

CARE FUNCTIONAL REVIEW

FACILITIES MANAGEMENT, CONSTRUCTION, REAL PROPERTY AND SAFETY, HEALTH, AND ENVIRONMENTAL MANAGEMENT

3.0 Facilities Asset Management

For information on the interpretation or clarification on the functional questions in this section, please contact Rommy Ignacio on 301-504-1191.

- Determine if the Location is aware of the requirements of Executive Order 13327 on Asset Management to track Operations and Maintenance (O&M) costs as well as the Repair and Modernization Cost at the individual building level?

3.0-1 Periodic Evaluation of Assets

- Determine if inventories of real property are completed every 5 years. *Ensure that all utilization data, condition index, deferred maintenance, and Operations and Maintenance data is reported accurately and entered into the Corporate Property Automated Information System (CPAIS). (For Area Office Care Review Only.)*
- Does the Location have a facility program that includes a periodic review of facilities to assess its condition and needs?

3.0-2 Multi-Year Facility Planning

- Is the Location aware of the ARS Capital Project and Repair Plan (CPRP) process to guide the planning and budgeting, acquisition, management-in-use, and disposition of Agency capital assets? (Bulletin 08-151, ARS Capital Project and Repair Plan CPRP).
- Does the Location have a multi-year plan for needed repairs and renovations to its buildings and facilities? Who provides direct input to the multi-year plan?
- How are facility needs identified? Determine if the Location uses the CPRP process to develop its multi-year facility plan. Ensure that the Location is aware that only projects meeting the following criteria are to be listed on the Location CPRP: Any project costing at least \$25,000; any land acquisition, any project using construction authorities for Unlimited Small Buildings (USB), Ten Small Buildings (TSB), Headhouse/greenhouse (H/G) and Ten Percent Alteration (TPA).

- Does the Location have existing facility master plans or facility condition studies? If so, are the impacts on the normal Operations and Maintenance (O&M) budget considered when identifying facility project needs?
- Determine if the Location maintains an up-to-date 3-year CPRP consisting of a prioritized list of all AMRB-validated and approved facility projects.
- Ensure the Location's Facility Plan contained in the ARMP correlates with the annually updated ARS Capital Project and Repair (CPRP) Plan per Bulletin 08-151, ARS Capital Projects and Repair Plan.

3.0-3 Pre-approval of Building Authorities Facility Projects

- Is the Location aware that a pre-approval from headquarters is required to use USB, TSB, H/G, and TPA building authority in excess of \$25,000? (Bulletin 07-152, Facilities Construction Authorities).
- Determine if the Location is familiar with the descriptions and limitations of the Agency's construction authorities outlined in the ARS Policies and Procedures 242.2 - Facilities Construction Authorities.
- Is the Location aware that each building authority project should be assigned a special accounting code and tracked using a unique Program Type code that corresponds to the appropriate construction authority as follows: 71 (USB), 72 (TSB), 73 (H/G), 74 (TPA)?

3.0-4 Implementation of Project Design and Construction

- Determine Location's compliance with the National Environmental Policy Act (NEPA) requirements related to construction. Are required environmental assessments and all NEPA related documentation, including categorical exclusions, findings of no significant impacts, and records of decision on file?
- Assure that all realty interests associated with a project have been completed, including confirmation of federal-ownership of the property or a lease agreement sufficient to cover the Federal Government's investment in the property. Ensure that easements, right-of-ways, or other land use agreements for roads and utilities in support of the projects have been executed.
- Assure Location project compliance with approved master plans, national historic preservation act, and threatened and endangered species act.
- Determine if Location staff responsible for operating and maintaining the facility is involved and participates in the process of commissioning of building systems, final inspections, acceptance, and closeout of construction projects.

3.0-5 Post Construction, Warranty and Maintenance Work

- Verify the method used by the Location for accomplishing maintenance task upon completion of new construction and renovation. Determine if the Location has established a facilities maintenance program that encompasses preventive and routine maintenance of building systems and equipment.
- Does the Location have a process in place for accomplishing warranty work?
- Assure property records are established in CPAIS.

3.0-6 Facilities O&M Management

- Determine if the Location has an organized system for the development of a yearly budget for the operation and maintenance (O&M) of physical assets. How are O&M costs identified with individual buildings or structures at the Location? Determine if the Location has developed a methodology for distributing O&M costs to the appropriate land/building/structure at each Location. Verify if the Location has established a new accounting code in FFIS to facilitate the capturing and reporting of O&M costs for the Location.
- Determine if a Location preventative maintenance (PM) program has been implemented to reduce long-term maintenance costs and service outages. Does the Location have a formal PM program? Does the Location perform PM on a regular basis? Does the Location have a system for prioritizing maintenance needs uniformly throughout the Location?
- Determine how historical data of completed maintenance work is recorded and maintained? Are record/as built drawings properly stored and protected? Are O&M manuals properly maintained and accessible to maintenance staff?
- Determine if the Location maintenance and operations staff identifies and implements strategies to contain energy costs, regularly monitors energy management controls and generates routine reports to verify the energy management system is working. Determine if the Location O&M cost data is being captured throughout the year for reporting purposes. Ensure that utilization data is reported accurately and entered into CPAIS.
- Determine if the Location uses specific performance measures to measure the effectiveness of the O&M program

