirements of Federal governmental departments and bureaus.

d. **SANITARY CONDITIONS.** If this license gives possession of United States Property, the licensee shall at all times keep the premises in a sanitary condition satisfactory to HHS.

e. **DAMAGE.** Except as may be otherwise provided by the special conditions above, no United States property shall be destroyed, displaced or damaged by the licensee in the exercise of the privilege granted by this license without the prior written consent of HHS and the express agreement of the licensee promptly to replace, return, repair and restore any such property to a condition satisfactory to HHS upon demand.

f. **INDEMNIFICATION.** The licensee shall indemnify and hold harmless the United States, its agents and employee against any and all loss, damage, claim, or liability whatsoever, due to personal injury or death, or damage to property or others directly or indirectly due to the exercise by the licensee of the privilege granted by this license or any other act or omission of licensee, including failure to comply with the obligations of said license.

g. **STORAGE.** Any United States Property which must be removed to permit exercise of the privilege granted by this license shall be stored, relocated or removed from the site, and returned to its original location upon termination of this license, at the sole cost and expense of the licensee, as directed by HHS.

h. **OPERATION.** The licensee shall confine activities on the property strictly to those necessary for the enjoyment of the privilege hereby licensed, and shall refrain from marring or impairing the appearance of said property, obstructing access thereto, interfering with the transaction of Government business and the convenience of the public, or jeopardizing the safety of persons or property, or causing justifiable public criticism.

i. **NOTICE.** Any property of the licensee installed or located on the property affected by the license shall be removed upon 30 days' written notice from HHS.

J. **GUARANTEE DEPOSIT.** Any deposit which may be required to guarantee compliance with terms and conditions of this license shall be in the form of a certified check, cashiers check or postal money order in the amount above, payable to HHS.

k. **Bond.** Any bond required by this license shall be in the amount designated above, executed in manner and form and with sureties satisfactory to HHS.

l. **EXPENSE.** Any cost, expense or liability connected with or in any manner incident to the granting, exercise, enjoyment or relinquishment of this license shall be solely assumed and discharged by the licenses.

m. **FUTURE REQUIREMENTS.** The licensee shall promptly comply with such further conditions and requirement as HHS may hereafter prescribe.

n. **ATTEMPTED VARIATIONS.** There shall be no variation or departure from the terms of this license without prior written consent of HHS.

o. **NONDISCRIMINATION.** The licensee agrees that no person will be discriminated against in connection with the use made by the licensee of the property on the ground of race, color or national origin, nor will any person be denied the benefits of or be subjected to discrimination under any program or activity held, conducted sponsored by the licensee in that any activity, program or use made of the property by the licensee will be in compliance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 238; 42 USC 2000d) and the applicable regulations of HHS and GSA (41 CFR Subpart 101-6.2).

The licensee will obtain from each person or firm, who through contractual or other arrangements with the licensee, provides services, benefits or performs work on the property, a written agreement whereby the person or firm agrees to assume the same obligations with respect to nondiscrimination as those imposed upon the licensee by law and will furnish a copy of such agreement to the licensor.

The breach by the licensee of conditions relating to nondiscrimination shall constitute sufficient cause for cancellation and revocation of the license.

<b>PERMIT FOR USE OF REAL PROPERTY BY FEDERAL AGENCY</b>		1. PERMIT NO.
Permission, revocable at the will of the United States Department of Health and Human Services, is hereby granted the Permittee hereinafter named to use the property described below for the purpose designated, subject to the conditions, special and general, herein prescribed.		
2. NAME OF PERMITTEE AGENCY		3. LOCAL REPRESENTATIVE <i>(Name and Address)</i>
4. PROJECT DESIGNATION AND ADDRESS		5. MAXIMUM PERIOD COVERED
		A. FROM
		B. TO
6. DESCRIPTION OF PROPERTY AFFECTED <i>(As shown on Exhibit _____, attached hereto and made a part hereof.)</i>		
7. PURPOSE OF PERMIT		
8. By the acceptance of this, permit, the Permittee agrees to abide and be bound by <b>the General Conditions on the rear of this form and the following conditions:</b>		
<b>I. SPECIAL CONDITIONS</b>		

**11. GENERAL CONDITIONS**

- a. The use and occupancy of the property shall be without cost or expense to the United States Department of Health and Human Services (HHS), and under general supervision of HHS or its authorized representatives, and subject to such rules and regulations as he/she may prescribe from time to time.
- b. The permittee shall at its own expense and without cost or expense to HHS, maintain and keep the property in good repair and condition
- c. The use to be made of the property shall be limited to that specified in the permit.
- d. The permittee shall pay the cost, as determined by HHS or its authorized representative of producing and/or supplying any utilities and other services furnished by the Government for use of the permittee.
- e. No additions to or alterations of the property shall be made without the prior consent of HHS or its authorized representative.
- f. On or before the date of expiration or termination of this permit, the permittee shall vacate the premises, remove its property therefrom and restore the premises to a condition satisfactory to HHS. If however, this permit is revoked, the permittee shall vacate the premises, remove its property therefrom and restore the premises as aforesaid within such time as the HHS may designate.

DATED ( <i>Day, Month, Year</i> )	DATED ( <i>Day, Month, Year</i> )
BY ( <i>Signature</i> )	BY ( <i>signature</i> )
NAME OF SIGNER	NAME OF SIGNER
TITLE	TITLE

## SECTION 4-6: NAMING AND DEDICATING INSTALLATIONS AND BUILDINGS

4-6-00	Policy
10	Procedures
20	(Reserved)
30	(Reserved)
X4-6-A	Sample Planning Guide for Dedication Ceremonies

### 4-6-00 POLICY

Under Section 410 of the Public Buildings Act of 1949 (40 USC 3102), the Administrator of General Services has the authority to name, rename, or otherwise designate any building under the control of GSA regardless of whether it was previously named by the statute. The Secretary of Health and Human Services has authority to provide suitably for acknowledging within the Department (whether by memorials, designations or other suitable acknowledgments, (1) efforts of persons who have contributed substantially to the health of the nation and (2) gifts for use in activities of the Department related to health. 42 U.S.C. 238i. The Secretary also has inherent authority under 5 U.S.C. 301 to name or rename HHS's own buildings in the absence of specific expression by Congress. The primary purpose in designating an official name for an installation or building is to identify the occupying activity for the public and official visitors. Following usual practices, it is Department policy not to name an installation or building for living persons or, other than in exceptional cases, for deceased persons.

It is also Department policy to recognize the completion of a new installation, building, or major extension to an existing building as an event of importance to the program and to the local community. Therefore, it is the policy of the Department to recognize the occasion by planning and conducting appropriate dedication ceremonies. This provides citizens with an opportunity to see the physical evidence of tax expenditures.

The GSA has adopted the following inscription for all cornerstones of federally constructed buildings:

United States of America  
President  
(Name of President at the time cornerstone is set.)  
Year Construction Started

Additional names, if any, will be determined on a case-by-case basis. No plaques or tablets, which pertain to the construction of the building or those responsible for the construction, will be placed on the interior of the building.

### 4-6-10 PROCEDURES

#### A. NAMING FACILITIES

To process a request for memorialization honor, the following information and attachments shall be submitted by the OPDIV to OFMP for the Secretary's decision:

- a biography of the individual to be honored;
- copies of pertinent official files concerning the individual;
- photographs of the installation, building, room, etc., to be named in honor of the individual;
- if new construction is involved, completion dates, description of the facility, etc.;



- recommendations as to action to be taken on the memorialization request and planning of the dedication ceremony;
- designation of an official to coordinate required actions; and
- if the request proposes a memorial or plaque for an individual or group, the following additional information should be furnished:
  - complete justification for the memorial or plaque, including the proposed inscription; and
  - sketches showing the design and location on site or building and photographs or site.

The OPDIV will be notified of the action taken on the request.

#### B. DEDICATION CEREMONIES

The OPDIV is responsible for the planning and execution of dedication ceremonies. A “Sample Planning Guide for Dedication Ceremonies” is provided as Exhibit X4-6-A. Tribal participation in planning ceremonies for IHS facilities is mandatory. A dedication committee may be appointed to assist in the ceremonial program and should determine, on a case-by-case basis, if there is a need for HHS Departmental participation. Plans for publicizing the naming and/or dedication of installations and buildings, including the erection of memorials and plaques, shall be reviewed by the Office of the Assistant Secretary for Public Affairs. This requirement shall include public information clearance of news releases for press, radio, and television; printed programs and commemorative booklets; copies of speeches to be delivered by HHS staff; and any other related printed materials.

Sample  
Planning Guide  
for  
Dedication Ceremonies

Developing a dedication ceremony involves all of the following factors or planning steps and may require others in local situations:

- Fixing the Date
- Establishing Local Liaison
- Establishing Congressional Liaison
- Memorialization Honors
- Program Development
- Program
- Other Planning Factors to be Considered
- Invitations
- Publicity
- Physical Arrangements

The essential elements in each of the above planning steps are:

#### A. FIXING THE DATE

Dedication ceremonies should not take place until an installation or building is completed and occupied, but should be held no later than 30 days after complete building occupancy. Work toward establishing the date for the ceremonies should begin as soon as occupancy dates are fairly firm. In almost all cases, planning should begin from 60 to 90 days in advance of the actual ceremony.

In selecting the actual day, several factors are to be considered, such as the possibility of the coincidence of a national holiday or a day having particular local significance and history. Many communities close business establishments for a half-day during the week; to others, Saturday is a particularly festive day. In any event, judgment should be exercised in making the ceremony as accessible and convenient to the public as possible. Weekend ceremonies are difficult due to the Washington tie-in, but should not be discounted in making plans.

Things to be considered when fixing the hour for the ceremony include traffic considerations, accommodating travel schedules for out-of-town guests, preferences/availability of dignitaries, etc.

#### B. ESTABLISHING LOCAL LIAISON

This is the most important element in ceremony planning. Without proper local assistance and liaison, ceremonies can be difficult and sometimes harmful. The dedication committee should exercise great care in requesting local representatives to work with it, and should be positive that all civic interests that wish to participate are given an opportunity to do so.

A successful procedure, tested in the past, is as follows: The dedication committee contacts the most appropriate local leading public official (*e.g.*, the Mayor, City Manager, and/or Indian Tribal Official) and invites him/her to serve on the committee. In addition, it will be desirable to appoint to the committee the following: (a) Chief of Police (for traffic purposes); (b) Presidents of the leading civic groups, such as, Chamber of Commerce, Board of Trade, etc. (Appointment of a representative of such organizations as Lions, Kiwanis, Rotary, etc., should be avoided because of possible misinterpretation by those not named); (c) the local leading representative of news media (newspaper publisher, editor, owner of TV facility, etc.); and (d) local head of the professional or other group having an interest in the work to be carried on in the installation or building.

### C. ESTABLISHING CONGRESSIONAL LIAISON

The participation of political figures in dedication ceremonies has considerable precedent. These most definitely will include appropriate members of the Senate and House Committees interested in the program for which the installation or building was constructed. The Congressional Representative from the District, Senatorial figures, and state officials should also be considered. Notwithstanding the political party of the local official, the committee must make certain that full and complete liaison is established with members of Congress. In addition, the committee may wish to invite the Governor and other state officials.

Event organizers should give special attention to program protocol. Remarks are delivered with the most prestigious guest addressing the audience last. In most cases the final, or keynote, speaker will be a Member of Congress, the Governor, the Secretary of Health and Human Services, or other designated HHS official, or someone who has made a significant contribution to the facility or effort being dedicated or honored. The following officials may participate in event ceremonies. They are listed in descending order of precedence:

- President of the United States
- Vice President of the United States
- Governor of the state
- Cabinet Secretaries, with the Secretary of State ranking first
- U.S. Senators
- Governor of a neighboring state
- Members of the U.S. House of Representatives
- Under Secretaries, Deputy Secretaries, Assistant Secretaries of Executive Branch departments or the number two official in a department regardless of title
- Under Secretaries of Military Departments
- Four-star generals and equivalent ranked admirals, according to seniority
- State senators
- State representatives or delegates
- State executive department officials
- City and county officials

The order of precedence should be used for seating and for introductions. The lowest ranking official should speak first, the highest ranking official last.

### D. MEMORIALIZATION HONORS

The following planning criteria should be considered when the Secretary has approved such honors:

#### Selection of the Guest of Honor

The dedication committee will select the guest of honor for the dedication ceremony of an installation or building in the following order of precedence:

- The surviving spouse, if not remarried; eldest son or daughter; father/mother, or both;
- Eldest brother or sister; or Beneficiary, if no close relatives are available.

#### Notification to the Next of Kin

When a request for memorialization honors has been approved and a letter signed by the Secretary, HHS will transmit the initial notification of the action planned to the next of kin of the individual whose memory is being honored. When possible, the letter should be personally delivered to the next of kin by a member of the dedication committee. This official should personally consult with the guest of honor and, consistent with existing policies and regulations, strive to satisfy his/her wishes concerning the ceremony.

### E. PROGRAM DEVELOPMENT

Development of a program may proceed as follows:

1. The local official is asked to serve as Master of Ceremonies.
2. Two local clergymen are invited to deliver the invocation and the benediction.
3. If music is desired, the local committee is assigned responsibility for obtaining necessary band(s) (usually high school or university).
4. The guest speaker is scheduled to make a short speech.
5. The Secretary or OPDIV representative is invited to deliver the dedicatory address.
6. The building contractor is invited to present a United States flag to fly over the building.
7. A staff member of the installation usually is scheduled to receive the flag.
8. A firm decision should be made as to inclusion of other speaker(s) on the program. Members of Congress who have shown particular interest in the project could be considered. Other prominent persons, such as the President of the Architectural and Engineering firm, may be invited to the ceremony and may be seated on the speaker's platform even though they may not be called upon to speak.

### F. PROGRAM

A complete program may follow this format:

Invocation (2 minutes)  
Master of Ceremonies welcoming remarks (3 minutes)  
Introduction of honored guest and others seated on the speaker's platform (10 minutes)  
Congressional Representative (5 minutes)  
Additional speaker (5 minutes)  
The Dedicatory Address (15 minutes)  
Master of Ceremonies closing remarks (3 minutes)  
Benediction (2 minutes)

This outline provides a program of 45 minutes duration. It can be expanded to allow one or two additional speakers, but in no event should the proceedings exceed 1 hour. If desired, the program may be shortened further by reducing time allotted for introductions and speakers. The program should be developed carefully, with the objective of providing a balance of interests in a space of time that will not cause the audience to become restless and inattentive.

## G. OTHER PLANNING FACTORS TO BE CONSIDERED

Subject to appropriation laws and the availability of funds for such purposes, the following are various components of a typical memorialization/dedication ceremony and related activities for the naming of an installation or building that should be added to the program listing provided in item 8 above.

