

## **Real Estate Guidance - (04/2014)**

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## **5.2 Roles and Responsibilities** Added 10/2005

### **5.2.1 Real Property Management Officer (RPMO) (FAA Headquarters)** Revised 10/2008

The RPMO ensures that the FAA real property management program meets applicable legal and regulatory requirements. This responsibility belongs to the Senior Real Property (SRPO) Officer for the FAA. The RPMO serves as liaison between the FAA and other Government agencies. The RPMO is Mamie Mallory. She can be reached at 202-267-7369 or [mamie.mallory@faa.gov](mailto:mamie.mallory@faa.gov).

### **5.2.2 Real Property Manager (RPM)** Revised 10/2008

The Regional Logistics Division Manager serves as RPM for the Region and is ultimately responsible for all real property actions within the Service Area. The RPM is the Appointing Official for the Real Property Disposal Officer (RPDO) and the Internal Review Officer (IRO) and has discretionary authority to determine the number of appointed positions required, to identify the specific responsibilities of each appointee and to establish any limitations on appointee authority deemed necessary. The RPMs are as follows: Roger Lilley, Eastern Logistics Service Area (ELSA), Marcus L. Williams, Central Logistics Service Area (CLSA), and Therese Hower, Western Logistics Service Area (WLSA).

### **5.2.3 Internal Review Officer (IRO)** Added 10/2005

This is an optional appointment within the Regional Logistics Division made at the discretion of the RPM. When appointed by the RPM, the IRO conducts routine, periodic or event-generated reviews of property activity within the Region. The IRO will evaluate actions and processes to ensure compliance with published FAA guidance and to safeguard the interests of the government as well as the welfare of the public. The IRO may serve as Report of Survey (ROS) reviewing official in lieu of a fully constituted ROS Board when fraud or negligence is not indicated as a proximate cause of any loss, damage or destruction of government property. The IRO will not be in the direct chain of accountability or custody over property subject to his/her examination or review.

### **5.2.4 Real Property Disposal Officer (RPDO)** Added 10/2005

The RPDO is appointed by the Real Property Manager (RPM) to facilitate the Regional excess identification process, evaluate potential intra-Region real property transfers and to determine the final disposition of excess real property. When disposal activity alters real property balances shown in the Real Estate Management System (REMS), the RPDO will ensure that appropriate adjustments are made to the affected accounts. Likewise, when the disposal activity removes a facility from leased or owned property accounts or removes property rights, such as easements or restrictions, the RPDO will ensure that appropriate adjustments are made to all affected property information systems and data bases. The RPDO is appointed to act as approving official for final disposal of excess real property through demolition, dismantling, abandonment or conveyance under the provisions delineated in Public Law 103-272, dated July 5, 1994, (replacing the Federal Aviation Act of 1958, as amended).

### **5.2.5 Personal Property Disposal Officer (PPDO)** Added 10/2005

The PPDO exercises management and control authority over personal property and real property component items (also referred to as related personal property) reported through the Utilization, Screening and Disposal (USD) system. FAA Order 4800.2c, Chapter 1, describes the responsibilities of the PPDO.

### **5.2.6 Real Estate Contracting Officer (RECO)** Added 10/2005

The RECO is an individual authorized by warrant acting on behalf of the Government in the preparation and execution of contractual agreements between the Government and other parties. The RECO is responsible for leasing land and space to support NAS operations, for securing title to land or buildings through purchase or condemnation proceedings, and for preparing conveyance documents to transfer ownership between the FAA and outside parties both public and private.