3.0-7 Deferred Maintenance Management

- Determine if the Location annually earmarks at least 4 percent of its base funds to accomplish routine repair and maintenance (R&M) needs or has

received a waiver in accordance with Agency policy. (ARMS Manual, ARS Manual 245.1, Chapter IX).

3.0-8 Disposal of Unneeded Property

- Determine the Location's approach for identifying and disposing of unneeded real property asset. Are Location personnel aware of procedures for disposing of real property assets?
- Determine if a CERCLA 120 (h) environmental sites assessment and any follow-up investigation and/or cleanup work is accomplished prior to disposal of real property.
- Does the Location maintain disposal data and track actual disposal actions as they occur in CPAIS?

3.01 Energy Management

For information on the interpretation or clarification on the functional questions in this section, please contact Sandy Morgan on 301-504-4895.

- Determine if the Location is integrating energy and water conservation and sustainability into its regular operations and maintenance activities per EO 13423 and the Energy Policy Act of 2005 (EPACT 2005).
- When was the last energy audit performed? Have recommended energy conservation projects been implemented or included in the ARS Facility Plan? Does the ARS Facility Plan include future energy audits? Were energy projects recommended by the audits implemented?
- Determine if the Location has been evaluated for compliance with EPACT 2005, Section 103, which says by the end of FY 2012 each Federal building must have an advanced electric meter where cost effective, i.e., over 10,000 gross square feet.
- Ensure that the Location checks all utility bills and maintains consumption records/monitors energy consumption patterns so that any possible irregularities in utilities billing or estimating procedures can be identified quickly and corrected.
- Ensure that the Location maintains records of all utility consumption and cost for, as applicable, electricity, fuel oil, natural gas, LPG/propane, coal, purchased steam, purchased chilled water, renewable energy generated on Federal land including the type and source, purchased renewable energy, water consumption including quantity and cost, and energy training including number trained and cost. (EO 13423)

- Determine if the Location uses employee incentive programs to reward exceptional performance for implementing EO 13423.
- Determine if the Location provides training and education in energy management requirements, promotion of Energy Star and other energy efficient and low standby power products, WaterSmart, EPEAT and purchasing recycled and biobased products for Federal purchase card holders. (EO 13423 and EPEAT 2005)
- Ensure that the Location has a recycling program including paper, cardboard, cans, bottles and toner/ink cartridges. (EO 13423)
- Is the Location aware of, and does it have a policy of enabling Energy Star features on all computers, equipment and systems? Is the Location aware of what energy saving features have been incorporated into their buildings? Are they functioning? (EO 13423 and EPEAT 2005)
- If the Location has had a recent construction project that impacted landscaping, where they aware of the need for, and install beneficial landscaping? (EO 13423)

3.02 Facility Accessibility for People with Disabilities

- Determine if the Location is aware of the requirements associated with the Americans with Disabilities Act (ADA). Does the Location have copies of the Uniform Federal Accessibility Standards (UFAS) or the Americans with Disabilities Act Accessibility Guidelines (ADAAG)?
- Are Location buildings and facilities accessible to people with disabilities? Have professional surveys been done to review and identify areas at the Location that do not meet ADA requirements? Are plans being developed to improve any deficiencies? Are ADA requirements used as part of design process for new or renovation of facilities?
 - Is there an accessible route from the public way to building entrances?
 - Are there marked parking spaces and entrances for disabled individuals?
 - Are there accessible paths of travel to primary workstation, conference/training room, all purpose (gathering) areas?
 - Are there accessible elevators to all floors of facility?
 - Is there one accessible rest room, on each floor of facility, with proper door width; toilet stall; sink basin; path of travel?

- Are there accessible water fountains?