Transportation. An appropriate escort will meet the guest of honor and his/her party upon their arrival in the area (airport, station, etc.) and conduct them to the site of the ceremony.

Greetings. Prior to starting the ceremonies, the Master or Ceremonies will receive the guest of honor at the reviewing platform and introduce the speakers and dignitaries while the band plays soft music.

Mementos. When appropriate, flowers or corsages should be provided for the guest of honor and/or next of kin. A bound album (not larger than 10" x 16") of appropriate photographs and narration relating to the ceremony should be prepared and presented to the guest of honor and/or parents and children of the deceased. If the guest of honor and/or family of the deceased wishes to present a plaque or portrait, it may be accepted.

Reception. It is sometimes suitable to follow a ceremony with a reception for the guest of honor and/or parents of the deceased and special guests. These receptions need not be large or elaborate, and maximum use should be made of available Government facilities.

Hearing Impaired. Arrangements for an interpreter for the hearing-impaired should be considered to help ensure that everyone fully appreciates the program.

## H. INVITATIONS

Invitations are treated as a separate factor because they are connected with both protocol and publicity. The following steps should be taken in connection with invitations:

1. As host, all formal invitations to the dedication come from the dedication committee. These take two forms: (a) personal letters to dignitaries who are invited as speakers should clearly convey what the invitee will be asked to do (*e.g.*, deliver brief remarks of approximately # minutes duration, where the speaker should come, etc.); (b) printed invitations, listing the program for mailing to all other invitees. If reserved seating (see "Physical Arrangements") is to be available, the invitation can be used numerically to control seating.
2. Often, a combination invitation-guest pass is used. The invitation is headed: "The Department of Health and Human Services Cordially Invites You \_\_\_\_\_."
3. Invitations should be mailed approximately 30 days prior to the ceremony, if possible. At that time, the Congressional Liaison Officer should be informed of the overall plans for the dedication ceremony and furnished with a list of dignitaries invited to participate.

## I. PUBLICITY

Publicity in connection with the dedication ceremony is the responsibility of the news media member of the local dedication committee. He/she should assure adequate coverage of the event by announcements of date, time, place, etc. As speakers are selected, the dedication committee should arrange for biographical information and photographs to be forwarded for publication. It should arrange for the advance copies of texts of speeches, and should provide the news media with fact sheets and other material pertinent to the building. Every effort should be made to assure good news coverage. His/her responsibility includes not only advance coverage, but also the determination of what type of coverage will be obtained during the ceremony; *e.g.*, live radio or TV, motion pictures, etc. He/she will be responsible for advising

the dedication committee well in advance as to what press requirements will be needed for space, tables, platforms, power outlets, vantage points for photographers, etc.

## J. PHYSICAL ARRANGEMENTS

The physical arrangements provided for a dedication ceremony should be dignified and simple, adequate for the occasion, and conducive to the execution of all established plans. Physical arrangements fall into the following categories:

1. Transportation. Suitable transportation should be arranged for visiting dignitaries throughout their stay.
2. Accommodations. The dedication committee should make necessary reservations for incoming dignitaries.
3. Installation or Building Preparations. Ceremonies should be held at the most convenient location within the installation or immediately outside a new building. However, alternate plans should be made in the event of inclement weather.

The Construction Superintendent may be of considerable help in making the following arrangements if the requirement has been included in the contract scope of work:

- a. Speaker's Platform or Area. If a platform is necessary, the building contractor will provide it if it is in the original contract scope of work, or if incorporated by modification. The platform floor (if constructed of lumber) should be solid, so as not to present a hazard. The platform should have an access from the rear; it should provide for mounting of speakers leaving the building and coming out onto the platform, facing the audience. The platform or area where the speakers will be seated may be decorated with bunting or other material to focus attention on it. The American flag and HHS flag customarily flank the stage. Flags must be displayed in accordance with the Flags Code, 4 U.S.C. 1-10. Usually 36 U.S.C. " 175 (k) will apply. In addition, it should be equipped with a suitable public address system, lectern, and necessary number of comfortable and attractive chairs. A podium with a high quality sound system is positioned on the stage; the Service emblem prominently displayed on the front surface. Place ice water, glasses, and paper-weight behind the podium for use by the speakers.
- b. Seating Arrangements

Speaker's Platform or Area. A seating diagram should be drawn in advance and the chairs plainly marked with the names of each individual. The seating should be arranged so that the main speakers are seated in the front row(s) and sufficient aisle room is provided for access to lectern. To avoid confusion, the speakers should be asked to congregate in a specified room within the building immediately in advance of the ceremony and move in a single file, in accordance with a prearranged seating order, onto the platform.

Chairs for Audience. The local GSA office, BIA Superintendent, other Government agencies, or local organizations may provide chairs for the audience. The chairs should be set up well before the ceremony with row markings or other necessary identification if a reservation system is used.

Press Table. Space should be provided for the press immediately facing the speaker's platform or at other vantage points. This may include a table and chairs, a platform for mounting cameras, etc. Care should be taken that the location selected gives a clear view, but does not obstruct the view of spectators.

- c. Protection of Building and Grounds. Suitable precautions should be taken to protect newly planted shrubs and grass; assure non-entry into classified area; remove traffic and pedestrian hazards;

and any other steps normally taken when an extraordinary amount of pedestrian traffic is expected.

- d. Parking. Local police authorities should be requested to issue special traffic passes, assign police officers to handle traffic, and provide for the temporary suspension of conventional parking rules. The official in charge of the installation or building may do the same in connection with building parking on or in areas under his/her control.

#### K. TOUR OF INSTALLATION OR BUILDING

At the conclusion of the ceremonies, it is customary to invite the public to tour the new installation or building. If this is on a workday, the individual offices should assign staff to answer questions and the buildings manager should provide adequate elevator service, guides, and assure that passageways are not obstructed. If the ceremony is on a non-workday, the occupant offices should provide volunteer staffs to answer questions concerning their particular activities.

#### L. Post-event Details

After the guests and dignitaries depart, there is still much work to be done.

- Enter the clean-up crew to break down the stage and exhibits; load and return the tables, chairs, and other borrowed equipment; and dispose of all trash.
- Follow up with local reporters to ensure they have enough information to prepare an accurate account of the celebration. If not, offer to provide them with more details or to prepare a news release. Also, offer copies of photos that were taken on the day of the event for their use in an article.
- Promptly after the event, thank you letters should be sent to speakers, sponsors, entertainers, exhibitors, volunteers, and other participating organizations who helped make the event a success.
- A few days following the event, gather everyone involved with staging the event to critique the effort. What went well? Where could changes be made next time? Did anyone receive complaints or complements? Discuss them, share ideas, and make notes for the future.

These post-event details will provide a sense of closure for the organizers and volunteers and hopefully leave everyone with positive memories and satisfaction for a job well done. The importance of these final tasks should not be minimized.



## SECTION 4-7: BUILDING SERVICES

4-7-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 4-7-00 POLICY

HHS and its OPDIVs must provide occupancy services that substantially conform to nationally recognized standards. As needed, OPDIVs may adopt other standards for buildings and services in federally controlled facilities to conform to statutory requirements and to implement cost-reduction efforts. Building services, such as custodial, solid waste management (including recycling), heating and cooling, landscaping and grounds maintenance, tenant alterations, minor repairs, building maintenance, integrated pest management, signage, parking, and snow removal, are to be provided at appropriate levels to support Federal agency missions. Arrangements shall also be made for raising and lowering the United States flags at appropriate times. In addition, agencies must display P.O.W. and M.I.A. flags at locations specified in 36 U.S.C. 902 on P.O.W./M.I.A. flag display days.

Operations, maintenance, and repair functions at HHS facilities shall be supported with a combination of funding, space, equipment, and staffing that is sufficient to operate, maintain, and repair the facilities in accordance with applicable Federal standards and recognized industry standards relevant to the use of buildings or other facilities of similar types, age, and physical condition.

### 4-7-10 PROCEDURES

OPERATIONS AND MAINTENANCE (O&M) - The O&M management of HHS facilities includes the following areas of responsibility:

#### A. REAL PROPERTY

1. Buildings: The maintenance, repair, and inspection of buildings, towers, and other structures.
2. Pavements and Other Surfaced Areas: The maintenance, repair, and inspection of roads, streets, walks, parking areas, and other similar facilities. Operation, maintenance, repair, and inspection of external lighting and security systems.
3. Grounds: The maintenance, repair, and inspection of lawns, trees, shrubs, fencing, and ornamental improvements. Operation, maintenance, repair, and inspection of lawn watering systems, and other installed grounds equipment.
4. Equipment: The operation, maintenance, repair, and inspection of real property installed equipment.

#### B. UTILITIES

1. Communications: The maintenance, repair, and inspection of fixed Government-owned telephone and other communications equipment under HHS control.
2. Electricity: The furnishing, metering, and distribution of electricity, including the operation, maintenance, repair, and inspection of electrical generating plants, transmission, and distribution systems, building wiring, and stand-by equipment. Does not include provision of electrical energy to Government-furnished quarters where electricity is not included in the rental charge.

3. Gases: The distribution of piped gases for laboratory or medical use, including oxygen, nitrous oxide, carbon dioxide, carbon dioxide, nitrogen, air propane, butane, natural, or other gases; and the maintenance, repair, and inspection of the storage, transmission, and distribution systems for these gases.
4. Heating Fuels: The furnishing, metering, and distribution of fuels used for heating, including coal; synthetic, natural, or liquefied petroleum gas; and oil fuel. The operation, maintenance, inspection, and repair of storage, transmission, and distribution systems. Does not include the provision of fuels to Government-furnished quarters where heat is not included in the rental charge.

#### C. BUILDING EQUIPMENT AND SYSTEMS

1. Heating: The operation, maintenance, repair, and inspection of heating plants, heating systems, and related equipment.
2. Refrigeration, Air-Conditioning, and Ventilation: The operation, maintenance, repair, and inspection of ice manufacturing equipment, refrigeration equipment, air-conditioning and ventilation equipment, cooling towers, chilled water systems, and related piping and controls.
3. Sewerage: The operation, maintenance, repair, and inspection of sanitary sewers, storm sewers, and pumping, treatment, and disposal systems. Includes provision of chemicals and supplies required for sewage treatment.
4. Steam: The supply, metering, and distribution of steam including the operation, maintenance, repair, and inspection of steam generating plants, transmission systems, distribution and return systems, and related installed equipment.
5. Water: The furnishing, metering, and distribution of water, including the operation, maintenance, repair, and inspection of water supply, treatment, storage, pumping, distribution systems, and stand-by equipment. Includes quality assurance activities.

#### D. WASTE MANAGEMENT

1. Waste Disposal: The bulk collection, separation, incineration, hauling, burying, or otherwise disposing of waste material, including operation, maintenance, repair, and inspection of incinerators, sanitary land fills, or other disposal facilities, and the maintenance, repair, and inspection of equipment used for this purpose. Includes resource recovery activities.
2. Recycling
3. Procurement of Recycled Products

#### E. SERVICES

1. Fire Safety: The development of fire protection procedures and application of standards, the operation, maintenance, repair, and inspection of portable and installed fire protection equipment, and alarm systems; and, the promotion and supervision of fire prevention programs related to facilities operation, maintenance, and repair activities.
2. Pest Control: The execution of such maintenance, repair, inspection, and treatment work as may be required for extermination and control of insects, rodents, and other pests and organisms in accordance with integrated pest management processes and plans.
3. Housekeeping Services:
  - a. Buildings: Window washing; relamping of light fixtures; cleaning of walls, doors, ceilings, light fixtures, air diffusers, floors, and floor coverings; shampooing, stripping, sealing,

waxing, buffing floors; dusting of office furniture; emptying and cleaning waste baskets and other waste receptacles; removal of waste to a central collection area; dusting, cleaning and sanitizing of toilet rooms, baths, showers, locker rooms, janitors' closets, including servicing with paper, soap, and other necessary supplies. Inspection to assure quality of services.

- b. Grounds: Collection and removal of waste material, sweeping of walks and other surfaced areas, removal of snow and ice from pedestrian walkways, vehicular roads and parking areas, and service areas (docks, ramps) as necessary at pedestrian entrance and exit walks. Inspection to assure quality of services.
- c. Site: Provision of services that support environmental protection (*e.g.*, recycling and resource recovery). Support of special emphasis programs including actions to support a safe workplace.

#### F. MAINTENANCE SURVEILLANCE

1. Maintenance surveillance is applicable to real property facilities utilized by the HHS, but owned or leased by GSA, or operated by GSA or others; and to real property facilities, which are leased by or assigned to the HHS, but operated by others.
2. This activity includes inspection and review of the items listed above, insofar as they are directly related to and affect the HHS occupancy use of a facility. For example, faulty ventilation and air-conditioning, inadequate lighting levels, unsafe conditions, unsatisfactory maintenance and cleaning of the facility, recurring electrical outages, etc., are all problems that are within the scope of maintenance surveillance.

#### G. OTHER

The installation, maintenance, repair, and removal of all signs, charts, boards, displays, etc., whether or not affixed to real property, except for signs relating to real property and its functions (building names, numbers, door numbers, department names, directional information, such as fire alarms, fire exits, etc.). Program funds must be provided for this effort, as normal O&M funds generally do not cover this work.

#### 4-7-20 GUIDANCE AND INFORMATION

A preventive maintenance program shall be established, operated, and monitored for each HHS-owned facility, whether operated by the HHS or by others to ensure a safe and healthy work environment and continuity of business operations. The program shall include the following elements:

1. Inventory of buildings, other structures, and equipment.
2. Selection of structural features and equipment requiring inspection, routine maintenance, cleaning, testing, and adjusting on a periodic basis.
3. Development of preventative maintenance guides for selected items.
4. Using engineered performance standards or equivalent technique; establishment and application of standard time and skills requirement to each preventative maintenance task.
5. Evaluation of preventative maintenance staffing requirement and scheduling of task accomplishment either by in-house staff or by contract.
6. Establishment and application of quality assurance review and correction procedures.
7. Provision of resources required to accomplish the preventative maintenance program.
8. Material Safety Data Sheets (MSDS) are readily available for hazardous chemicals used in building services and construction operations.

## SECTION 4-8: RELIABILITY CENTERED MAINTENANCE

4-8-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 4-8-00 POLICY

The purpose of this section is to provide general information that will introduce and encourage implementation of Reliability Centered Maintenance (RCM) concepts and programs within the HHS facilities community. The intended audience includes facility planners, designers, equipment procurement specialists, construction managers, systems engineers, and maintenance and operations (M&O) contract planners and managers.

