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5 MANAGEMENT AND DISPOSAL OF EXCESS REAL PROPERTY Revised 10/2005

Management and disposal of excess real property within the FAA is carried out in compliance with Public Law 103-272, dated July 5, 1994, and all other applicable Federal Statutes, Regulations and Orders.

5.1 Introduction Added 10/2005

5.1.1 General Added 10/2005

Identification, evaluation, reporting and disposal of excess real property are critical elements in the overall process of managing and accounting for property within the FAA. Real property is defined as land, buildings and other structures, including improvements thereto along with other associated interests and rights, such as easements and restrictions. Real property and improvements are permanent either by nature (land), or by design (permanently affixed to the land) and intent (expected to remain in place for the useful life of the property). FAA property information and accounting systems categorize real property assets as either Land, Buildings or Structures. Real property in any of the above categories may become excess as mission requirements change and National Airspace System (NAS) equipment or property is retired, replaced or updated.

5.1.2 Scope Added 10/2005

From an agency standpoint, it is important that excess property be identified, evaluated and reported to Regional property specialists so that disposition decisions may be made in a timely manner. The Real Property Custodian (RPC) and the Real Property Disposal Officer (RPDO), acting on behalf of and under the authority of the Real Property Manager (RPM), cooperate to identify excess property and to evaluate the property for possible reutilization locally or within the Region. When it is determined that reutilization is possible, the RPC and the RPDO act in concert to prepare and process transfer documents to ensure that the property is moved to the gaining entity's property account. In the event that reutilization within the Region is impractical, the RPDO will determine the appropriate disposal option.

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.

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.

5.3 Identification of Excess Real Property Added 10/2005

5.3.1 Mission-Related Excess Added 10/2005

Real property becomes excess as a result of facilities being decommissioned, displaced by new construction, or subjected to system upgrades. Under such circumstances, the determination as to which assets are considered excess occurs early in the planning phase of a decommissioning or construction project. Depending on the project's scope, this determination may lead to the development of a formal disposal plan, complete with drawings and specifications, that becomes part of the contract and which may involve significant expense. Less formal disposal plans for projects of smaller scope are formulated locally and are carried out by local personnel. Real property assets, other than land, are comprised of components that, in combination, have acquired characteristics of permanence but which may be dismantled to yield serviceable personal property items. Such items must also be identified in the disposal plan regardless of the scope of the project. Identification of the real property assets to be removed, dismantled or modified is a cooperative effort involving project engineers, property managers and the user. Guidance on the preparation of disposal plans is contained in the NAS System/Equipment Disposal Plan Guide. Though this document is geared to personal property procedures; it does provide useful insights into the identification and planning processes. This publication is a product of Technical Operations, NAS Logistics Property Management Division, and is available from the Mike Monroney Aeronautical Center's LIS/Online Requisitioning System.

5.3.2 Condition-Related Excess Added 10/2005

Real property assets may be identified by the owning entities as excess for reasons related to the

condition of the property itself. The underlying intent in such cases is to ultimately dispose of and replace the assets with more suitable or more serviceable substitute items. Users must monitor the condition of property in their care and advise the RPC when they identify the following:

5.3.2.1 Safety Hazards Added 10/2005

Property whose condition constitutes a safety hazard to users and/or the public.

5.3.2.2 Unserviceable Property Added 10/2005

Property that has become unserviceable through use and whose reconditioning cost is anticipated to exceed new replacement costs.

5.3.2.3 Damaged Property Added 10/2005

Property that has sustained damage to such a degree that estimated repair costs exceed anticipated new replacement costs.

5.3.2.4 Uneconomical to Maintain Assets Added 10/2005

Property whose continued maintenance is clearly uneconomical when compared to the cost of a new replacement item.

5.4 Evaluation of Excess Real Property for Disposition Added 10/2005

5.4.1 General Added 10/2005

In evaluating excess real property, the primary goal is to determine the ultimate disposition of the property while giving full consideration to the NAS mission, the interests of the Government and the welfare of the public. Property managers at each succeeding level must decide which of the various disposal options (reutilization, demolition, conveyance by transfer agreement or making the property available to outside entities) is most appropriate on a case-by-case basis depending on circumstances. (NOTE: The term excess real property in this paragraph applies to property that is <u>excess to the user</u> - not to property that is "Excess Property" to the FAA as defined in Appendix A).

5.4.2 Budgeting for Disposal Costs Added 10/2005

Budgeting for disposal costs is an important part of the Life Cycle Cost (LCC) estimating process and to be meaningful this portion of the LCC process must begin as soon as the intent to dispose of land, land rights or real property becomes known. Typically, disposal actions are

brought about by outright replacement of existing assets, generational upgrades to existing assets, or when a particular asset is removed from service. In most instances, the need for disposal action will be known. For example, a navigational aid construction project may be in the planning stage for several years before actual construction begins. Part of the planning is to identify the impact on existing assets and the attendant costs. Property managers, custodians, and technicians must coordinate closely during budget forecasting cycles to ensure that out-year disposal costs are estimated and made part of annual projections.