3.03 Architect-Engineering (A-E) Contracts

For information on the interpretation or clarification on the functional questions in this section, please contact Regina Herchak on 301-504-1179

3.03-1 A-E Contracts

- Determine if the Location has A-E authority. If so, what is the threshold?
- Determine if the Location has any concerns with A-E services provided under Area or Headquarters contracts.
- Determine how the Location obtains A-E Services: through their own A-E contracts utilizing the procedures in FAR Part 36.6, or through Area or Headquarters contracts.
- Verify that IAS (Integrated Acquisition System) is being used.
- If the Location acquires A-E services by issuing delivery/task orders against their own or Area or Headquarters A-E contracts, verify/determine the following:
 - that AD-700's or purchase requests, justifications, and all other required backup documentation (Government estimate, specifications, sketches, drawings, etc.) is maintained in the file. (FAR 4.803)
 - whether the delivery/task orders are issued in accordance with procedures for issuing delivery orders against established contracts which would include issuing a request for proposal that contains a statement of work to the A-E firm; evaluating the proposal and negotiating price, terms and conditions; as well as documenting negotiations and the award rationale. (FAR 36.601-3)
 - whether modifications to delivery/task orders are properly executed. Are these actions documented in the file and the following information included: reason for the change; the contractual authority and FAR clause cites for the change (exercise of option, changes, differing site conditions, suspension of work, etc.); how these actions were priced (pre-priced or based on actual costs); how the price was determined to be fair and reasonable? Do the modification documents include the appropriate FAR clause cite for the change(s)? (FAR 13.106-3, FAR 13.302-3, FAR 36.609, and FAR 43.204)
 - if contract deliverables and performance periods are appropriately monitored.

(FAR 4.803)

- that significant discussions and/or issues are documented and copies maintained in the contract/task order file. (FAR 4.803)
- that delivery/task orders are closed out properly (FAR 4.804) and are maintained in accordance with FAR 4.805(b)(3) or, if the basic contract total value exceeds the simplified acquisition threshold in accordance with FAR 4.805(b)(2).
- If the Location has A-E authority and acquires their own A-E services, verify/determine the following:
 - that AD-700's or purchase requests, justifications, and all other required backup documentation (Government estimate, specifications, sketches, drawings, etc.) is maintained in the file. (FAR 4.803)
 - that the evaluation criteria posted in FedBizOpps are the same criteria used to evaluate A-E's SF-330's (Architect-Engineer Qualifications). (FAR 36.601-1 and 36.602-1)
 - that an evaluation board was established, that it evaluated all SF-330's, and whether the board's chairperson submitted a report to the Contracting Officer (CO) that contained the names of the 3 highest qualified (ranked) firms in accordance with FAR 36.602. Determine if, once the report is received, negotiations are conducted with the highest ranked firm in accordance with FAR 36.606.
 - that award is made to the highest qualified (ranked)/most preferred firm in accordance with FAR 36.606.
 - whether modifications are executed properly. Are these actions documented in the file and the following information included: reason for the change; the contractual authority and FAR clause cites for the change (exercise of option, changes, differing site conditions, suspension of work, etc.); how these actions are priced (pre-priced or based on actual costs); how the price is determined to be fair and reasonable? Do the modification documents include the appropriate FAR clause cite for the change(s)? (FAR 13.106-3, FAR 13.302-3, FAR 36.609, and FAR 43.204)
 - if contract deliverables and performance periods are appropriately monitored. (FAR 4.803)
 - that significant discussions and/or issues are documented and copies are maintained in the contract/purchase order file. (FAR 4.803)

- that delivery/task orders/contracts are closed out properly (FAR 4.804) and are maintained in accordance with FAR 4.805(b)(3).
- Verify that all contracts/delivery/task orders for A-E services have been entered in the FPDS-NG system. (FAR 4.602-c-2 – USDA is a participant in the Small Business Competitiveness Demonstration Program, FAR 19.10)
- Are invoices processed in accordance with the Prompt Payment Act (FAR 32.904-c)?

3.04 Construction Contracts

- Determine if the Location has construction authority. If so, what is the threshold?
- Verify that IAS (Integrated Acquisition System) is being used.
- Determine if projects are being split to keep them within the Location’s authority.
- Determine if commercial item procedures (FAR Part 12), rather than construction procedures (FAR Part 36), are being used for small dollar, uncomplicated tasks, such as installation of a hot water heater, replacement of one or two windows, small painting projects, routine carpet purchase and installation, replacement of small areas of drywall, simple electrical or plumbing tasks (replacement/installation of a light fixture or a water faucet), and similar small and noncomplex services. Refer to the Office of Federal Procurement Policy (OFPP) Memo, Applicability of FAR Part 12 to Construction Acquisitions, dated July 3, 2003.
- Verify that AD-700’s or purchase requests, justifications, and all other required backup documentation (Government estimate, specifications, sketches, drawings, etc.) is maintained in the file. (FAR 4.803)
- Verify that construction requirements with an estimated cost between \$10,000 and \$25,000 are posted in a public place or on the Location’s web site (FAR 5.101(a)(2)). Verify that requirements with an estimated cost greater than \$25,000 have been publicized in FedBizOpps in accordance with FAR 5.101(a)(1).
- Verify that a full copy of the Request for Quote (RFQ)/Invitation for Bid (IFB)/Request for Proposal (RFP) (for all construction projects that exceed \$2,000), with the appropriate clauses and wage determination, is maintained in the file. (FAR 4.803, FAR 13.101, FAR 13.302-5, and FAR 36.213-3).
- Verify that site visits (FAR 36.210) and/or optional pre-bid conferences (FAR 14.207) are conducted. Are uniform agendas utilized? Are the proceedings of

these meetings documented and distributed to all parties? Verify that a copy is maintained in the file.