#### A. BACKGROUND

Reliability Centered Maintenance (RCM) is a process used to determine the most effective approach to maintenance. It involves identifying actions that, when taken, will reduce the probability of failure through an optimal mix of Condition-Based Actions, Time/Cycle-Based actions, or a Run-to-Failure approach to take advantage of their respective strengths in order to optimize facility and equipment operability and efficiency while minimizing life-cycle costs. RCM data can also provide useful input for Facility Condition Assessments and for determining the Backlog of Maintenance and Repair (BMAR).

#### B. RESPONSIBILITIES

All HHS personnel with duties and responsibilities involving any aspect of the facilities life-cycle shall include Reliability Centered Maintenance considerations in their decision-making processes. These considerations are consistent and closely aligned with the concepts of Sustainability, Life-cycle costs, and Mission-dependency.

### 4-8-10 PROCEDURES

Properly implemented Reliability Centered Maintenance programs will optimize the life-cycle cost versus benefit of facilities and associated equipment. RCM is Function Oriented, System Focused, Reliability Centered, Acknowledges Design Limitations, Driven by Safety and Economics, and Relevant to the failure mode. RCM analysis considers the following questions:

- What does the system or equipment do; what is its function?
- What functional failures are likely to occur?
- What are the likely consequences of those functional failures?
- How quickly and cost effectively can failures be mitigated?
- What can be done to reduce the probability of the failure, identify the onset of failure, or reduce the consequences of the failure?
- How does the cost to deter/prevent failure compare with the consequences of failure?

#### 4-8-20 GUIDANCE AND INFORMATION

The Reliability Centered Maintenance (RCM) philosophy employs Preventive Maintenance (PM), Predictive Testing and Inspection (PT&I), Repair (also called reactive maintenance), and Proactive Maintenance techniques in an integrated manner to increase the probability that a machine or component will function in the required manner over its design life cycle with a minimum of maintenance. The goal is to deliver required reliability and availability at the lowest cost. RCM requires that maintenance decisions be based on maintenance requirements supported by sound technical and economic justification.

An RCM program includes reactive, preventive, predictive, and proactive maintenance. The following definitions describe these and some additional RCM concepts.

Reactive maintenance - also referred to as breakdown, repair, fix-when-fail, or run-to-failure (RTF) maintenance. Equipment repair or replacement occurs only when the deterioration in the equipment's condition causes a functional failure. In addition there is no ability to influence when the failures occur because no (or minimal) action is taken to control or prevent them. A high percentage of unplanned maintenance activities, high replacement part inventories, and inefficient use of maintenance effort typify this strategy. Reactive maintenance can be used effectively when it is performed as a conscious decision, based on the results of an RCM analysis that compares the risk and cost of failure with the cost of the maintenance required to mitigate that risk and cost of failure. Components for which RTF may be appropriate are non-critical restroom exhaust fans, water heaters, and items where the consequences of failure are negligible and the time required to remedy the failure is acceptable.

Preventive Maintenance (PM) - consists of regularly scheduled inspection, adjustments, cleaning, lubrication, parts replacement, calibration, and repair of components and equipment. It is performed on a time-driven or scheduled interval basis without regard to actual equipment condition. Traditional PM is keyed to failure rates and times between failures. It assumes that these variables can be determined statistically, and therefore one can replace a part due for failure before it fails. PM is based on the assumption that the overhaul of machinery by disassembly and replacement of worn parts restores the machine to a like new condition with no harmful effects. However, it has been shown that in a large number of cases, imposing an arbitrary preventive task increases the average failure rate through "infant mortality."

For some items, while failure is related to age, it is not equally likely to occur throughout the life of the item. In fact, the majority of equipment is not subject to wear-out (a sharply increasing conditional probability of failure at a specific operating age). Therefore, timed maintenance can often result in unnecessary, even harmful, maintenance. In summary, PM can be costly and ineffective when it is the sole type of maintenance practiced.

Predictive Testing and Inspection (PT&I) - also known as predictive maintenance or condition monitoring, uses primarily non-intrusive testing techniques, visual inspection, and performance data to assess machinery condition. It replaces arbitrarily timed maintenance tasks with maintenance that is scheduled only when warranted by equipment condition. Continuing analysis of equipment condition-monitoring data allows planning and scheduling of maintenance or repairs in advance of catastrophic and functional failure. Methods of analysis include trend analysis, pattern recognition, data comparison, tests against limits and ranges, correlation of multiple technologies, and statistical process analysis. Data acquired from the various PT&I techniques can and should be correlated with each other to increase the probability of detecting and correctly evaluating equipment condition.

Proactive maintenance improves maintenance through better design, installation, maintenance procedures, workmanship, and scheduling. Proactive maintenance typically employs the following basic techniques to extend machinery life:

- Specifications for new/rebuilt equipment. Specifications should include, as a minimum, vibration, alignment, balancing criteria, and other important performance criteria. Good feedback and communications are necessary to ensure that recommended changes in design or procedures are rapidly made available to designers and managers.
- Precision rebuild and installation. Equipment requires proper installation to control life-cycle costs and maximize reliability. Poor installation often results in problems routinely faced by both maintenance personnel and operators. The adoption and enforcement of precision standards can more than double the life of a machine.
- Failed-part analysis. This proactive process involves inspecting failed parts after their removal to identify the cause(s) of their failures.
- Root-cause failure analysis (RCFA). In some cases, plant equipment fails repeatedly, and the failures are accepted as a normal idiosyncrasy of that equipment. Recurring problems such as short bearing life, frequent seal fracture, and structural cracking are symptoms of more severe problems. RCFA proactively seeks the fundamental causes that lead to facility and equipment failure. Its goals are to:
  - Find the cause of a problem quickly, efficiently, and economically.
  - Correct the cause of the problem, not just its symptom/effect.
  - Provide information that can help prevent the problem from recurring.
  - Instill a mentality of “fix forever.”
- Reliability engineering involves the redesign, modification, or improvement of components or their replacement by superior components.
- Rebuild certification/verification. When new or rebuilt equipment is installed, it is essential to verify that it is operating properly. To avoid unsatisfactory operation and early failure, the equipment should be tested against formal certification and verification standards.
- Age Exploration. Age Exploration (AE) is a key element in establishing an RCM program and provides a methodology to vary key aspects of the maintenance program in order to optimize the process. For example, during visual inspection of a chiller, the technician notes the condition of various components. The condition evaluation sheet is then correlated with performance data from the Energy Management and Control System (EMCS), vibration data, and oil analysis data. As a result of this analysis, the decision is made to change the interval of the open and inspect until monitored conditions indicate degradation has occurred.
- Recurrence Control. This element provides a systematic approach using technical analysis of hardware and/or material failures for dealing with repetitive failures.

## SECTION 4-9: OCCUPATIONAL SAFETY AND HEALTH

4-9-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements

### 4-9-00 POLICY

It is the policy of HHS to provide a safe and healthy work environment for all its employees and the public served in an effort to prevent personal injuries, illnesses, and death from work-related causes and to minimize loss of material resources from accidental occurrences. The standards to be followed in attaining safe and healthful working conditions are those issued by the Department of Labor under the Occupational Safety and Health Administration 29 CFR 1910 and GSA regulations dealing with "Safety and Environmental Management," at 41 C.F.R. 102-80, plus any additional standards and/or safety procedures issued by the Department or standards promulgated by recognized national standards organizations and adopted by HHS to meet particular situations or conditions associated with its facilities.

#### A. BASIC SAFETY AND ENVIRONMENTAL MANAGEMENT POLICIES FOR FEDERAL REAL PROPERTY (FMR) Part 102-80

1. Provide for a safe and healthful work environment for Federal employees and the visiting public;
2. Protect Federal real and personal property;
3. Promote mission continuity;
4. Provide reasonable safeguards for emergency forces if an incident occurs;
5. Assess risk;
6. Make decision makers aware of risks; and
7. Act promptly and appropriately in response to risk.

#### B. FIRE ADMINISTRATION AUTHORIZATION ACT OF 1992 (PUBLIC LAW 102-522)

The Fire Administration Authorization Act of 1992 (Pub. L. 102-522) requires sprinklers, or an equivalent level of safety, in certain types of federal employee office buildings, federal employee housing units, and federally assisted housing units. The Act applies to all Federal agencies and all federally owned and leased buildings in the United States.

### 4-9-10 PROCEDURES

OPDIVs and all HHS personnel should adhere to the Department of Health and Human Services Safety Management Manual in the conduct of their duties. Topics that may be of particular importance and relevance to the facility manager include: Accident Investigation, Reporting and Analysis; Safety Specifications; Facility Survey/Inspection; Fire Safety; Employee Rights; and Safety Program Evaluation.

In addition, facility managers will comply with applicable building industry safety codes to ensure protection of HHS employees, contractors, and visitors within all of HHS-controlled properties.

4-9-20 GUIDANCE AND INFORMATION

HHS OCCUPATIONAL SAFETY AND HEALTH PROGRAM

For detailed information on HHS Occupational Safety and Health, please refer to the Department of Health and Human Services Safety Management Manual or contact the HHS Safety Officer, OFMP.

4-9-30 REPORTING REQUIREMENTS

OPDIV Safety Officers are required to report accidents in accordance with the Department of Health and Human Services Safety Management Manual.



## SECTION 4-10: SYSTEM INSPECTIONS AND CERTIFICATIONS

4-10-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements
X4-10-A	Sample: Cross-Connection Control and Backflow Prevention Program Template
X4-10-B	Sample: Cross-Connection Control and Backflow Prevention Awareness Training

### 4-10-00 POLICY

This section establishes HHS policy and responsibilities for complying with mandatory facility systems and equipment inspections and certifications. Due to the high risk nature of much of the work involved, it is important to integrate it with occupational health and safety policies and regulations. A primary goal of this section is to raise awareness concerning many areas that require special management attention within the facilities management arena. Examples include: Air emissions permits, Boilers, Unfired Pressure Vessels, Weight Handling Equipment (cranes and hoists), Vertical Transportation Equipment (including elevators), Backflow Preventers, Fire extinguishers, Fire Protection systems, and Personal Protective Equipment.

There are a large number of easily forgotten/overlooked periodic inspections and certifications that are required for facilities equipment and associated operations. The primary purpose of these requirements is to protect life safety and health, since there are significant hazards, including serious injury or death, associated with use of certain specialized facility equipment. Requirements for inspections and certifications are included in laws and regulations issued by organizations like the Environmental Protection Agency (EPA), state agencies, the Occupational Safety and Health Administration (OSHA), the Department of Transportation (DOT), and others.

### 4-10-10 PROCEDURES

For the facilities management staff charged with compliance, the paperwork chase involved in documentation for inspection and certification may seem endless. However, with proper awareness, emphasis, organization and documentation, the requirements will be met.

A. A list of the more common inspections and certifications follows. The list is neither all-inclusive nor do all of the listed items apply to every site. Several of the inspections and certifications described very briefly below are general summaries of requirements established by applicable Federal, state, and local law. This list is not intended to be used as the sole source of information regarding any of the requirements summarized briefly in this section and facilities management staff must ensure that each facility fully complies with all applicable Federal, state, and local laws and regulations. It is incumbent upon facility managers/operators to be aware of and comply with requirements applicable in their unique situation. The list is general in nature, since specific requirements will vary by location. Facilities management staff must determine all of the inspection, testing, certification, and mandatory maintenance requirements applicable to their systems. Appropriate guidelines should be incorporated into activity instructions that are enforced rigidly.

Air permits. Most air permits are issued by state programs with an annual permit fee accompanied by a three-year or five-year permit renewal deadline. It is critical to be aware of permit requirements and renewal dates to maintain them in a current status. Air Emissions Inventory Questionnaires (or equivalent state title) are required upon request by the state permitting agency. These questionnaires are usually annual forms that must be submitted to maintain a valid air permit.

Boilers and Unfired Pressure Vessels (UPVs). Stringent criteria apply to all heating and power boilers and unfired pressure vessels, including portable boilers and portable unfired pressure vessels, liquid propane gas (LPG) storage tanks, mobile boilers, and hyperbaric facility support pressure vessels. The inspection of boilers and pressure vessels is highly specialized work requiring qualified personnel and, in many cases, specialized testing equipment, to ensure their continued safe, reliable, and efficient operation. The frequency and extent of inspection and testing will vary based on equipment operating parameters. Contract employees that perform the inspections, witness the tests, prepare the reports, and issue required certificates must, as a minimum, possess a Certificate of Competency or the equivalent issued by any political subdivision (such as state, province, territory, county, or city) of the United States that is a member of the NBBI. A current and valid certificate must be posted on, or near, the equipment, under a clear protective covering.

Compressed gas cylinders. OSHA inspection requirements incorporate DOT 49 CFR 171-170 and 14 CFR 103 by reference. These regulations pertain primarily to testing, inspection, and marking of the cylinders.

Cranes and hoists. OSHA requires a comprehensive inspection prior to initial use for all new or altered cranes or hoists. The federal statute also stipulates frequent inspections, described as daily to monthly, and periodic inspections at intervals between one and 12 months. The actual frequency of the inspections depends on the usage of the crane. Some states require a more rigorous inspection schedule. See also “Weight Handling Equipment”.

Cross-Connection Control and Backflow Preventers. The goal of a cross-connection control and backflow prevention program is to ensure safe drinking water under all foreseeable circumstances. Requirements pertain to all facilities served by drinking water systems to prevent the entrance of contamination, which may render the water unsafe or undesirable. Therefore, the program should establish policy, procedures, and instructions for installing, inspecting, testing, certifying, and maintaining backflow preventers to prevent contamination of drinking water systems. Improper configuration of potable water piping can create the possibility of backflow, which in turn, could result in the drinking water system becoming a transmitter of pathogenic organisms, toxic materials, or other hazardous substances with adverse affects on public health and welfare. Many federal, state, and local regulatory requirements flow-down from the Safe Drinking Water Act. Even in instances where there may be no regulatory requirement to implement a cross-connection control and backflow prevention program, the primary concern is to ensure that safe drinking water is provided to all users regardless of location. Therefore, all HHS activities shall develop and implement a cross-connection control and backflow prevention program following sound engineering procedures. Exhibit X4-10-A provides a cross-connection control and backflow prevention program template for optional use by HHS activities. Although each Activity will decide who receives training and the amount of training required, it is imperative that personnel responsible for inspecting facilities for cross-connections, certifying BFPs for proper installation and operation, and making recommendations for corrective action be properly certified. Information for general awareness training is provided as Exhibit X4-10-B.

Electrical cords. OSHA standards mandate requirements for an “Assured Grounding Program” which requires periodic inspections.