#### **5.2.6.1 Contracting Officer Representative (COR)** Added 10/2006

a. Designating a Contracting Officer's Representative. The RECO may designate an individual representative, such as a COR to facilitate administration of a lease or contract. The RECO will designate a representative by written memorandum describing the specific authorities and responsibilities delegated to the representative. The RECO should ensure that the assigned representative has adequate training at the time of the assignment or will receive training within three months of being assigned the responsibility. Based on the yearly anniversary date of the lease/contract, the RECO should also obtain from the appointed representative, an annual validation that the representative has participated in adequate refresher training during the year. The RECO provides a delegation memorandum to the appointed COR at the time the assignment is made or changed in any way.

b. Authority of the Representative. A duly-assigned representative is authorized to perform the actions delegated by the RECO. The representative of the RECO may assume the designated authorities when appointed, provided the COR has demonstrated adequate training. If the COR does not have adequate training at the time of the assignment, the COR may assume designated authorities for a provisional period, not to exceed three months, until completion of adequate training. While performing as a representative, the COR maintains current knowledge of the COR duties and responsibilities through formal training or other means and advises the RECO annually. The RECO should consider the specific requirements and needs of the lease/contract in determining the support required from the representative and clearly enumerate the authority granted to the COR in a written memorandum of delegation. A sample delegation memorandum is included herein. One memorandum of delegation for all situations may not be appropriate since contractual situations are distinct and have varying needs. Therefore, the sample memoranda may be modified to reflect the specific needs of the lease/contract and the RECO.

c. Changing the COR. To change the COR on a lease/contract, the RECO must revoke the previous delegation and issue a succeeding delegation to the new COR, Both of these

memoranda must be in writing and issued concurrently.

d. Information to the Lessor/Contractor. The RECO furnishes copies of all memoranda of delegation, revocation, changes in authority, or re-delegation to the lessor/contractor to make them aware of the authorities and limitations of the COR. A sample lessor/contractor notification letter is included herein and may also be modified to reflect the specific needs of the contract and the RECO.

#### **5.2.6.2 Sample Notification Letter and Delegation Memorandum** Revised 4/2012

##### **Lessor/Contractor Notification**

Date \_

##### **Address of Lessor/Contractor**

Re: Lease Number

Dear \_\_\_\_\_

In accordance with the enclosed memorandum, Name , Title, is hereby designated as the Contracting Officer's Representative (COR). This delegation supersedes any and all previous COR delegations issued with respect the lease referenced below. He/She will be assisting the Real Estate Contracting Officer in the technical administration of lease # \_\_\_\_\_ for the office space at address of leased space. Name of COR may be reached at Phone number, address & email of COR, for technical matters.

Please note that the COR has no authority to issue directions or enter into agreements which may constitute a new assignment of work or which would commit the Government to a change in the expressed terms, conditions, or specifications incorporated into the lease. All technical instructions will be in writing. You will not accept oral or written instructions from sources other than the Real Estate Contracting Officer.

Contractual matters will be addressed to the Real Estate Contracting Officer at Phone number, address & email.

Sincerely,

***Signature Block of RECO***

Enclosure

cc: Name of COR

## CONTRACTING OFFICER'S REPRESENTATIVE (COR)

### DELEGATION MEMORANDUM

Subject: Designation of Contracting Officer's Representative for Lease #\_\_\_\_\_/Location

From: Name of Real Estate Contracting Officer (RECO)

To: COR for the leased manned building

Dear Name of COR:

You are hereby designated the Contracting Officer's Representative (COR) for the subject lease which commences on or about date. No changes or modifications to this delegation may be made unless they are in writing and signed by the Real Estate Contracting Officer (RECO).

It is your responsibility to assist the RECO in the administration of the lease. You are not authorized to change or modify any of the lease terms or conditions. Changes to the lease are not valid unless they are in writing and signed by the RECO. You will keep the RECO informed with regular updates on lease performance. If the requirements of the lease are not being met, you will contact the Lessor directly with notification of the deficiency (send the RECO copies of your notification) and what requirements of the lease are not being met. . If there is no improvement in the performance of the Lessor, you will send a written description of the problem to the RECO for the RECO to resolve. Contact the RECO if you have any questions concerning lease requirements.

#### **AUTHORITY:**

As COR you have the authority to:

1. Monitor contract work and conduct inspections that are necessary to assure compliance with the lease. Resolve day-to-day matters within the scope of your authority.
2. Make recommendation to the RECO concerning potential lease changes.
3. Assist the RECO in interpreting the Lease terms and provisions.
4. Update and maintain a listing of employees who will be working at the site unescorted (i.e. will be issued an FAA badge). Coordinate with the Security Office to keep this list up to date at any time a contractor employee is added or deleted from the list.