- Verify that the rationale for award is documented in the file. Is the award amount determined to be fair and reasonable? What is the basis for the determination? (FAR 13.106-2, FAR 13.106-3 and FAR 31.201-3)
- Verify that all purchase orders and contracts for construction, as well as modifications, have been entered in the FPDS-NG system. (FAR 4.602I(2) — USDA is a participant in the Small Business Competitiveness Demonstration Program, FAR Subpart 19.10)
- Verify that formal written Notices of Award are issued to contractors (FAR 36.213-4). Verify that formal Notices to Proceed (NTP) are issued to the contractors to establish the official commencement date of performance. Verify that a signed copy of the NTP is maintained in the contract/purchase order file. (FAR 14.408, FAR 36.212, and FAR 36.213-4)
- Verify, for projects between \$25,000 and \$100,000, that a valid Payment Bond (from an acceptable individual surety or from a surety that is listed on the Department of Treasury Circular 570 - Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and Acceptable Reinsuring Companies) or alternative type of payment protection has been submitted and is in the file. (FAR 28.102-1(b) and FAR 28.102-1(c))
- Verify, for projects over \$100,000, that a valid Bid Bond from an acceptable individual surety or from corporate surety that is listed on the Department of Treasury Circular 570 was submitted by the successful offeror and is maintained in the file. (FAR 28.101 and FAR 28.2)
- Verify, for projects over \$100,000, that the Performance and Payment Bonds submitted by the successful offeror are from an acceptable individual surety or a corporate surety that is listed on the Department of Treasury Circular 570. (FAR 28.202)
- Verify that the documents submitted by the successful offeror's individual surety as a pledge of assets for bid, performance and/or payment bonds were reviewed by the Office of General Counsel and determined adequate and acceptable. (FAR 28.203(f))
- Verify, for projects over \$100,000, that valid performance and payment bonds (from acceptable corporate listed on the Department of Treasury Circular 570 or individual sureties), and certificates of insurance are submitted by the successful offeror prior to the issuance of a Notice to Proceed and are maintained in the file. (FAR 28.102 and FAR Subpart 28.2)

- Verify that Davis-Bacon Act (DBA) requirements (for projects exceeding \$2,000) are being monitored in accordance with FAR Subpart 22.4. For example, wage determinations and DOL Form WH-1321 must be posted by the contractor (FAR 22.404-10) and weekly payroll records must be submitted and reviewed by the Contracting Officer (FAR 22.406-6 and FAR 22.406-7), etc.
- Verify that significant discussions and/or issues are documented and copies maintained in the contract/purchase order file. (FAR 4.803)
- Determine if the Contracting Officer has delegated any authority or responsibility to personnel at the job site. If so, was a formal letter(s) of delegation as Contracting Officer's Representative (COR) or Contracting Officer's Technical Representative (COTR) issued that clearly describes the authorities, responsibilities, and limitation in accordance with FAR Part 42.202?
- Determine if change orders or contract modifications were properly issued (FAR 43.204). Were these actions documented for the file as follows:
 - What was the contractual authority for the change (changes, differing site conditions, suspension of work, etc.)?
 - Were these actions pre-priced or based on actual costs?
 - Was the price determined fair and reasonable (FAR 13.106-3 and FAR 31.201-3)?
- Determine if contract performance periods are appropriately monitored. If the completion date passes, what action was taken?
- Are inspections conducted in accordance with FAR 46-312 and 46.1? If so, are files documented to show the results of the final inspection?
- Is the Form ARS-371, Construction Progress and Payment Schedule (or something similar), being used for individual projects involving multiple disciplines (HVAC, plumbing, electrical, etc.), larger dollar value projects, or lengthy projects? If so, is it being reviewed by the COR and approved by the CO, and is it also being used as a means of verifying contractor invoices?
- Are invoices processed in accordance with the Prompt Payment Act (FAR 32.904(d))?
- Are contracts/purchase orders closed out properly and maintained in accordance with FAR 4.804 and FAR 4.805(b)(4)?

3.05 Facility Security

For information on the interpretation or clarification on the functional questions in this section, please contact Terry Roark on 301-504-1248 or Jeff Hayes on 202-720-3778.

Reference: P&P 240.3, June 2000, Physical Protection, Security and Conduct While on REE Facilities; P&P 243.4, January 2004, Issuing and Controlling ARS ID Badges.