Emergency Planning and Community Right to Know Act. EPCRA requires annual chemical inventory reporting by facilities with “hazardous chemicals” or “extremely hazardous chemicals” present on site. A hazardous chemical is any chemical for which OSHA requires a Material Safety Data Sheet under the Employee Right to Know Act per 29 CFR 1910.1200 (Hazard Communication Program, or HazCom). The volume of the hazardous chemicals on site determines the trigger for reporting and is usually determined by state requirements. The inventory report of hazardous chemicals is required by federal regulation if the facility stores 10,000 pounds or more of the product.

Equipment modification certifications. A myriad of certifications from equipment manufacturers is required for any modifications to equipment such as forklifts, cranes, aerial lifts, and others.

Fire extinguishers. The construction standard requires a semi-annual inspection for dry chemical extinguishers. A more extensive annual inspection and service is also required. The general industry standard stipulates a more rigorous monthly inspection schedule with an annual maintenance check in addition to a hydrostatic test every 5 or 12 years, depending on the type of extinguisher.

First aid kit. Periodic inspections are required to assure ready availability. The referenced ANSI standard in the construction standards requires a licensed physician to review and sign off on the kit, which OSHA will occasionally cite if no documentation is available.

Fixed extinguishing systems. Fire extinguishing systems require annual inspection by a knowledgeable person (as defined by NFPA). Employee alarm systems also require annual testing for reliability and adequacy.

Periodic/scheduled inspections of Equipment and Tools. OSHA standards require documented inspections by competent persons at varying schedules (from daily to annually) to verify the safety of tools and equipment used in the performance of facility maintenance, repair, and construction (examples include jacks, ladders, wire ropes, personal protective equipment). In some cases, there is also a requirement for a written program. For example, a Respiratory protection program is required whenever respirators are used. For most equipment operators, regulations mandate inspection of their equipment before use on a daily basis. Included are cranes and hoists, rigging equipment, motor vehicles, scaffolds, welding equipment, aerial lifts, vehicle mounted elevating and rotating work platforms, and personal fall arrest systems.

Spill control plans. A written review and evaluation are required every three years or whenever there is a change in the facility that affects the plan. These plans are required for facilities with an aboveground storage of 660 gallons in a single tank or an accumulation of 1,300 gallons or more in aggregate that could reasonably be expected to discharge oil or oil-related substances in harmful quantities. Despite the regulatory language specifying “potential to reach into a navigable waterway,” and “harmful,” liberal courts have interpreted this as any roadside ditch or drainage way since all drainage ways eventually lead into a “navigable waterway.” The states have broadened their definitions by using the term “waters of the State,” which basically means any public waters and water drainage systems. In summary, if it leaves the property, report it.

Stormwater permit. A stormwater pollution prevention plan (SWPPP) is a fundamental requirement associated with stormwater permits. Permit holders must conduct an annual inspection of the facility, which should identify areas contributing to stormwater discharge associated with industrial activity and evaluate whether measures to reduce pollutant loading identified in a SWPPP are adequate and properly implemented in accordance with the terms of the permit, or whether additional control measures are needed.

Vertical Transportation Equipment (VTE) includes but is not limited to: Elevators, Escalators, Dumbwaiters, Moving Walks, Sidewalk Elevators, Special Purpose Personnel Elevators, Automatic Transfer Devices, material Hoists, Personnel Hoists, Manlifts, Inclined Lifts, Automotive Lifts, Mechanized Parking Garage Equipment, Power Platforms for Exterior Building Work, and Levellators. Current certification should be displayed in/on the equipment. In some cases, the certification document can be maintained on file in a central office.

In making routine inspections, or periodic inspections and tests of VTE, the inspector shall determine that the equipment is in a safe operating condition, has not been altered except in conformity to the applicable code or regulations, and performs in accordance with test requirements. The inspector shall also examine the equipment to verify that it is being maintained in accordance with manufacturer's recommendations and make recommendations for needed repairs or modifications.

All personnel performing inspections and tests of vertical transportation systems and equipment shall be qualified as follows: a. Certification to inspect elevators by the licensing authority of a political subdivision (such as state, territory, county, or city) of the United States. b. Satisfactory completion

of the Elevator Safety Education Training Course and Certification by the National Association of Elevator Safety Authorities (NAESA). c. Certification by the Building Officials and Code Administrators International Incorporated (BOCA). The inspection itself can be hazardous in that it exposes the inspector to risks of electrocution, crushing, falls, etc.

Waste inventory. State waste regulations usually require an annual waste inventory to be maintained via prescribed forms submitted to the state. Though varying terms and classifications exist for solid wastes (and solid waste subcategories), hazardous waste (and hazard waste categories), industrial wastes, special wastes (scrap metal, lead acid batteries, used oil and filter and others), and garbage, state regulators usually want all types reported annually in one fashion or another.

Wastewater permit. Licensing under the federal National Pollutant Discharge and Elimination System (NPDES) or an equivalent authorized state program is required for any industrial wastewater discharge. The federal permit is issued for a maximum of five years and the renewed permit application must be submitted at least 180 days in advance of expiration.

Weight Handling Equipment (WHE). Weight handling equipment consists of cranes (*e.g.*, portal, hammerhead, mobile, tower, gantry, jib, pedestal mounted, overhead hoists, etc.), rigging gear (*e.g.*, slings, shackles, eyebolts, hoist rings, links, turnbuckles, etc.), and associated equipment (*e.g.*, portable hoists, dynamometers/load indicators, etc.). A crane shall not be used in service without a valid certification. In certain cases, interim recertification may be required. All certifications are: automatically void after 1 year; after exceeding the certified capacity during operation; or after an adjustment, repair, disassembly, replacement, or alteration of a load bearing or load controlling part or operational safety device, which requires a load test for verification of satisfactory work.

An effective WHE management program will ensure the equipment is safe to operate; ensure weight-handling operations are conducted safely and efficiently; and ensure optimum equipment service life. Activities must comply with OSHA requirements for maintenance, inspection, testing, certification, repair, alteration, and operation of covered equipment and certification shall be by an OSHA accredited certification agency in accordance with OSHA regulations. A list of currently accredited agencies may be obtained from the area OSHA office.

Personnel involved in the maintenance, alteration, repair, inspection, testing, and operation of WHE shall be trained and qualified to perform their assigned duties. For contractor operations, it is important that the contract include strict language requiring a certificate of compliance from the contractor that the crane and rigging gear meet applicable OSHA regulations (with the contractor citing which OSHA regulations are applicable). The contractor shall also certify that all of its crane operators are licensed and fully qualified on the equipment they will operate. Proof of current qualification shall be provided on demand.

## B. Licensing, Permits, and Personnel Qualifications

Contractor or in-house inspectors and operators shall be licensed by the state in which work is to be performed. As a minimum, all requirements with respect to business licensing, certifications, employee identifications, and actual work performance shall fully comply with state laws and regulations applicable to the state in which the work is performed.

It is the purpose of condition inspections to ensure that the overall structural, mechanical, and electrical components of the equipment have been maintained in a safe and serviceable condition and are functioning properly. It is the purpose of load tests (where applicable) to ensure by controlled operation with prescribed test loads that the equipment is capable of safely lifting and moving the rated load through all design motions. These inspections and tests shall be performed by technically competent inspection and test personnel.

### C. Definitions

The following terms and definitions are compiled from various reference manuals. The wording of definitions may not exactly replicate the wording in reference manuals; however, the technical meaning of the definitions is accurate and is provided to assist in the interpretation and understanding of this material.

Backflow - The reversal of flow of undesirable (nonpotable) liquids, gases, or solids into the distribution piping of the potable water supply. This is created due to the existence of a pressure differential where the pressure on the nonpotable side is greater than the pressure on the potable side. There are two different types of backflow: backsiphonage and backpressure.

Backflow Preventer (BFP) - A "backflow preventer" shall mean any approved device or assembly or piping arrangement (*i.e.*, air gap) used to prevent backflow into a potable water system.

Backsiphonage - Reversed flow of liquid caused by a partial vacuum in the potable water distribution system.

Certification of Personnel - The training and licensing process whereby a person is approved by an applicable regulatory authority to inspect, test, and certify equipment as functioning in accordance with mandatory standards.

Cross-Connection - Any physical arrangement whereby a public water system is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, and swivel or changeover devices through which or because of which, backflow could occur are considered to be cross-connections.

Cross-Connection Control and Backflow Prevention - The use of approved assemblies, devices, air gaps, associated methods and procedures, etc., to prevent contamination or pollution of a potable water supply through cross-connections.

Degree of Hazard - The danger posed by a particular substance or set of circumstances. Degree of hazard is divided into health hazard and non-health hazard.

Health Hazard - A cross-connection or potential cross-connection involving a contaminant in sufficient concentration to spread disease or cause death.

Non-Health Hazard - A cross-connection or potential cross-connection involving any pollutant or contaminant (at low levels) that will not create a health hazard but will create a nuisance, or be aesthetically objectionable, if introduced into the potable water supply.

Purveyor - The supplier and/or distributor of potable water (*i.e.*, the owner of the public water system.)

Weight Handling Equipment (WHE) - Weight handling equipment consists of cranes (*e.g.*, portal cranes, mobile cranes), rigging gear (*e.g.*, slings, shackles), and associated equipment (*e.g.*, portable hoists, dynamometers).

### D. Authorities and References

American Backflow Prevention Association (ABPA)

American Society of Mechanical Engineers (ASME), Boiler and Pressure Vessel Code (BPVC).

American Society of Mechanical Engineers (ASME) CSD-1, Controls and Safety Devices for Automatically Fired Boilers

American Water Works Association (AWWA)

Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR)

National Board Inspection Code (NBIC), the National Board of Boiler and Pressure Vessel Inspectors

National Fire Codes. Published by the National Fire Protection Association  
Safety Drinking Water Act (SDWA)  
Training, Research and Education for Environmental Occupations (TREEO) Center

#### E. Responsibilities

It may be determined to be more efficient and effective to establish more centralized program management and support in the future. However, at this time, OPDIVs are both responsible for and at liberty to establish specific program procedures.

HHS/OFMP and OPDIV/ STAFFDIV personnel:

- Perform staff assistance visits
- Support HHS activities by interpreting relevant Federal, state, and local regulatory requirements and by uniformly applying HHS policy.
- Conduct special studies with regard to inspection and certification programs to assist in establishing policy or initiating important actions.

All HHS personnel whose duties involve aspects of system inspections and certifications shall carry out the following responsibilities to the extent of their respective span of control and level of organizational authority:

- Establish and maintain policies, programs, and procedures that conform to the requirements specified in this section.
- Cooperate and comply with Federal, state, and local government agencies.
- Achieve, maintain, and monitor compliance with applicable Federal, state, and local statutory and regulatory requirements.
- Coordinate the implementation of programs to achieve, maintain, and monitor compliance with applicable Federal, state, and local statutory and regulatory requirements.
- Exercise oversight and review of applicable programs within assigned area of responsibility.
- Ensure that all system inspections and certifications performed at the facility are properly recorded, and that all records are properly maintained.

#### 4-10-20 GUIDANCE AND INFORMATION

In addition to original Specification Data Sheets, original equipment manufacturers (OEMs) often issue information (*e.g.*, "service bulletins") more current and supplemental to that in the maintenance manual furnished with a particular piece of equipment. Activities shall contact the OEM or authorized distributor for supplemental service information applicable to their equipment, and, if practical, be added to the OEM's distribution list for such information.

#### 4-10-30 REPORTING REQUIREMENTS

Every HHS organization responsible for operations and maintenance of critical systems and equipment installed in HHS owned or leased facilities is responsible for determining and complying with applicable regulatory requirements, including reporting, as it pertains to a particular system or class of equipment. Good records are invaluable in efforts to protect the safety and health of personnel, to avoid unnecessary/duplicated expenses associated with poor documentation, and to ensure compliance with relevant laws and regulations.

There are no mandatory department level reporting requirements associated with the information discussed in this section. However, there are extensive requirements that must be complied with for documentation, records, and submissions within the regulatory framework.

**SAMPLE: CROSS-CONNECTION CONTROL AND  
BACKFLOW PREVENTION PROGRAM TEMPLATE**

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1. Policy

The purpose of this instruction is to establish and enforce (*ACTIVITY/FACILITY NAME*) procedures and responsibilities for a cross-connection control and backflow prevention program for the potable water systems at (*ACTIVITY/FACILITY NAME*). The cross-connection control and backflow prevention program is established for the purpose of detecting and preventing cross-connections that create or have the potential to create an imminent and substantial danger to public health by and from contamination due to cross-connection. The goal of the cross-connection and backflow prevention program is to ensure safe drinking water under all foreseeable circumstances.

2. Applicable Regulations

The following Federal, state, and local regulations apply to (*ACTIVITY/FACILITY NAME*):

- Safe Drinking Water Act (SDWA), Public Law 93-523.
- **Cite Applicable State Drinking Water Regulations.**
- **Cite Applicable Local Cross-Connection Control And Backflow Prevention Ordinances.**

3. Administration

This program has on-site personnel with designated areas of responsibility.

*3.1 Program Director*

The Program Director is responsible for the overall environmental program and will ensure its implementation.

Name:	Signature:
Title:	Location:
Code:	Phone:

*3.2 Program Coordinator*

The Program Coordinator is responsible for cross-connection control and backflow prevention policy matters and serves as the point of contact for site visits and inspections.

Name	Signature:
Title:	Location:
Code:	Phone:

*3.3 Program Manager*

The Program Manager is responsible for the day-to-day implementation of the cross-connection control and backflow prevention program.

Name:	Signature:
Title:	Location:
Code:	Phone:



3.4 Other Responsible Personnel (e.g., Medical Officer, Staff Civil, etc.)

The Activity/Facility will provide the number of signature blocks as necessary.

Name:	Signature:
Title:	Location:
Code:	Phone:

4. Procedures

4.1 New Facilities

New facilities are to be designed without cross-connections. The design must provide adequate backflow protection through the use of approved backflow preventers (BFPs). BFP selection should be based on the Degree of Hazard associated with the cross-connection. Plans and specifications for new facilities must be provided to (PROVIDE CODE AND/OR NAME) for technical review prior to construction.

Design changes to the potable water system (or any system making a direct or indirect connection to the potable water system) must be reviewed by (PROVIDE CODE AND/OR NAME) before being finalized.

All newly installed BFPs will be tested and certified before being placed into service.

4.2 Existing Facilities

A qualified inspector (certified tester) will perform a cross-connection control and backflow prevention survey of the facility. The survey will be performed annually and will include a review of the facility's entire internal water plumbing system, including the various outlets, water-using equipment, etc. From the data collected in the survey, the inspector shall identify:

- location of possible or actual cross-connections
- degree of hazard
- location and adequacy of existing BFPs
- need for installation of additional BFPs.