#### **RESPONSIBILITIES:**

As COR, you have the responsibility to:

1. Take required training for Contracting Officer Representatives, either online or through an approved course funded by your Line of Business.
2. Be familiar with and understand the lease requirements. A copy of the lease is attached for your information and reference.
3. Seek guidance from the RECO for specific situations not covered in this delegation.
4. Maintain liaison between the Lessor and the RECO.
5. Make sure that recurring services required by the lease are performed.
6. Maintain a file on all correspondence (or data) initiated or received by you in connection with the subject lease. Submit documentation to the RECO when requested.
7. Certify invoices to the RECO for payment. Date and initial all invoices upon receipt before forwarding to the RECO. Return improper invoices to the Contractor within 7 days of receipt.
8. Notify the RECO prior to relinquishing your position as COR. (The COR is designated by RECO.) As a departing COR, you may nominate a replacement person's name to the RECO.
9. Be cognizant of ethical requirements in conducting all business, so you perform your duties in a manner that is above reproach and at arms length at all times.

As COR, you are required to consult with the RECO when there are questions about your authority. This delegation will remain in effect for the duration of the lease unless revoked, in writing, by the RECO. You are not authorized to redelegate your authority. If you have any questions concerning your role as COR, please contact me at RECO's phone number and/or E-MAIL

#### **ADDITIONAL RESPONSIBILITIES for BUILD OUT:**

**As COR during a build out, the RECO may ask you to:**

- Responsible for the review of all required permits, and notify the RECO with respect to whether the Lessor has obtained all required permits.
- Review proposed materials for tenant improvements and monitor expenditures against schedule. Notify RECO of any potential cost overruns as soon as possible.
- Perform periodic inspection of build-out to check progress and keep RECO informed of progress.
- Attend Lessor building, construction, and progress meetings. Report to RECO all issues related to cost, schedule, and quality of tenant improvements.
- Review Lessor build out invoices and forward to the RECO with payment recommendation. Date and initial all vouchers or invoices upon receipt before forwarding to the RECO.
- Inform the RECO via email when the build out is complete.

## **LIMITATIONS:**

As COR, **you will not:**

1. Make, or give the appearance of being able to make, any commitments outside the Lease, or to execute or agree to modifications in the Lease terms and requirements, or take actions that would commit the Government to a change in the Lease requirements..
2. Make determinations, or give the appearance of being able to make determinations regarding issues of Lessor or Government liability that may arise during Lease performance. (Such contract issues must be reported to the RECO).
3. Direct or supervise the Lessor, his contractors or subcontractors, on how to perform.
4. Issue stop work orders, make decisions outside of your official delegation or compromise your independence and objectivity.
5. Lose independence or impartiality.
6. Make a Government decision outside of official channels.

The duties and responsibilities included in this memorandum are not intended to be all – inclusive. As COR, you will consult with the RECO when there are questions about your authority.

## **ATTACHMENT**

### **5.2.7 Logistics Program Coordinator (LPC) Added 10/2005**

The LPC is assigned to the System Management Office (SMO) and serves as the SMO Manager's staff logistician. The direct involvement of the LPC in property management is at the discretion of the SMO Manager, however, the LPC should be involved in the evaluation of excess real property for possible intra-SMO transfer and reutilization before the excess is reported to the Regional level.

### **5.2.8 Real Property Custodian (RPC) Added 10/2005**

The RPC is the first level of management for both real and personal property. Typically, the RPC has assumed signature accountability for specific property assets assigned to one or more cost centers located in reasonable proximity to one another. By virtue of his/her duty position, the RPC is responsible for all activities associated with property assigned to his/her care to include security, routine record-keeping, periodic inventory and status reporting. When it is determined that real property or a real property component item is no longer mission-required at its original facility, the RPC initiates the evaluation and reporting processes.