- Ensure the Location has an Occupant Emergency Program (OEP) established and that each employee has a copy. The program should cover processes to be followed during emergencies, such as fire, explosions, bomb threats and natural disasters. (Federal Property Management Regulations, 40 CFR, Subchapter D, Part 101-20.)
- Ensure the Location is conducting physical security surveys. Does the Location perform these in conjunction with ARS Homeland Security Office?
- Identify if Location has any Physical Security Countermeasure projects planned or under consideration. If yes, are they aware of ARSHS design and review role?
- Does Location know to contact ARSHS (202.720.2452) for the following: all possible OIG investigations; vandalism to, or theft of, mission critical assets; workplace violence activities; and workplace death events?
- Does the Location maintain a current roster and call list of local and federal law Enforcement contacts?
- Does the Location have any security related MOU's in place? If yes, with what agency and for what specific service?
- Is the Location aware of the ARSHS Web site [<http://arsnet.usda.gov/OHS/>]?
- Does the Location rely on any outbound third-party security alarm monitoring and response equipment or services? If yes, who and what type?

Examples:

--Door contact alarms monitored and responded to by campus police between hours of 1800 – 0700 seven days a week.

--Greenhouse temperature alarms that automatically page a location employee who decides on appropriate response.

--Burglar alarms monitored by a third-party service that notifies a pre-determined entity (campus police, local police, contract guard services, location employee, etc.).

- How often does the Location review its security operation and administrative procedures?
- Ensure that there is some type of fire protection/prevention system (alarms, sprinklers) in place (ARS Manual 242.1, Chapter 7).
- What procedures are in place for conducting annual “Emergency Disaster Drills” (ARS Manual 230).
- Is the Location issuing ID Badges in accordance with P&P 243.4?
- Does the Location have a certified Human to Human Pandemic Influenza Plan in place? Does the Location do any testing of its’ Plan? If so, what kind?

3.06 Acquisition (Purchase, Donation, Exchange or Transfer) of Real Property

References Real Property Manual Draft Acquisition Chapter I, 2005, and 7 United States Code 2250(a)

- Has the Location acquired land in the last 5 years? If yes, does the Location have a copy of the applicable appropriation or law authorizing the land acquisition within the asset file?
- How are newly constructed facilities or capitalized improvements identified/tracked for inputting or updating in the Corporate Property Automated Information System (CPAIS)? Is the Location forwarding its requests for the establishment of a Unique Asset Identifier (UAI) for all capitalized assets to the Area Realty Specialist? Is the Location aware that copies of all prior year adjustments – for example for a capitalized structure that already exists and should have been on an inventory, but was overlooked during the last reconciliation cycle – must be forwarded through the Area Realty Specialist to the Real Property Management Branch on a monthly basis?
- What information is being maintained within the asset files? There should be copies of acquisition documents, including deeds, leases, transfer documents, surveys, environmental support documentation, etc.

3.06-1 Utilization, Accountability, and Control of Real Property

Reference: Real Property Manual Draft Accountability and Control Chapter 9, 2005; FMR 102-84.55; Section 106 of the National Historic Preservation Act and AGPMR 110-85.55.

- At the Location, who is responsible for monitoring utilization of land and facilities and ensuring utilization is in accordance with Agency policies?

- Is the Area Office providing copies of inventory printouts, for verification and update, every 5 years? What procedures are in place for conducting physical inspections of real property holdings to verify that all land, buildings and structures are accounted and properly reflected on the inventory record/within CPAIS and effectively used in support of mission-related activities?
- What process is used to review owned and leased, and otherwise managed properties and to communicate any modifications necessary to the REWO for maintaining an up-to-date inventory in CPAIS?

How is CPAIS being used at the Location to capture space utilization, including the number of workstations, number of personnel or Sys within all space usage types as required by Federal Real Property Profile reporting. Are there procedures in place to ensure the capturing of University space covered under a Memorandum of Understanding, Special/Cooperative Agreements, etc. and the utilization of this space with CPAIS.

- Are records established and maintained with the following:
 - custodial responsibility for the real property assigned to the Location and Location worksites
 - physical inventories signed by the Accountable Property Officer along with documented recommendations for adjustments
 - identification of Historical properties/sites and related Historic Preservation Plans. Are copies provided to the Area Office and Headquarters?
 - acquisition files containing copies of short- and long-term leases, environmental surveys, property descriptions, construction-related materials including “as built” and floor plans, donation or transfer documents, and AD-107’s for formal documentation for FDMIS/CPAIS updates, etc.
 - disposition files containing AD-107’s, AD-112’s, SF-118’s, SF-118a,b,c’s
- Are there internal procedures in place to address encroachments on ARS lands? If an encroachment is identified or brought to the Location’s attention, how is this information relayed to the attention of the Area Office’s or Real Estate Warrant Officer (REWO)?
- Who is the responsible agency official to determine if a Design/Construction project is an undertaking as defined in Section 106 of the National Historic Preservation Act.
- Has the Location established a working relationship with the SHPO? Does the Location have a Programmatic Agreement in place?