All existing BFPs will be identified, certified for proper installation and operation, and placed into an inventory database during the initial survey of the facility. A history file for each building will be established during the initial survey. This file will contain results of the building survey, a description and location of each potential cross-connection site, and a list of each nonpotable liquid system and potable water system connections. This file will be updated annually or when changes are made to the system.

BFPs will be certified using test equipment and test procedures conforming to those outlined in the latest edition of the "Cross-Connection Control Manual" published by the Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR) or Manual M14 published by American Water Works Association (AWWA). Only tests performed by certified testers will be considered official tests. BFPs will be tested and certified on an annual basis for BFPs with a low hazard classification and every 6 months for BFPs with a high hazard certification.

When cross-connections are identified, the problem will be eliminated or isolated by installing an approved BFP. Installation of the BFP will comply with the criteria set forth by applicable Federal, state, and local laws codes/regulations and the manufacturer's recommendations. Termination of water service is required in situations where illness or death is attributable to the lack of, or inadequate maintenance of, a BFP.

Recommendations of the inspector will be forwarded to the Program Manager or his/her designee for implementation. When feasible, all newly installed BFPs will be tested and certified prior to being placed into service. If the device to be installed will cause a reduction in water pressure, building occupants will be notified. Any backflow device to be installed will be selected from the most current list of approved cross-connection control devices. A licensed backflow tester will complete testing and certification, as necessary, prior to placing the system back in service. All certificates will be forwarded to the Program Manager. Copies of certificates will be maintained in the history file.

## 5. Records

### 5.1 Locations of Devices and Types

Historical files will be maintained for each facility. This file will contain results of the building survey, a description and location of each potential cross-connection site, and a list of each non-potable liquid system and potable water system connections. This file will also include a list of BFP device locations and types. This file will be updated annually or when changes are made to the system.

### 5.2 Testing and Maintenance

Records of BFP device inspections, tests, repairs, overhauls, or replacements will be maintained by (ACTIVITY/FACILITY NAME) for a period of not less than 10 years. These records will include documentation to verify that BFPs were properly installed, certified, and maintained.

## 6. Notification

### 6.1 Testing Due

The certification interval for the BFPs will depend on the degree of hazard. For high hazard BFPs, testing and certification will be performed every 6 months, at a minimum. Low hazard BFPs will be tested and certified every 12 months, at a minimum. The certification schedule will be maintained with the building records. The Building Manager will be informed when testing is to take place.

### 6.2 Test Results

Test results will be forwarded to the Program Manager, the Building Manager, and (ENTER OTHERS, AS REQUIRED).

### 6.3 Violations

When violations of codes, regulations, or water standards are detected, the Program Manager and the Building Manager will be notified. If necessary, the water purveyor will be notified of the violation.

6.4 Termination or Denial of Service

If termination of water service is required, a letter will be issued to the building manager of the facility stating the nature of the hazardous condition that threatens the safety of the water system. The building manager will be advised that it is necessary to take steps, including termination of water service, to minimize the danger of contamination and failure to take action could result in illness or death. Water service will not be restored until the deficiency has been corrected or eliminated. Service will be terminated immediately if illness or death can be attributed to a lack of BFPs or a lack of BFP maintenance.

7. Reporting

Following testing and certification all records will be updated and a report will be filed with (PROVIDE CODES AND/OR NAMES). If required, a report will also be filed with the water purveyor.

8. Backflow Prevention Device Tester List

BFPs will be certified using test equipment and test procedures conforming to those outlined in the latest edition of the “Cross-Connection Control Manual” published by the FCCCHR or Manual M14 published by the AWWA.

9. Approved Devices List

All BFPs to be installed will be approved by the state or local agencies.

10. Consumer Education Literature

General consumer education literature can include posters, informational flyers, and articles to be printed in the base newsletter and/or newspaper on a periodic basis.

Annual training in cross-connection control and backflow prevention will be provided to facility occupants at a level commensurate with their assigned duties. Training can be incorporated into general standup training.

### **SAMPLE: CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION AWARENESS TRAINING**

All personnel employed by the facility should receive minimal awareness training to inform them of the importance of cross-connection control and backflow prevention, their role, and health hazards associated with cross-connections. General awareness training should be modified to reflect circumstances specific to the Activity and personnel involved. At a minimum, the following should be covered:

1. What is a cross-connection?

A cross-connection is any direct (such as with plumbing) or indirect (such as with hydrant hose) connection between a potable (drinking) water source and a nonpotable source of water or wastewater. Drinking water is any part of the Activity potable water system, whether it comes from a water fountain or a fire hydrant.

2. What is a cross-connection control?

Cross-connection control is a system by which the above connections are eliminated or prevented from ever happening.

3. What is backflow?

Backflow is the flow of nonpotable water (contaminated or potentially contaminated water) into the potable water system. It can happen in either of two ways: backpressure or backsiphonage. Backflow from backpressure occurs when the pressure from a system is greater than the potable water system pressure and is forced into the drinking water supply. Backsiphonage occurs when the potable water supply system experiences negative pressure and nonpotable water is drawn or sucked into the potable water system. For either type of backflow to occur there must be either a direct or indirect connection to the potable water system.

4. What is backflow prevention?

Sometimes, a cross-connection must be made/is unavoidable. When this is the case, a mechanical device called a backflow preventer must be used. These devices are used to prevent the flow of nonpotable (contaminated or potentially contaminated) water/wastewater into the potable water system. There are many types of backflow preventers, and the type that is installed in a particular setting is based on the degree of hazard.

5. What is the best way to prevent backflow?

The best way to prevent backflow is to eliminate any connection, direct or indirect, between the potable water system and the nonpotable water system. This means rolling hoses when not in use, not submerging hoses when filling tanks, trailers, and waste boxes, and not connecting any machinery or equipment, including portable (field use) equipment to fire hydrants without installing a temporary backflow prevention device. When this is not possible, the Activity's Cross-Connection Program Coordinator (PROVIDE CODE AND/OR NAME) at (PROVIDE PHONE NUMBER) must be contacted to review the situation. Remember DO NOT connect anything to the potable water system that you would not want to drink.

6. What is an example of a cross-connection?

An exterminating contractor created a cross-connection when diluting highly toxic insecticide, chlordane, by submerging a garden hose into this material. A break in the water pressure resulted in a backsiphonage of the poisonous contents of the drum through the hose service connection and into the water supply. This incident illustrates the danger of cross-connection and indicates the need for the provision of backflow preventers. If you see similar cases, the Activity's Cross-Connection Program Coordinator (PROVIDE CODE AND/OR NAME) at (PROVIDE PHONE NUMBER) must be contacted to review the situation.



United States Department of  
**Health & Human Services**

**5**

## **Disposal & Remediation**



**Office for Facilities Management and Policy**

*Office of the Assistant Secretary for Administration and Management*

## SECTION 5-1: DISPOSAL and DISPOSITION

5-1-00	Policy
10	Procedures
20	Guidance and Information
30	Reporting Requirements
X5-1-A	GSA Real Property Disposal Process as it Relates to the Environment
X5-1-B	Request for Transfer of Excess Real and Related Personal Property, GSA form 1334

### 5-1-00 POLICY

Real Property or interests therein that are determined to be excess to the needs of HHS are usually disposed of by or through the General Services Administration (GSA). It is the policy of the Administrator, GSA to provide for the transfer of excess real property among Federal agencies to eliminate the need to acquire new real properties. Improvements of no commercial value, after requisite approvals, may be abandoned, donated to public bodies, or destroyed. Under Public Law 93-638, when HHS no longer has a need for real property, it may transfer ownership of the property directly to the tribe for use in the performance of a self-determination contract or to GSA to transfer to the Department of the Interior to take the property in trust for the benefit of the tribe.

#### A. RETENTION OF REAL PROPERTY

Real property may be retained only when one or more of the following factors exist:

1. There is a firm current or foreseeable authorized requirement for the property;
2. The value and characteristics of the property represent the most effective, economical, and timely method of meeting program requirements;
3. The property is needed to protect the Government's investment in an activity by providing for definite and foreseeable expansion requirements.

HHS organizations shall employ the methodology and criteria depicted in the disposition decision tree as an initial tool for identifying property disposal candidates.

#### B. AUTHORITIES/REFERENCES.

The Federal Management Regulation, 41 CFR 102-75, provides additional guidance for disposal actions.

#### C. FEDERAL AGENCIES' HISTORIC PRESERVATION RESPONSIBILITIES WHEN DISPOSING OF REAL PROPERTY UNDER THEIR CONTROL

Federal agencies must, to the extent practicable, establish and implement alternatives, including adaptive reuse, for historic properties that are not needed for current or projected agency purposes. Agencies are required to get the Secretary of Interior's approval of the plans of transferees of surplus federally owned historic properties. Agencies must also review all proposed excess actions to identify any properties listed on or eligible for listing on the National Register of Historic Places. Federal agencies must not perform disposal actions that could result in the alteration, destruction, or modification of a historic or cultural property until Federal agencies have consulted with the SHPO and the Advisory Council.

#### D. TITLE V OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Section 203(k) of the Federal Property and Administrative Services Act of 1949 (FPASA), as amended, authorizes the Secretary of the Department of Health and Human Services (HHS) to convey surplus Federal real properties to eligible applicants to convey surplus Federal real properties to eligible applicants to assist the homeless.

In accordance with Title V of the McKinney – Vento Act, organizations that provide services to the homeless receive priority consideration in the use of Federal surplus real property.

Eligible organizations include states and their political subdivisions and instrumentalities, tax supported institutions, and nonprofit organizations. The Federal Property Assistance Program is administered by this Department's Program Support Center. Entities interested in acquiring Federal surplus property for public health uses may obtain an application instruction packet from the PSC.

#### E. DEFINITIONS

Disposal Agency is defined as the executive agency designated by the Administrator of General Services to dispose of excess or surplus property.

Excess Real Property means any property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof.

No Commercial Value means real property, including related personal property, which has no reasonable prospect of being disposed of at a consideration.

Related Personal Property means any personal property which is an integral part of real property or is related to, designed for, or especially adapted to the functional or productive capacity of the real property and removal of this personal property would significantly diminish the economic value of the real property.

Surplus Real Property is defined as any real property and related personal property reported excess which has been screened for the needs of Federal agencies or waived from such screening by GSA and has not been designated by GSA for utilization by another federal agency.

#### 5-1-10 PROCEDURES

The General Services Administration through the Public Buildings Service (PBS) is responsible for promoting effective use of federal real property assets, as well as the disposal of real property that is no longer mission-critical to federal agencies. With thousands of properties in the federal portfolio, disposing of underused federal property is a considerable task. GSA, working together with partner federal agencies, state, and local governments, non-profit organizations, business groups, and citizens, leaves a lasting positive impact on communities by making valuable government real estate available for numerous public purposes.

A. THE DISPOSAL PROCESS. When disposing of federal real estate, the following process is mandated by federal law, except in situations governed by other laws and regulations. The major steps in this process are illustrated below, but, not every property goes through every step of the process. Exhibit X5-1-A is provided for additional information on the disposal process with emphasis on environmental considerations.

1. Excess Property. When a federal agency no longer needs a property to carry out its program responsibilities, it reports this property as “excess” to its needs.

2. Federal Transfer. GSA first offers excess property to other federal agencies that may have a program need for it. If another federal agency identifies a need, the property can be transferred to that agency.
3. Surplus Property. If there is no further need for the property within the federal government, the property is determined “surplus” and may be made available for other uses through public benefit conveyances (PBC), including homeless use, negotiated sales, or public sales based on GSA's determination of the property's highest and best use.
4. Homeless Conveyance. According to the Department of Housing and Urban Development, if a property is suitable for homeless use, it must first be considered as a homeless conveyance before any other public benefit conveyance can be considered.
5. Public Benefit Conveyance. As a PBC, the property can be substantially discounted in price (up to 100% reduction in fair market value) if it is used for a specific public use that qualifies for a PBC through a partner federal agency.
6. Negotiated Sale. GSA can negotiate a sale at appraised fair market value with a state or local government if the property will be used for another public purpose.
7. Public Sale of Property. If state and local governments or other eligible non-profits do not wish to acquire the property, GSA can dispose of surplus property via a competitive sale to the public, generally through a sealed bid or auction.

#### B. IDENTIFYING AND REPORTING EXCESS REAL PROPERTY

1. OPDIVs, after appropriate internal clearances/approvals are received, shall report excess real property to OFMP/HHS for screening for possible transfer to meet other Departmental needs. Reports shall be submitted at least 120 calendar days in advance of the date such property will become available for transfer or disposal. This notification requirement is applicable even to OPDIVs with delegated authority to excess property without Departmental approval.
2. HHS is designated as the disposal agency for leases, permits, licenses, easements, and similar real estate interests held by the HHS agencies in non-Government owned property. This includes Government-owned improvements located on the premises except when it is determined by either HHS or GSA that the Government's best interests would be served for such disposal to be handled by GSA.

#### C. TRANSFERS OF EXCESS PROPERTY

Transfers of excess property from one agency to another are generally handled with reimbursement equal to the appraised fair market value of the property (deposited into the Treasury as miscellaneous receipts). Upon determination by GSA that a transfer of the property requested is in the best interest of the Government and that the requesting agency is the appropriate agency to hold the property, the transfer may be made among Federal agencies.

Approval of the Office of Management and Budget (OMB) is required if a transfer without reimbursement is proposed or when the transferring agency has requested the net proceeds of the transfer. Transfers without reimbursement are generally processed when the Administrator of General Services, with the approval of the Director, has approved a request for an exception from the 100% reimbursement requirement, or Congress has specifically authorized the transfer without reimbursement. See FMR 41 CFR 102-75 for specifics on transfers without reimbursement and requests for net proceeds from a transfer.



HHS agencies requesting transfers of excess properties should prepare a GSA Form 1334, Request for Transfer of Excess Real and Related Property, (see Exhibit X5-1-B) and forward the completed form to OFMP.

#### D. TRANSFERS FROM IHS

There are statutory provisions that permit transfer of certain excess real property to Indian tribes without screening of other agencies. They include:

1. The Indian Health Transfer Act, Public Law 83-568 of August 5, 1954, transferred Indian Health functions from the Department of Interior, Bureau of Indian Affairs (BIA) to DHHS. Under Section 4 of this Act, the properties of BIA relating primarily to health matters were authorized to be transferred to IHS. In recognition that adjustments would from time to time be called for in the respective real property holdings for the benefit of the Indian tribes, and in order to simplify transfer procedures, a Memorandum of Understanding was entered into in 1961 by the Secretary of the Interior and Secretary of Health, Education, and Welfare, and the Administrator of General Services to cover such transfers as well as retransfers of properties between the two Departments involved. Transfers under that authority, which appears in 41 CFR 102-75.1110, do not require any screening of other agencies.
2. Public Law 93-599, approved January 2, 1975, provides for the transfer, without compensation, of certain excess real properties to the Secretary of the Interior to be held in trust status under BIA in favor of the Indian tribe within whose boundaries such excess property is located or, in Oklahoma, within a former Indian reservation or contiguous to real property now held in trust for an Indian tribe, but only if the property itself was once held in trust by the United States for an Indian tribe. Transfers under this authority do not require any screening of other agencies.
3. The IHS, through §105f of the Indian Self-Determination and Education Assistance Act (Public Law 93-638, as amended) [25 U.S.C. §450j (f)] permits the use, acquisition, or donation of real estate to a tribe, tribal organization, or urban Indian program pursuant to a self-determination contract or grant agreement. IHS may also acquire excess real property and transfer ownership of property to a tribe.