5.4.3 Reutilization Added 10/2005

Reutilization of real property assets in their installed configuration is seldom possible because of transportability issues. Reutilization is the first option when considering the disposition of salvageable component items associated with real property scheduled for demolition, disassembly or conveyance by transfer agreement. These component items are often referred to as related personal property and are accounted for and treated as personal property when standing alone. Planning for any project which results in disassembly of real property assets must include an evaluation of possible uses for salvageable components as part of a disposal plan, regardless of the complexity of the project. An overriding decision factor is the potential impact reutilization efforts may have on the overall project: Reutilization is not a viable option if removal activity impedes project progress and the delay has the potential to adversely impact the NAS mission, construction deadlines or commissioning schedules, or if the removal and transfer is not economically feasible.

5.4.4 Demolition Added 10/2005

The FAA has discretionary authority to dispose of excess airway property by demolition under certain circumstances. Planners and managers must evaluate each case and decide if demolition is justified by the existence of any of the following conditions:

5.4.4.1 To Facilitate Airport Improvements Added 10/2005

Demolition is necessary to clear the way for the construction of new FAA assets or airport improvements. In such cases, the decision to demolish any pre-existing assets is made early in the planning process and a demolition schedule, based on the overall disposal plan, is routinely made a part of construction contracts.

5.4.4.2 Dismantling for Reutilization Added 10/2005

Demolition by dismantling property into its component parts is necessary to facilitate reutilization of salvageable items and circumstances permit doing so without risk to the NAS mission.

5.4.4.3 Elimination of Safety Hazards Added 10/2005

The condition of the property is such that its continued existence poses a hazard to the safety, health or welfare of FAA employees, contractors, or the public.

5.4.4.4 Uneconomical to Maintain Added 10/2005

The continued maintenance of the property is clearly uneconomical. In making this determination, property managers will consider not only the costs associated with physical maintenance of the property but also the administrative costs arising from the recording, accounting, security and monitoring processes.

5.4.5 Conveyance by Transfer Agreement Revised 1/2012

The evaluation process may lead to a decision that transfer of ownership for direct or indirect consideration is in the best interests of the government. Conveyance by Transfer Agreement may be practical in the situations outlined in the following subparagraphs. However, the real property assets to be conveyed must be screened for any environmental or safety issues that may require mitigation prior to conveyance (see paragraph 5.4.8).

5.4.5.1 To Facilitate Airport Improvements Added 10/2005

It is necessary to expedite airport improvement projects for which funding has been secured by local authorities (city, county, airport commission, etc.) and for which construction contract proceedings are imminent or in progress. Ownership of FAA assets to be demolished or displaced as a result of the new construction is conveyed to local authorities to preclude delay of the project. Demolition, disassembly or relocation in such cases would be carried out by local authorities.

5.4.5.2 Obligated by Contract Added 10/2005

It is necessary to satisfy the terms of a contractual agreement. For example, to satisfy the terms of a restoration clause in a lease, a RECO may negotiate a transfer of property ownership to the lessor in lieu of restoring the premises to its original condition. A conveyance under these circumstances may also include negotiated fair and reasonable payments by either party to the other in order to reach an equitable settlement. Another example occurs when the RECO elects to invoke the non-restoration clause contained in a standard lease (http://fast.faa.gov/docs/attachmenta.doc). In such cases, the government is under no obligation to restore the premises to its original condition and ownership is passed to the lessor through a transfer agreement between the two parties at the time the site is abandoned. The key point is that the government's interests are better served by conveying ownership for direct or indirect consideration than would be the case if another option were selected. The practical effect in both cases is that the excess property is no longer government-owned and it is removed from all government property and accounting systems.

5.4.5.3 Release of Easements, Restrictions and Other Real Property Rights Added 10/2005

Easements, restrictions and other property rights owned by the FAA may be disposed of to the owner of the land that is subject to the easement, restriction, or other rights when the continued use, occupancy or control of the easement is not needed for the operation, production, use or maintenance of property owned or controlled by the Government. Such disposition may be made with or without consideration to the Government.

5.4.6 Abandonment of Leasehold Improvements Revised 1/2012

FAA-owned improvements to buildings or building space held under lease are frequently made to promote the health, welfare and security of government employees or to enhance NAS operations carried out at the site. Such improvements may be abandoned upon final termination of the lease in accordance with non-restoration language contained therein because removal of the improvements is impractical and abandonment poses no risk to the public. The responsible Real Estate Contracting Officer (RECO) will advise the regional real property section of the lease termination and any leasehold improvements that have been recorded in automated property systems will be retired. However, any improvements being considered for abandonment must be screened for any environmental or safety issues that may require mitigation prior to abandonment (see paragraph 5.4.8).