3.06-2 Leasing Real Property – Land and Space – and Agreements

References: Real Property Manual 245.1 Draft Chapters 2 and 3, 2005; Departmental Regulation 1620-2, USDA, Space Management Policy and 7 United States Code 2250(a)

- Are copies of any space or land leases, Memorandums of Understanding, Unfunded Cooperative Agreements, Supplemental Agreements, Land Use Agreements, etc., on file. Agreements may cover space in non-ARS-owned buildings, land for field plots, and the construction or placement of ARS-owned buildings.
- What procedures are in place for the periodic review of the above documents?

Has the Location erected buildings or other structures on non-Federal lands without first obtaining the right to use the land through a lease or other document granting realty interest in the land for the estimated life of or need of the improvement as described in 7 U.S.C.2250(a)? What procedures are in place to ensure the Location acquires the necessary realty interest prior to constructing a building or structure on non- Federal land.

- Has the Location made any capital improvements (\$25,000 or more) to space not covered by a realty interest? If this has occurred, such actions should be immediately brought to the Area Office's attention so that a document can be prepared and executed.
- How does the Location assure that it is complying with Departmental Regulation 1620-2 which establishes USDA policy on acquisition, management and disposition of office and related space for USDA-owned, leased and GSA-controlled space. The RPMB has under its direction a group of space and building management, specialists should assistance in the area be required.
- Ensure that leases contain energy efficiency and sustainability provisions. (EO 13423)

3.06-3 Grants of Easement and Revocable Permits

References: Real Property Manual 245.1 Draft Chapters 5 and 6, 2005 and P&P 244.0-ARS, September 2003, Guidance and Instructions for the Collection and Use Fees for Revocable Permits and Easements.

- How does the Location verify that easements and revocable permits are in place as required? How are these periodically reviewed to ensure renewal prior to expiration, compliance with terms and conditions, that expired easements are vacated, etc.? How does the Location communicate their findings to the Area Office and/or REWO?
- When screening requests for easements or permits, how does the Location ensure

that the request is a case of necessity and that the land or space requested does not exceed what is required? Are procedures in place to ensure that rights are not granted to ARS property that would be incompatible with the proposed use or encumber use of the property? Are current and future program needs and possible conflicts considered during the review process—prior to recommending such requests?

- How are requests to occupy ARS-owned buildings or utilization of ARS facilities addressed at the Location? How does the Location ensure that a revocable permit is issued for all entities using ARS-owned/controlled space? Are inspections performed of tenant space to ensure compliance with terms and conditions of the agreement to occupy the space?
- How are requests for the installation of antennas addressed at the Location? Are these evaluated and coordinated with the REWO to ensure that requests do not impact or interfere with existing research programs, future land development plan, “Referral Agencies”, human exposure limits, etc.?
- How is the Location complying with P&P 244.0, Guidance and Instructions for the Collection and Use Fees for Revocable Permits and Easements? This is available on-line.

3.06-4 Quarters Rentals

References: Real Property Manual 245.1 Draft Chapter 7, 2005; P&P 245.2, June 1993; Furnishings and Household Goods in ARS Controlled Living Quarters and Department of Interior Department Quarters Handbook 400 DM, June 1994

- If the Location has quarters, is the Location aware of the responsibilities regarding quarters management? How are rental fees collected and used in accordance with regulations?
- If quarters files are maintained at the Location, do quarters files contain support documentation to demonstrate that Government living quarters for ARS employees are properly managed and accounted for? Do files at a minimum include:
 - Documentation of annual Consumer Price Index (CPI) adjustments, any waiver or supporting documentation
 - Copies of the most recent appraisal and/or regional quarters rental surveys along with any background documentation
 - Documentation of Condition of Employment (must be reviewed every 5 years) or Convenience of the Government appointment
 - Sampling results from any screening tests performed (i.e., lead, asbestos, mold, etc.)

- Are lead disclosure statements provided to residents for homes constructed prior to 1970?

Are Forms ARS-494's, ARS-4's and REE-16's prepared at the Location or Area Office? If prepared elsewhere, are they carefully reviewed for accuracy prior to having the employee who is renting the quarters sign the documents and then forwarding them to the REWO for execution?

- Does the Location bring any rental collection problems incurred to the attention of the REWO?
- Are CPI adjustments made annually? Are employees provided with a minimum of 30 days advance notice of such adjustments?
- Are the Quarters Rental Surveys and Sample Plans that are prepared by the Department of Interior reviewed to ensure that the information provided is correct, such as the nearest established community?
- How does the Location ensure the inventory and accountability of furnishings provided in quarters?
- Is a physical inspection performed of the quarters prior to occupancy and a condition report prepared and signed by the inspecting official and employee who is renting the quarters? Are periodic physical inspections performed to identify maintenance, repair and safety and health conditions that need correction? How are items identified formally documented and what tracking mechanism is in place to ensure these are corrected?