#### 5-1-20 GUIDANCE AND INFORMATION

##### A. DETERMINING ECONOMIC VALUE

1. Government-owned improvements located on land for which HHS has control and accountability may be destroyed after it has been determined that the improvement has no commercial value, or that the estimated cost for continued care, protection, and maintenance would exceed the estimated proceeds of its sale. Improvements with no commercial value owned by the Government may also be abandoned on privately-owned property.
2. No property shall be abandoned or destroyed until the above facts have been determined by a Board of Survey designated by the head of the office or installation having management responsibility for the property. Any official who is directly accountable or responsible for the property shall not serve in any surveying capacity. The survey should determine the original cost of the property (estimated if not known), the estimated cost to the Government for its protection and maintenance, and whether it is dangerous to public health or safety.
3. The criteria of health, safety, and security shall be interpreted literally. Buildings and structures which either have structural defects or are contaminated to the extent that it is impracticable to make them safe or sterile for further use are examples of buildings not meeting these criteria. The

criteria are also applicable to related materials and equipment which have either been contaminated through use in connection with the treatment or research of infectious and contagious disease, or have been subjected to radiation to the extent that it is not practicable to sterilize or neutralize them. The dictates of security policy or regulations require that such property be destroyed when it is no longer of any value or use for the purpose of which it was originally intended.

4. A Request for Transfer of Excess Real and Related Personal Property, in the format shown in Exhibit X5-1-B must be completed in each instance, initiated by the OPDIV, signed by the survey board members, and submitted to the individual delegated with disposal authority for a decision as to whether the property is dangerous to the extent of requiring special safeguards. Based upon the recommendations of the survey board, the individual delegated with disposal authority will then decide whether the property should be retained, destroyed, or abandoned. A copy of the approved Report of Survey will be furnished to the HHS agency.
5. The completed Survey Report must be forwarded to GSA for concurrence when the property either (a) had an original cost of more than \$50,000, (b) is of permanent type construction, or (c) would enhance the value of the underlying land, if retained.
6. When abandonment or donation has been authorized, the OPDIV shall give public notice in accordance with the instructions in FMR 41 CFR 102-75.

## B. CUSTODY/ACCOUNTABILITY FOR EXCESS REAL PROPERTY

Once the Report of Excess is reviewed and accepted by the GSA, it will provide an acceptance date and a GSA Control number.

The HHS agency will be responsible for the expense of physical care, handling, protection, maintenance, and repair of excess and surplus real property, pending its transfer or disposal, for not more than 12 months plus the period to the first day of the succeeding quarter of the fiscal year after the date the property is accepted by GSA for disposition. In the event the property is not transferred to a Federal agency or disposed of during that period, the expense of physical care, handling, protection, maintenance, and repair of such property thereafter will be assumed by GSA. Guidelines for protection and maintenance contained in FMR 41 CFR 102-75 should be followed. This responsibility will include the minimum services necessary to preserve the Government's interest, and will continue to be exercised until the actual transfer or disposal of the property.

Excess real property which has been reported to and accepted by the GSA must remain in the HHS agency's Real Property Inventory system until final disposition has been acknowledged by the GSA.

### 5-1-30 REPORTING REQUIREMENTS

When buildings or other improvements are excessed without the underlying land, an original only of SF 118 and SF 118A, Report of Excess Real Property, prepared in accordance with GSA instructions in FMR 41 CFR 102-75, will be submitted to OFMP. The report will include a request, inserted in Block 18, that GSA acts as the disposal agency for the property and a statement that "This property has been screened against the known needs of the Department."

The report will be reviewed by OFMP and screened against departmental requirements delineated in approved long-range facility plans. If a requirement exists, the Deputy Assistant Secretary for Facilities Management and Policy will authorize transfer between the HHS Agencies. When no departmental need is determined by the OFMP screening procedure, the Report of Excess will be directed to the appropriate GSA regional office in the required number of copies (original plus 4 copies). The holding agency will be notified of this action by copy of the report.

Reports of excess property for lands which are under the custody and responsibility of the Department and which have been withdrawn or reserved from the public domain will follow the same procedures outlined in paragraph B. above, insofar as HHS and the agencies are concerned. OFMP will file with the Department of the Interior the required notice of intention to relinquish the property, and will forward a copy of the notice to the appropriate GSA regional office. The SF 118 will not be completed and processed unless the Secretary of the Interior, with concurrence of the Administrator of General Services, determines that the land is not suitable for return to the public domain. See FPMR 101-47.202-6.

The following excess real property under the custody and responsibility of the Department is not required to be reported to GSA:

- Buildings or structures to be dismantled or removed to make way for new construction on the same site, provided the removal is incorporated in the new construction contract.
- Buildings or other structures for relocation to a new site where the land underlying the dismantled property is not excess.

Where Government-owned land is involved, the OPDIV will submit to OFMP an original of SF118 and schedules A, B, and C, as necessary, including legible copies of documents relating to the Government's title to the land, base on the agency records. Also required is a report which will contain all the information required in FPMR 107-47.202-2, including the legislative jurisdiction, if any, of the United States over the land, together with a citation of the basis of such jurisdiction. The report must also certify that the facilities are in compliance with 40 CFR 761, "Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions." This rule severely restricts the use, handling, storage, and disposal of PCBs.

## GSA Real Property Disposal Process as it Relates to the Environment

**Step 1:** The holding agency declares the property excess.

**Step 2:** The holding agency completes a National Environmental Policy Act (NEPA) analysis on the effect of its decision to declare the property excess.

**Step 3:** The holding agency submits a Report of Excess (ROE) to GSA. The ROE must include information about:

- Hazardous substances, as defined by CERCLA
- Underground Storage Tanks
- Asbestos, Lead-Based Paint, Polychlorinated Biphenyls
- Floodplains, Wetlands, Coastal Zone Management
- Endangered Species
- Historic and Cultural Resources

**Step 4:** GSA will screen the property to determine if the property will be:  
Transferred to another federal agency  
Declared Surplus

**Step 5:** If the property is declared surplus, then GSA must make a decision about a proper disposal action. The property can be:

1. Provided for public uses such as -
  - Correctional facility
  - Emergency management response
  - Homeless assistance
  - Historical monument
  - Law enforcement
  - Nonprofit educational institution
  - Nonprofit public health institution
  - Port facility
  - Public airport
  - Public park or recreation area
  - Self-help housing
  - Wildlife conservation
2. Disposed of through a negotiated sale
3. Disposed of through a public sale

**Step 6:** GSA must complete a NEPA analysis on the effect of its proposed disposal action.

**Step 7:** GSA must determine if the disposal action affects Floodplains, Wetlands, Endangered Species, Coastal Zone Management, or Historic and Cultural Resources.

**Step 8:** GSA must include in the Invitation for Bid or in the conveyance document statements about the:

- Presence of hazardous substances as defined by CERCLA
- Presence of Underground Storage Tanks
- Presence of Asbestos, Lead-Based Paint, Polychlorinated Biphenyls
- Existence of Floodplains, Wetlands
- Issues related to Coastal Zone Management, Endangered Species, or Historic and Cultural Resources

<b>REQUEST FOR TRANSFER OF EXCESS REAL AND RELATED PERSONAL PROPERTY</b>	1. GSA CONTROL NO.	PAGE OF PAGES	<b>THIS BLOCK FOR USE BY AGENCY RECEIVING REQUEST</b>	
	2. DATE OF REQUEST		DATE REQUEST RECEIVED	
3. TO (Name, address and ZIP Code of agency being requested to transfer the property)	4. FROM (Name, address and ZIP Code of agency requesting transfer of the property)		HOLDING AGENCY NO. <i>(If any)</i>	
			ACQUISITION COST	
			\$ APPRAISED FAIR MARKET VALUE	
			REIMBURSEMENT	
				\$
5. REQUESTING AGENCY'S REPRESENTATIVE TO BE CONTACTED FOR FURTHER INFORMATION (Name, address and ZIP Code)		6. PROPERTY IDENTIFICATION AND ADDRESS (Include ZIP Code)		

REAL PROPERTY REQUESTED					
A. STRUCTURES			B. LAND		C. UTILITIES
USE (a)	NUMBER OF BUILDINGS (b)	FLOOR AREA (Sq. Ft.) (c)	GOVERNMENT'S INTEREST (a)	AREA (Acres or Sq. Ft.) (b)	
(1) OFFICE			(1) FEE		
(2) STORAGE			(2) LEASED		
(3) OTHER (Specify)			(3) OTHER (Specify)		
(4) TOTAL			(4) TOTAL		

8. RELATED PERSONAL PROPERTY REQUESTED	9. ARE FUNDS AVAILABLE FOR REIMBURSEMENT FOR THE TRANSFER OF THIS PROPERTY?  <input type="checkbox"/> YES <input type="checkbox"/> NO
--	---

**10. CERTIFICATION**

Certification is hereby made that this agency has a need for the property identified above to carry on an approved program, that the transfer thereof to this agency for the purposes indicated would be in accord with the intent of the Congress with respect to that program; that the requirement cannot be satisfied by better use of this agency's existing property; and that the proposed land use is consistent with FPMR 101-47.201-1 and 201-2. The statement of justification under block 11 below for the transfer of the property requested is complete and accurate.

SIGNATURE	TITLE	DATE

**11. STATEMENT OF JUSTIFICATION** (This statement must include data with respect to all factors covered in FPMR 101-47.4904-1(c) Block 11, Instructions for Preparation of GSA Form 1334).

## SECTION 5-2: DECONTAMINATION

5-2-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 5-2-00 POLICY

In HHS facilities where hazardous agents have been used, they must be decontaminated in accordance with applicable laws, regulations, and guidelines prior to disposal of the property. Where hazardous materials were used in the construction, remodeling, or rehabilitation of the facility, those hazardous materials must also be disposed of if such action is required by applicable Federal and local laws and regulations.

#### A. HAZARDOUS SUBSTANCES

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 USC 9601 et seq.) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP, 40 CFR 300) establish the requirements and procedures for the cleanup of sites that have been contaminated by releases of hazardous substances. Furthermore, CERCLA requires that a deed for federally owned property being transferred outside the government must contain a covenant that all remedial action necessary to protect human health and the environment has been taken, and that the United States shall conduct any additional remedial action "found to be necessary" after transfer. Within the established restoration process, it is the OPDIV's responsibility, in conjunction with regulatory agencies, to select cleanup levels and remedies that are protective of human health and the environment. The environmental restoration process also calls for public participation, so that decisions can be made with the benefit of community input.

#### B. ASBESTOS CONTAINING MATERIAL

HHS policy with regard to asbestos-containing material (ACM) is to manage ACM in a manner protective of human health and the environment, and to comply with all applicable federal, state, and local laws and regulations governing ACM hazards. Therefore, unless it is determined by competent authority that the ACM in a property does pose a threat to human health at the time of transfer, all property containing ACM will be conveyed, leased, or otherwise disposed of "as is" through the transfer process. Prior to property disposal, all available information on the existence, extent, and condition of ACM shall be incorporated into the Environmental Baseline Survey (EBS) report or other appropriate document to be provided to the transferee.

#### C. LEAD-BASED PAINT

HHS policy with regard to lead-based paint (LBP) is to manage LBP in a manner protective of human health and the environment, and to comply with all applicable federal, state, and local laws and regulations governing LBP hazards. The provisions of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of P.L. 102-550) concerning the transfer of Federal property for residential use are applicable. The Act also made Federal agencies subject to all federal, state, interstate, and local substantive and procedural requirements respecting LBP and LBP hazards (see 15 U.S.C. 2688). Therefore, there may be more stringent local requirements applicable to Federal property transfers.

#### D. RADON

In response to concerns with the potential health effects associated with radon exposure, and in accordance with the Indoor Radon Abatement provisions of Subchapter III of the Toxic Substances Control Act, Title 26 U.S.C. 2661 to 267, it is HHS policy to ensure that any available and relevant radon assessment data pertaining to property being transferred shall be included in property transfer documents. However, it is not policy to perform radon assessment and mitigation prior to transfer of property unless otherwise required by applicable law.

#### E. MERCURY

The Resource Conservation and Recovery Act requires the proper classification of hazardous waste prior to disposal. Operations of the department have utilized mercury for various activities and due to the unique properties of mercury this compound typically is deposited under casework, temporary floors and other low lying areas. Left unaddressed this material would end up in local landfills and incinerators. Therefore it is HHS policy that mercury surveys and cleanup of contamination be performed prior to disposal of space.

### 5-2-10 PROCEDURES

OPDIVs must accurately identify all hazardous agents used in the facility as well as all hazardous materials used in construction or any other subsequent remodeling or rehabilitation of the facility. OPDIVs must decontaminate the facility in accordance with all Federal and local government laws and regulations and industry standards for the neutralization, destruction, removal, or disposal of hazardous agents and hazardous materials in accordance with Federal and local government laws and regulations prior to disposal of the facility. (In some cases, the law may allow transfer of a property without removal of certain hazardous materials. For example, it is normally not required to remove asbestos that is in good condition (intact) and non-friable. However, at a minimum there are probably legal requirements to identify that asbestos is present.)

### 5-2-20 GUIDANCE AND INFORMATION

#### A. HAZARDOUS AGENTS

Major Agent Categories as defined by the National Library of Medicine (NLM) include: Biological Agents, Metals, Mineral Dusts, Nitrogen Compounds, Other Chemicals, Pesticides, Plastics & Rubber, Solvents, and Toxic Gases & Vapors. A recommended source of excellent specific information is the NLM internet link at <http://hazmap.nlm.nih.gov/>.) The following list includes some of the types of hazardous agents that may be found in HHS facilities.