3.06-5 Disposal of Real Property

References: Real Property Manual 245.1 Draft Chapter 8, 2005 and P&P 246.1-ARS, September 1997

- Does the Location compile packages for real property identified as excess or recommended for disposal?
- Has the Location developed the annual protection and maintenance costs for real property assets for such expenses to be incurred during the excess/surplus/disposal process?
- Does the Location review its inventory annually to identify excess properties for disposal? Does the Location prepare AD-107's, AD-112's, SF-118's, and etc. for all disposal actions, including disposal of ARS-owned buildings with a value of \$50,000 or less? Are these documents forwarded to the Area Office upon completion?
- Are the following screening surveys being addressed at the location during

the disposal process?

- threatened and endangered species
 - hazardous building components such as lead, asbestos
 - associated underground or above ground storage tanks
 - environmental impact
 - McKinney-Vento Homeless Assistance Act
 - Section 106 review and consultation
 - site-specific requirements
- Has the Location established a working relationship with the SHPO?
 - Does the Location have a Programmatic Agreement in place?

3.07 Safety, Health, and Environmental Management

For information on the interpretation or clarification on the functional questions in this section, please contact Pete Jovanovich on 301-504-1243.

- Verify the Location has assigned personnel to manage and implement the safety, health, and environmental management (SHEM) program. Each Location must have an assigned Safety Representative or Collateral Duty Safety Officer and an Environmental Management System (EMS) Coordinator (i.e., these positions may be held by the same person). (ARS Manual 230, Chapters 18 and 38)
- Verify the Location has an EMS Committee; and, if the Location has 15 or more Full-time employees, a Safety Committee (i.e., documented on ARS Form 309, Safety and Health Committee, or equivalent.) The Location may choose to have a single Committee combining the requirements. (ARS Manual 230, Chapters 18 and 38)
- Verify the Committee(s) meets on a recurring basis not less than quarterly (i.e., by reviewing the meeting minutes.) (ARS Manual 230, Chapters 18 and 38)
- Verify the Location has written annual safety, health, and environmental goals and objectives, and, an EMS policy statement. (ARS Manual 230, Chapters 10 and 38)
- Verify funding for SHEM requirements is listed in the ARMPS. Costs for requirements in excess of \$25,000 should be listed in the Procurement Plan of the ARMPS. Costs for requirements less than \$25,000 may appear elsewhere in the ARMPS at the direction of the Area office. If the Location is using Hazardous Waste Cleanup (HWC) funds, those funds should be listed in the HWC High Priority Requirements List section of the ARMPS. (ARMPS Manual/Guidance and ARS P&P 230.1, Tracking Hazardous Waste Cleanup Funds)

- Verify the Location has access to current applicable Federal, State, and local SHEM laws, regulations, codes, standards, policies, etc., available in paper, electronic, or other media formats. (ARS Manual 230, Chapter 8)
- Verify required SHEM related materials (i.e., Poster AD-1010, USDA Safety and Health poster; CA-10, What a Federal Employee Should Do When Injured at Work; EMS Policy Statement; and, OSHA Form 300A, Summary of Work-Related Injuries and Illnesses (from February 1 through April 30) are posted on a bulletin board(s) in a conspicuous location(s) accessible to all employees. (ARS Manual 230, Chapter 17)
- Verify safety, health, and environmental requirements are taken into consideration during the design and construction process. Location and/or Area SHEM personnel must review designs to ensure they meet SHEM requirements. (ARS Manual 230.0, Chapter 19, ARS Manual 242.1, Facilities Design Standards, and ARS Manual 242.4, Major Facilities Construction)

3.07-1 Safety, Health and Environmental Education/Training

- Verify safety, health, and environmental training is provided as part of the ARS Employee Orientation Program for new or transferred employees. (ARS Manual 230, Chapter 14)
- Verify the Location has assessed the workplace and identified appropriate job-specific safety, health, and environmental training for all employees. (ARS Manual 230, Chapters 14 and 26)
- Verify completed training is documented and kept in a centralized location.
- Verify that training that has not yet been completed is documented in the employee's Individual Development Plans (IDP), ARS Form 48, or equivalent. Employees should not engage in an activity until they have received appropriate training. (ARS Manual 230, Chapter 14)
- Determine if the Location has an Incentive Awards Program for recognizing SHEM performance. While not required, many Locations use such methods to encourage participation in SHEM programs. (ARS Manual 230, Chapter 15)

3.07-2 Safety Management

- Verify the Location provides written notification of potentially hazardous conditions to employees. Management must inform employees about any workplace hazards. (ARS Manual 230, Chapters 22 and 26).