- Blood borne Pathogens.
- Indigenous moderate risk agents (e.g. Hepatitis B Virus, Salmonellae, Toxoplasma spp.).
- Indigenous or exotic agents with a potential for respiratory transmission which may cause serious and potentially lethal infection (e.g. Mycobacterium Tuberculosis, St. Louis Encephalitis Virus).
- Dangerous and exotic agents which pose a high individual risk of life-threatening disease which may be transmitted via the aerosol route, and for which there is no available vaccine or therapy.
- Recombinant DNA.
- Chemicals including carcinogens, compressed gases, corrosives, explosives, flammables, irritants, lacrimators, mutagens, oxidizers, and stench, toxins.
- Radioactive Materials.
- Building Materials, such as asbestos and lead.

## B. BIOHAZARDS AND PRINCIPLES OF BIOSAFETY

The term "containment" is used in describing safe methods for managing infectious materials in the laboratory environment with the intent to reduce or eliminate exposure of laboratory workers, other persons, and the outside environment to potentially hazardous agents.

- Primary containment - the protection of personnel and the immediate laboratory environment from exposure to infectious agents, is provided by both good microbiological technique and the use of appropriate safety equipment.
- Secondary containment, the protection of the environment external to the laboratory from exposure to infectious materials, is provided by a combination of facility design and operational practices.
- The three elements of containment include laboratory practice and technique, safety equipment, and facility design. The risk assessment of the work to be done with a specific agent will determine the appropriate combination of these elements.

Facility Design and Construction (Secondary Barriers) commensurate with the laboratory's function and the recommended biosafety level (BSL) for the agents being manipulated, contributes to the laboratory workers' protection, provides a barrier to protect persons outside the laboratory, and protects persons or animals in the community from infectious agents which may be accidentally released from the laboratory.

- Biosafety Level 1 represents a basic level of containment that relies on standard microbiological practices with no special primary or secondary barriers recommended, other than a sink for hand washing.
- Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community and associated with human disease of varying severity.
- Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

Personnel requiring authoritative information, guidance, and procedures for controlling the risks associated with biohazards should refer to the latest edition of CDC/NIH "Biosafety in Microbiological and Biomedical Laboratories".

## C. ASBESTOS

Asbestos-containing material shall be remediated prior to property disposal only if it is of a type and condition that is not in compliance with applicable laws, regulations, and standards, or if it poses a threat to human health at the time of transfer of the property. This remediation may be accomplished by the transferee under a negotiated requirement of the contract for transfer, sale, or lease. The remediation discussed above will not be required when the buildings are scheduled for demolition by the



transferee; the transfer document prohibits occupation of the buildings prior to the demolition; and the transferee assumes responsibility for the management of any ACM in accordance with applicable laws.

#### D. LEAD BASED PAINT

The provisions of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of P.L. 102-550) are applicable to target housing (housing constructed prior to 1978), with limited exceptions for housing for the elderly or persons with disabilities or any 0-bedroom dwelling.

- Target housing constructed after 1960 and before 1978 must be inspected for LBP and LBP hazards. The results of the inspection must be provided to prospective purchasers or transferees of property, identifying the presence of LBP and LBP hazards on a surface-by-surface basis. There is no Federal LBP hazard abatement requirement for such property. In addition, prospective transferees must be provided a lead hazard information pamphlet and the contract for sale or lease must include a lead warning statement.
- Target housing constructed before 1960 must be inspected for LBP and LBP hazards, and such hazards must be abated. The results of the LBP inspection will be provided to prospective purchasers or transferees of property identifying the presence of LBP and LBP hazards on a surface-by-surface basis and a description of the abatement measures taken. In addition, prospective transferees must be provided with a lead hazard information pamphlet and the contract for transfer must include a lead warning statement.

The inspection and abatement discussed above will not be required when the building is scheduled for demolition by the transferee and the transfer document prohibits occupation of the building prior to the demolition, or if the building is scheduled for non-residential use.

## SECTION 5-3 MOTHBALLING/WINTERIZATION OF VACANT BUILDINGS

5-3-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)

### 5-3-00 POLICY

Vacant HHS property and buildings shall be protected and secured from the weather, unauthorized use, and vandalism.

### 5-3-10 PROCEDURES

#### A. WINTERIZATION

All water should be drained from plumbing systems and equipment. All plumbing traps should be filled with antifreeze. All openings subject to air and water infiltration should be covered.

#### B. PROTECTION

All openings to vacant HHS buildings should be locked and secured. The area around vacant buildings should be fenced and secured. Periodic inspections of vacant HHS facilities should be conducted.

### 5-3-20 GUIDANCE AND INFORMATION

When vacating leased HHS Facilities, the OPDIV or GSA should remove all Government property and improvements. The Existing Condition Survey will be the basis for determining the Government's responsibility at the termination of the lease. See also the discussion in Chapter 5 about "Vacating the Premises (Actions when Moving out of Expired or Terminated Leases)."

SECTION 5-4 ADAPTIVE REUSE OF HHS FACILITIES

5-4-00 Policy  
10 Procedures  
20 Guidance and Information  
30 (Reserved)

5-4-00 POLICY

Prior to excess or disposal of an HHS facility, the OPDIV shall evaluate to determine if the facility can be adapted to meet mission dependent functions. If the OPDIV cannot use the facility to meet OPDIV mission dependent functions, then the OPDIV shall afford the opportunity to HHS to determine if there is another OPDIV or HHS that can adapt and reuse the facility to meet their mission dependent program(s).

5-4-10 PROCEDURES

The OPDIV should develop a draft program document that addresses the following factors:

- Ability to meet the requirements in the draft programmatic document;
- Adequate Space to Meet the Requirements;
- Configuration of Space to Meet the Requirements (i.e. functional and adjacency requirements. If there is a need for the space to be contiguous, it should be required in the draft programmatic document. The efficiency of circulation between and within space should be considered);
- Adequate Structural Capacity (i.e. the structural system of the building must be able to accommodate OPDIV or HHS mission dependent needs with respect to load capacity and column spacing);
- Adequate Building Systems (i.e. HVAC, plumbing, fire protection, electrical, and communications systems must be adequate to meet OPDIV or HHS mission dependent needs);
- The Ability to Deliver a Turnkey Facility in accordance with the Government’s Requirements (i.e. minimum construction needed to meet the OPDIV and HHS requirements, least amount of construction is desirable to allow the new user to occupy the space sooner at a lower cost); and
- Consideration should be given to the ability to deliver the space at the earliest possible date in a cost efficient manner.

5-4-20 GUIDANCE AND INFORMATION

Many types of buildings (such as laboratories, warehouse, retail, etc.) can be converted into office space.

ADAPTIVE REUSE SUGGESTIONS

<b>Current Use</b>	<b>Potential Uses</b>	<b>Limiting Factors</b>
Laboratories	Office Space	
Instrument Labs	Warehouse*, Education Space, Conference Space, Fitness Centers, and Office Space	*Structural loads are critical
Hospital/Clinics	Laboratories*, Office Space	*Must be able to accommodate a lab module of 11’-0 x 22’-0”
Warehouse	Laboratories*, Libraries, Education Space, Fitness Centers, Conference Space, and Office Space	

SECTION 5-5 EVALUATION OF DISPOSAL PROPERTIES OFFERED FOR HHS USE

5-5-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)
X5-5-A	Suggested Site Evaluation Factors
X5-5-B	Site Utilities Checklist
X5-5-C	Individual Building Checklist

5-5-00 POLICY

HHS will evaluate real property to be disposed of by other Federal Agencies to determine its suitability to meet HHS requirements and for possible transfer and reuse by HHS.

5-5-10 PROCEDURES

Under the direction of OFMP, HHS ad-hoc evaluation teams will be formed to evaluate properties being disposed of by other Federal agencies to determine their potential for HHS use and make recommendations to the Secretary as to whether HHS should pursue a request for transfer of the real property that is excess to another agency's needs.

5-5-20 GUIDANCE AND INFORMATION

The following exhibits may be used and modified as appropriate by the ad-hoc teams in evaluation of disposed Federal real property for HHS use:

- X5-5-A.....Suggested Site Evaluation Factors
- X5-5-B.....Site Utilities Checklist
- X5-5-C.....Individual Building Checklist

## **SUGGESTED SITE EVALUATION FACTORS**

### **A. Ability to meet the Function as Intended**

1. Adequate Space to Meet the Requirements-  
*There must be adequate space to meet HHS needs*
2. Configuration of Space to Meet the Requirements-  
*The space meets HHS's functional and adjacency requirements. The efficiency of circulation between and with space should be considered.*
3. Adequate Structural Capacity-  
*The structural system of the property must be able to accommodate HHS needs. Unusual HHS structural requirements should be considered and evaluated.*
4. Adequate Building Systems-  
*The building systems (i.e. HVAC, plumbing, fire protection, electrical and communications systems) must be adequate to meet HHS's needs. Unusual HHS building systems requirements should be considered and evaluated.*

### **B. Ability to Deliver a Turnkey Facility in Accordance with the Government's Requirements**

1. Minimum construction needed to meet the Government's Requirements-  
*Facilities that meet the requirements "as is" or with the least amount of construction are desirable because it will allow the HHS to occupy the space soon after transfer or purchase.*
2. Opportunities with earliest delivery date or availability coincident with timing of requirement-  
*Consideration should be given to the ability to deliver the space at the earliest possible date in a cost efficient manner.*

### **C. Transportation**

1. Highway Access-  
*The property should be located on or very close to an arterial street as defined by the local planning jurisdiction.*
2. Parking-  
*The property should be located in an area where there is adequate parking for HHS staff.*
3. Public Transportation-  
*The property should be located within 2,500 feet walking distance to mass transit.*
4. Pedestrian Traffic-  
*The property should be accessible to pedestrians without major conflicts with vehicular and service traffic.*
5. Emergency Access-  
*All occupied structures on the property should be accessible on all sides to emergency response vehicles and personnel.*
6. Service Access-  
*The property should be accessible to service vehicles and have adequate loading docks to accommodate the needs of HHS mission.*
7. Architectural and Transportation Barriers-  
*The property should be accessible to persons with disabilities free of architectural and transportation barriers in accordance with the Americans with Disabilities Act and/or state or local regulations and laws.*

### **D. Neighborhood Amenities**

1. Eating Establishments-  
*The property should be in close proximity to eating establishments (within a \_\_\_ minute walking distance).*

2. Shopping-  
*The property should be in close proximity to shopping facilities.*
3. Postal Services-  
*The property should be in close proximity to postal services.*
4. Healthcare-  
*The property should be in close proximity to healthcare facilities.*
5. Quality-  
*The property should be located in a neighborhood that is well maintained and free of blight.*
6. Other

#### **E. Energy**

1. Energy efficient construction, equipment and fixtures-  
*The buildings on the property should be constructed to meet federal energy requirements in accordance with the Energy Policy Act of 1992.*

#### **F. Security**

1. Site Security-  
*The property should have the ability to implement security requirements in accordance with the Vulnerability Assessment of Federal Facilities report of the U.S. Department of Justice, June 28, 1995 or other applicable Federal policy.*
  - a. Grouping of Structures-  
*The grouping of structures should reinforce associations of mutual benefit. There should be delineated paths of movement; there should be defined areas of activity for particular users through their juxtaposition with internal work areas, and provides for natural opportunities for visual surveillance. The grouping of buildings should promote a clear understanding of the function of the space.*
  - b. Visibility of Streets and Open Space-  
*Streets and open spaces should be visible from the workspace within the property. Building entrances and lobbies should be visible from the street.*
  - c. Subdivision of the Site-  
*The site should be subdivided so that all of its areas relate to a particular building or group of buildings. The area surrounding a building should be perceived by occupants as an outdoor extension of their workspace. As such, it comes under their continued use and surveillance. Persons using those areas should feel they are under the natural observation of their co-workers.*
  - d. No Unassigned Areas-  
*No area should be unassigned or simply left "public". Outdoor space should be allocated to specific buildings or building clusters.*
  - e. Boundaries-  
*Physical barriers or symbolic barriers should define the property's boundaries. The barriers should separate public from semi-public areas of the property, provide transition from outdoors to indoors, divide the semi-public space of building lobby from the corridors.*
  - f. Physical Barriers-  
*The property should feature physical barriers such as fences, walls and berms that limit access to facilities by unauthorized persons. Certain areas such as maintenance yards, hazardous material storage, etc. will require fencing.*
  - g. Symbolic Barriers-  
*The property should feature symbolic barriers such as plants, low walls, doors, berms, change in level, and security desks that will discourage unauthorized entry by making distinctions between the occupants and the visitor. The use of symbolic barriers should not limit*

*or block emergency access or access to emergency systems such as fire hydrants, electric disconnects switches, and gas shut-off valves.*

h. Surveillance-

*The buildings and structures on the property should promote the ease of surveillance by staff and security personnel. The surveillance system should be obvious to make a potential intruder aware that any overt act or suspicious behavior will come under the scrutiny of the facility's occupants.*

**G. Absence of Environmental Impacts.**

1. Air Quality - *The building systems or operations should not affect air quality.*
2. Hazardous Waste - *The site should be free of medical pathological waste, radioactive materials, chemicals, lead, asbestos and other hazardous materials.*
3. Storage Tanks - *The site should be free of underground storage tanks.*
4. Abandoned Storage Tanks - *The site should be free of abandoned tanks.*
5. Electrical Transformers - *Transformers and other electrical equipment should be free of PCBs.*
6. Sewage Treatment - *On-site sewage treatment plants should have permit to operate and comply with EPA Standards.*
7. Sanitary Landfill - *On-site landfills have a permit to operate and adequate drainage.*

If the site adversely affects the environment, who will be responsible for mitigating environmental impacts once HHS takes possession?

**H. Historic Preservation**

1. Properties eligible or listed on National Register for Historic Places - *Are historic properties identified? Will historic properties affect HHS or OPDIV missions? Can the loss of historic property be mitigated by documentation or other consideration?*

**SITE UTILITIES CHECK LIST**

**1. Domestic Water Supply**

- a. Domestic Water Source: \_\_\_\_\_
- b. Adequate Water Pressure: Yes ( ) No ( )
- c. Service Meter: Individual ( ) Master ( )
- d. On site water treatment Plant: Yes ( ) No
- e. Quality of Water: Excel ( ) Good ( ) Fair ( ) Poor ( )
- f. Distribution System Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- g. Maintenance Responsibility: \_\_\_\_\_
- h. Storage Underground: \_\_\_\_\_ Gallons
- i. Storage Aboveground: \_\_\_\_\_ Gallons
- j. Domestic water Supply Comments: \_\_\_\_\_

**2. Sanitary Sewer System-Collection:**

- a. Sewer System: \_\_\_\_\_
- b. Sewer System Type: \_\_\_\_\_
- c. Sewer Piping Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- d. Maintenance Responsibility: \_\_\_\_\_

**3. Treatment:**

- a. On-Site Sewage Treatment Plant: Yes ( ) No ( )
- b. Plant Type: \_\_\_\_\_
- c. Plant Capacity: \_\_\_\_\_ Gallons per day
- d. Plant Capacity Adequate: Yes ( ) No ( )
- e. Maintenance Responsibility: \_\_\_\_\_
- f. Plant Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- g. Sanitary Sewer Comments: \_\_\_\_\_

**4. Storm Drainage:**

- a. Drainage System Type: \_\_\_\_\_
- b. Downspouts or Roof Drains: Yes ( ) No ( )
- c. Site Grading System Adequate: Yes ( ) No ( )

**5. Heating**

- a. District Heating: Yes ( ) No ( )
- b. Type: \_\_\_\_\_
- c. Steam Boiler Type(s): \_\_\_\_\_
- d. Fuel: \_\_\_\_\_
- e. Adequate Capacity: Yes ( ) No ( )
- f. Condition of Boilers/Equipment: Excel ( ) Good ( ) Fair ( ) Poor ( )
- g. Condition of Distribution Sys.: Excel ( ) Good ( ) Fair ( ) Poor ( )
- h. Individual Building Systems: Yes ( ) No ( )
- i. Type: \_\_\_\_\_
- j. fuel: \_\_\_\_\_
- k. Heating Comments: \_\_\_\_\_



**6. Cooling**

- a. District Cooling: Yes ( ) No ( )
- b. Type: \_\_\_\_\_
- c. Chiller Type(s): \_\_\_\_\_
- d. Fuel: \_\_\_\_\_
- e. Adequate Capacity: Yes ( ) No ( )
- f. Condition of Chiller/Equipment: Excel ( ) Good ( ) Fair ( ) Poor ( )
- g. Condition of Distribution Sys.: Excel ( ) Good ( ) Fair ( ) Poor ( )
- h. Individual Building Systems: Yes ( ) No ( )
- i. Type: \_\_\_\_\_
- j. fuel: \_\_\_\_\_
- k. Cooling Comments: \_\_\_\_\_

**7. Natural Gas**

- a. Gas Company: \_\_\_\_\_
- b. Available: Yes ( ) No ( )
- c. Interruptible: Yes ( ) No ( )
- d. Adequate Capacity: Yes ( ) No ( )
- e. Condition of Distribution Sys.: Excel ( ) Good ( ) Fair ( ) Poor ( )
- f. Maintenance Responsibility: \_\_\_\_\_

**8. Electrical Service**

- a. Electric Company: \_\_\_\_\_
- b. Primary Service Characteristics: \_\_\_\_\_
- c. Primary Service Distribution: Underground ( ) Above ground ( )
- d. Substations: Yes ( ) No ( )
- e. Transformer Ownership: \_\_\_\_\_
- f. Transformer Primary Voltage Rating: \_\_\_\_\_
- g. Transformer KVA Rating(s): \_\_\_\_\_
- h. Transformer Cooling: \_\_\_\_\_
- i. Transformer PCBs: Yes ( ) No ( )
- j. Transformer Mounting: Pole ( ) Pad ( ) Platform ( ) Vault ( )
- k. Secondary Service Characteristics: \_\_\_\_\_
- l. Secondary Service Distribution: Underground ( ) Above ground ( )
- m. On-site Distribution Ownership: \_\_\_\_\_
- n. Maintenance Responsibility: \_\_\_\_\_
- o. Electric System Adequate? Yes ( ) No ( )
- p. Electric System Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- r. Electric Meters: Primary ( ) Secondary ( )  
Individual-Buildings ( ) Master ( )

**9. Telephone Service:**

- a. Telephone Company: \_\_\_\_\_
- b. Incoming Telephone Service: Underground ( ) Above ground ( )
- c. On-site Telephone Distribution: Underground ( ) Above ground ( )
- d. Telephone Equipment Location: \_\_\_\_\_

- e. Telephone System Adequate? Yes ( ) No ( )
- f. Telephone System Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- g. Pay Telephones for the Public: Yes ( ) No ( )

**10. Communications and Signals:**

- a. Types: \_\_\_\_\_
- b. On-site Distribution: Yes ( ) No ( )
- c. Equipment Location: \_\_\_\_\_
- d. System Adequate: Yes ( ) No ( )
- e. System Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- f. P/A system: Yes ( ) No ( )

**11. Site Lighting:**

- a. Luminaire Type: \_\_\_\_\_
- b. Mounting: Pole ( ) Building ( ) Other ( )
- c. Lighting Control: \_\_\_\_\_
- d. Equipment Ownership: \_\_\_\_\_
- e. Maintenance Responsibility: \_\_\_\_\_
- f. Lighting Adequate? Yes ( ) No ( )
- g. Equipment Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

**12. Miscellaneous Site Utilities:**

- a. Types: \_\_\_\_\_
- b. On-site Distribution: Yes ( ) No ( )
- c. Equipment Location: \_\_\_\_\_
- d. System Adequate: Yes ( ) No ( )
- e. System Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

### INDIVIDUAL BUILDING CHECK LIST

- 1. Number: \_\_\_\_\_
- 2. Building Name: \_\_\_\_\_
- 3. Function: \_\_\_\_\_

#### A. GENERAL:

- 1. Number of Floors: \_\_\_\_\_
- 2. Gross Square Feet: \_\_\_\_\_
- 3. Net Usable Square Feet: \_\_\_\_\_
- 4. Construction Date: \_\_\_\_\_
- 5. General Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )
- 6. Special Function: Yes ( ) No ( )
- 7. Use Group: A( ) B( ) E( ) F( ) H( ) I( ) M( ) R( ) S( ) U( )
- 8. Construction Type: 1( ) 2( ) 3( ) 4( ) 5( )
- 9. Accessibility: Full( ) Limited( ) Not Accessible( )
- 10. Historic Significance: Yes ( ) No ( )
- 11. Historic Eligibility: Yes ( ) No ( )
- 12. Optimum Use: Yes ( ) No ( )
- 13. Adaptable Reuse: Yes ( ) No ( )
- 14. Hazardous Material: Yes ( ) No ( )

#### B. ARCHITECTURAL/STRUCTURAL:

Structural System: Concrete Frame( ) Steel Frame( ) Wood Frame( )  
Masonry Load Bearing( ) Mixed( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Remarks: \_\_\_\_\_

Exterior Material: Brick( ) CMU( ) Metal( ) Vinyl Siding( )  
Aluminum Siding( ) Wood( ) Glass( )  
Asbestos Cement Shingles( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Remarks: \_\_\_\_\_

Roof Structure: Concrete Slab( ) Concrete Shell( ) Steel Truss( )  
Steel Deck( ) Wood Truss( ) Wood Rafter( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Remarks: \_\_\_\_\_

Roof Type: Flat( ) Gable( ) Gambrel( ) Hip( ) Vault( )  
Mansard( ) Saw tooth( ) Dutch Hip( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good( ) Fair ( ) Poor ( )  
Remarks: \_\_\_\_\_

Roofing Material: EDPM( ) Built-up-roofing( ) IRMA( )  
Asphalt Shingles( ) Slate( ) Wd Shingles( )  
Terra-cotta Tile( ) Metal( ) Other: \_\_\_\_\_

Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Roof Drainage:	Interior Roof Drains( ) Gutter & Down spouts( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Floor Construction:	Conc 1-way( ) Conc. 2-way( ) Conc. Flat Slab( ) Conc. Joist( ) Conc. Flat Plate Slab( ) Steel Joist( ) Wood Joist( ) Other:_____
Penetration sealed with approved fire-stopping material:	Yes ( ) No ( )
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Window Type:	Wd. Double Hung ( ) Wd. Casement( ) Wd. Hoper( ) Wd. Fixed ( ) Wd. Sliding( ) Met. Casement( ) Met. Hoper ( ) Met. Awning( ) Met. Sliding( ) Met. Fixed ( ) Met. Jalousie( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Window Frame:	Hollow Metal( ) Aluminum( ) Wood( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Window Glazing:	Single Pane( ) Double Glazed( ) Triple Glazed( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Interior Door Type:	H.M.( ) H.C. Wd.( ) Solid Wd.( ) Fire Rated door ( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Remarks:	_____
Interior Door Frame:	H.M.( ) Wood( ) Alum( ) Fire Rated Assembly( ) Other:_____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Exterior Door Type:	I-Met( ) Wood( ) Alum Store Front( ) Glass( ) Met Roll-up( ) Met O/Head( ) Other: _____
Automatic Devices:	Yes ( ) No ( )
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Exterior Door Frame:	H.M.( ) Wood( ) Alum( ) Met( ) Other: _____
Condition:	Excel ( ) Good ( ) Fair ( ) Poor ( )
Wall Insulation:	Batt( ) Rigid( ) Other: _____

Adequate: Yes ( ) No ( )

Roof Insulation: Batt( ) Rigid( ) Blown-in( ) Other: \_\_\_\_\_  
Adequate: Yes ( ) No ( )

Floor Finishes: Brick( ) Wood( ) Conc( ) Stone( ) VAT( )  
Quarry Tile( ) Ceramic Tile( ) VCT( ) Epoxy( ) Carpet( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

Wall Finishes: Brick( ) Wood Panel( ) Stone( ) Conc( ) Ptd D.W.( )  
Ptd CMU( ) Wall Covering( ) Plaster( ) Ceramic tile( )  
Glazed CMU( ) Epoxy( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

Ceiling Finishes: Lay-in Acoustical Tile( ) Ptd D.W.( )  
Lay-in Mylar Face Tile( ) Plaster( ) Epoxy( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

**BUILDING DESCRIPTIONS (PLUMBING)**

Cold Water Distribution: Copper( ) Brass( ) PVC( ) CPVC( ) Steel( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Hot Water Distribution: Copper( ) Brass( ) PVC( ) CPVC( ) Steel( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Sanitary Waste: Cast Iron( ) PVC ( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Contamination Protection: Yes ( ) No ( ) Type \_\_\_\_\_  
Adequate: Yes ( ) No ( )

Water Treatment: Yes ( ) No ( ) Type \_\_\_\_\_  
Adequate: Yes ( ) No ( )

Plumbing Fixtures: Lavatories( ) Work Sink( ) Urinals( ) Other: \_\_\_\_\_  
Water Closet Type: Flush Valve( ) Tank( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Domestic Hot Water Heater: Gas( ) Electric( ) Heat Exchanger( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Drinking Fountains: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Electric Water Coolers: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Grease Interceptor: Yes ( ) No ( )

**BUILDING DESCRIPTIONS (HVAC)**

Heat Distribution: Ducted Supply( ) Ducted Return( ) Plenum( )  
Piped Supply( ) Piped Return( ) Other: \_\_\_\_\_

Number of Zones Served: \_\_\_\_\_  
Adequate: Yes ( ) No ( )

AC Distribution: Ducted Supply( ) Ducted Return( ) Plenum( )  
Piped supply( ) Piped Return( ) Other: \_\_\_\_\_

Number of Zones Served: \_\_\_\_\_  
Adequate: Yes ( ) No ( )

Ventilation System: Operable Windows( ) Exhaust Fans( ) Other: \_\_\_\_\_  
Adequate: Yes ( ) No ( )

Filtered: Yes ( ) Type \_\_\_\_\_ No ( )  
Adequate: Yes ( ) No ( )

Smoke Management System Yes ( ) No ( )  
Adequate Yes ( ) No ( )

Heating Elements: Elec. Finned Tube( ) Hot Water Finned Tube( )  
Steam Finned Tube( ) Hot Water Radiators( )  
Steam Radiators( ) Hot Water Fan Coil Units( )  
Steam Fan Coil Units( ) Electric Coil Units( )  
Gas-Fired Furnace( ) Oil-Fired Furnace( )  
Electric Furnace( ) Hot Water Coil AHU( )  
Steam Coil AHU( ) Electric AHU( ) Heat Pump( )  
Hot Water Unit Heater( ) Steam Unit Heater( )  
Electric Unit Heater( ) Other: \_\_\_\_\_

Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Cooling Elements: Water-Cooled Package Units( )  
Air-Cooled Package Units( )  
Water-Cooled Rooftop Units( )  
Air- Cooled Rooftop Units( ) Heat Pump( )  
Chilled Water AHU( ) DX Coil AHU( ) Widow Units( )  
Other: \_\_\_\_\_

Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Controls: VAV( ) Constant Volume( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

**BUILDING DESCRIPTIONS (ELECTRICAL)**

Service Entrance Equipment Type: \_\_\_\_\_

Electrical Characteristics: \_\_\_\_\_

Distribution Equipment: Panel-Boards( ) Load Centers( ) Other: \_\_\_\_\_

Distribution Devices: Circuit Breakers( ) Fuse( ) Other: \_\_\_\_\_  
Adequate: Yes( ) No( )

Conduit: Rigid Steel( ) Metal( ) FMC( ) BX( ) EPC( ) EPT( )  
Non-Met Sheathed Cable( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

Receptacles: Grounded ( ) Not Grounded ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Special Purpose Receptacles: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Illumination:

Fixture: Incandescent( ) Fluorescent( ) Other: \_\_\_\_\_

AREA	Type	Mounting	Condition
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**BUILDING DESCRIPTION (TELEPHONE/COMMUNICATIONS)**

Telephone System: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Security System: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )

Adequate: Yes ( ) No ( )

Computer System: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Central Fire Alarm: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Disaster Warning System: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

**BUILDING DESCRIPTION (FIRE PROTECTION/FIRE SUPPRESSION)**

Fire Extinguisher: ABC( ) CO2( ) Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Automatic Fire Suppression: Yes ( ) No ( )

Sprinkler System: Wet ( ) Dry ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Stand Pipe System: Wet ( ) Dry ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Fire Department Connection: Siamese ( ) Other ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Fire Pump: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Emergency Lighting: Battery Power( ) Selected Lighting w/Battery Packs ( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Exit Signs: Battery( ) Self-Power( ) Connected ( ) Line Voltage( )  
Other: \_\_\_\_\_  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Fire Alarm System: Electrically Supervised( ) Zone( ) Code( )  
Other: \_\_\_\_\_



Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Annunciator Panel: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Manual Pull Stations: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Audible Alarm: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Visual Alarm: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Smoke Detectors: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Heat Detectors: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Emergency Stand-by System: Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

UPS Yes ( ) No ( )  
Condition: Excel ( ) Good ( ) Fair ( ) Poor ( )  
Adequate: Yes ( ) No ( )

Fire Depart Access:  
Number of Sides Accessible \_\_\_\_\_

Fire Engines Yes ( ) No ( )

Ladder Trucks Yes ( ) No ( )

Fire Fighter Access:

Fire Alarm Control Panel: Yes ( ) No ( )

Sprinkler Control Valves Yes ( ) No ( )

Fire Pump Control Valves Yes ( ) No ( )

Standpipe Control Valves Yes ( ) No ( )

Fire Pump Controller Yes ( ) No ( )