- Verify that the Location has a comprehensive SHEM Inspection Program using ARS Form 404, or equivalent. Ensure inspections have been conducted annually and reports kept on file for five years. (ARS Manual 230, Chapter 22)
- Verify the Location has a comprehensive SHEM Abatement Program to correct deficiencies identified by employees and during annual inspections. Check to verify deficiencies are abated within 30 calendar days. If a deficiency was not abated within 30 calendar days, check to verify the facility developed a written abatement plan with milestones as well as interim steps to protect employees from injury as a result of the unsafe or unhealthful working condition. Ensure abatement activity documentation is present in a centralized location available for reference by all employees. (ARS Manual 230, Chapter 22)
- Verify the Location has an Accident/Illness Reporting, Investigation, and Analysis Program in place (i.e., the Location must have a file for accident reports and the ensuing investigations.) Ensure the Location has documented the measures taken to prevent recurrence of accidents/incidents. (ARS Manual 230, Chapter 20)

3.07-3 Industrial Hygiene

- If chemical, biological, or radiological agents are used, verify the Location has a written Hazard Communication Program and Chemical Hygiene Plan; and, that training has been provided for these programs. (ARS Manual 230, Chapters 14, 26, and 33)
- Verify the Location maintains an inventory of chemical, biological, or radiological agents, and that the inventory is updated at least annually. (ARS Manual 230, Chapter 26)
- Verify that Material Safety Data Sheets (MSDS) are retained and that they are orderly and easily assessable to employees who need them. MSDS are required for all materials that may be harmful to humans such as laboratory chemicals, pesticides, insecticides, cleaning agents, biological agents, radiological agents, etc. (ARS Manual 230, Chapter 26 and 33)
- Verify all hazardous areas and areas containing hazardous materials (i.e. chemical, biological, and radiological agents) are clearly posted and secured. (ARS Manual 230, Chapter 26)
- Verify applicable Personal Protective Equipment (PPE) is available and its use mandated. Each employee's immediate supervisor is responsible for:
 - assessing the need for PPE;
 - providing appropriate PPE to employees;
 - developing standard operating procedures for PPE;

- training employees on proper use and care; and
 - ensuring that employees utilize the equipment.
(ARS Manual 230, Chapters 33 and 34)
- In the absence of professional medical attention in near proximity to the workplace (i.e., 3-4 minutes), verify the Location has a person(s) trained to render first aid on all shifts and that adequate first aid supplies are on-hand. (29 CFR 1910.151 and ANSI Standard Z308.1)

3.07-4 Environmental Management

- Verify that the Location has completed an EMS Self-Declaration checklist, signed by the Senior Management Official at the Location, confirming that the necessary elements are in-place? (ARS Manual 230.0, Chapters 38 and 63)
- Verify the Location considers safety, health, and the environment in its procurement practices. Specifically, the Location should have procedures for reviewing hazardous substances to determine if:
 - materials are already in stock and available;
 - less hazardous substance can be substituted; and
 - minimum quantities are being ordered.
(ARS Manual 230, Chapter 49)
- Verify the Location has procedures for determining if a waste is a regulated hazardous waste and, for the satellite accumulation of hazardous waste. Verify that personnel who generate hazardous waste have been trained on these procedures. (ARS Manual 230, Chapter 57 and 40 CFR 260)
- Verify the Location maintains records on the quantity and types of hazardous waste generated each month. The Location utilizes this information to determine and document their generator classification (i.e. conditionally exempt small quantity, small quantity, and large quantity). (ARS Manual 230, Chapter 57 and 40 CFR 260)
- Verify the Location has filed EPA Form 8700-12, “Notification of Hazardous Waste Activity” with the EPA or State, if applicable. The EPA does not require conditionally exempt small generators to file; however, the State may require the Location to file. (ARS Manual 230, Chapter 57 and 40 CFR 260)
- Verify the Location has written procedures for the temporary storage of hazardous wastes including management, handling, and disposal. (ARS Manual 230, Chapter 57 and 40 CFR 260)
- Determine if the Location maintains a log of hazardous wastes inspections. Weekly inspections of hazardous waste storage areas must be conducted for large

quantity generators. Small quantity and conditionally exempt small quantity generators are not required to perform such inspections but are encouraged to do so. (ARS Manual 230, Chapter 57 and 40 CFR 260)

- Verify Hazardous Waste Manifests are on file and orderly (a returned signed copy from the disposal or treatment facility receiving the waste is required). Locations that utilize University resources to dispose of waste are responsible only for documenting the types and quantities of waste (i.e., manifest copies are not required). (ARS Manual 230, Chapter 57 and 40 CFR 260)