5.4.7 Evaluation of Legal, Safety, Security and Environmental Issues Revised 4/2009

Evaluation of Legal and Security Issues Updated 4/09 Project planners and property managers must consider legal and security issues as they make decisions on disposal of excess property. In most cases, these parties will not have the technical expertise to precisely assess the available options nor will they normally have access to the most current information available to legal and security experts. For these reasons, specific guidance on legal and security issues must be furnished by the appropriate Regional staff section. Headquarters websites are available on the employees webpage located at https://my.faa.gov/employee_services/regcent_services.html (FAA only) 'FAA Organizations'.

5.4.8 Evaluation of Environmental and Safety Issues Revised 1/2012

FAA real property disposal actions are subject to the requirements of FAA Order 1050.19B, Environmental Due Diligence Audits in the Conduct of FAA Real Property Transactions, in order to identify and minimize potential environmental liabilities. Recognized environmental conditions (e.g., potentially contaminated land or groundwater) will be evaluated to determine whether they need to be corrected or mitigated prior to property disposal. Notice of previous hazardous substance activity on the property will be provided in the contract per the requirements of 40 CFR Part 373.

FAA real property disposal actions are also subject to the requirements of the National Environmental Policy Act (NEPA) in accordance with FAA Order 1050.1E. Certain property disposal actions may be eligible for a categorical exclusion under Chapter 3 of FAA Order

1050.1E provided no extraordinary circumstances exist as described in paragraph 304 of the order.

Any buildings and structures being considered for conveyance, transfer or sale to another entity as part of a real property disposal action must be evaluated by Agency environmental and safety professionals (e.g., ATO Service Center Planning & Requirements Staff) for a determination that environmental and public safety considerations do not preclude transfer.

The following specific environmental and safety requirements apply to buildings and structures being considered for conveyance, transfer or sale:

- Asbestos-containing material in buildings will be abated 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 (i.e., friable asbestos). Buildings with non-friable asbestos may otherwise be transferred provided the presence of non-friable asbestos is disclosed to the new owner.
- Lead-based paint in buildings and structures will be abated 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 (i.e., peeling paint). Lead-based paint will also be abated from any buildings meeting the definition of "target housing" constructed before 1960, as required by 24 CFR Part 35. Buildings and structures with lead paint that is intact and in good condition may otherwise be transferred provided the presence of lead-based paint is disclosed to the new owner.
- Underground storage tanks (USTs) will not be conveyed, transferred or sold to another entity due to liability associated with potential releases of fuel over the life of the tank. USTs must be permanently closed in accordance with federal and state environmental regulations prior to real property disposal.

Aboveground storage tanks (AST) may only be conveyed, transferred, or sold to another entity under the following conditions:

- Prior to conveyance, FAA must perform a tank tightness test and generate an alarm history report through the fuel monitoring system. If the AST system integrity cannot be certified, the AST will not be conveyed.
- If the AST has failed tightness testing or has generated integrity related alarms during the FAA operation period, the FAA may elect to repair the tank and reconsider for conveyance. Tank integrity must be validated after repairs and prior to conveyance.
- The tank operator must provide all tank operations and history data (e.g., LM data, tank tightness test results, and monitor history data) for inclusion in the site environmental due diligence audit report.
- FAA will comply with all applicable federal, state, and local requirements for tank closure (e.g., removing FAA from registration, etc.).
- If the FST is physically removed or relocated from the site, all tank system components and accoutrements (piping, monitor system, external alarms, placarding, etc.) shall be likewise removed in accordance with regulatory requirements.

5.5 Real Property Disposal Actions Added 10/2005

5.5.1 General Added 10/2005

The FAA has been granted authority under Public Law 103-272, dated July 5, 1994, (replacing the Federal Aviation Act of 1958, as amended) to act as disposal agent for airway property. Airway property is defined as ". . . Any real property, or interest therein, used or useful, directly or indirectly in connection with the administration, operation, or maintenance of any ground installation or facility necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air traffic control, airway communications and meteorological facilities. . . "The following policies and procedures govern the activities of FAA property managers when the FAA is acting as disposal agent.

5.5.2 Totally Decommissioned Sites Added 10/2005

Real property disposal activity for totally decommissioned sites typically involves all categories of real property - land, buildings and structures. Such sites are being completely closed down, all FAA functions are being discontinued, and there are no plans to install any other FAA facility on the same site. Assets will not be left on a totally decommissioned site without written notification to the landowner that contains provisions to absolve the government from potential liabilities arising from the continued existence of such assets.

5.5.2.1 Leased Land and Other Real Property Rights Revised 4/2009

When it is determined that a particular facility sited on leased land is no longer needed to fulfill the NAS mission, the entity owning the facility must initiate disposal actions for any real property assets that have been installed during the life of the facility. Likewise, termination action must be initiated for all negotiated surface, sub-surface or aerial rights associated with the facility (e.g., landsite leases, rights-of-way, utility easements, clear zones, joint use agreements, etc.). The responsible RECO, working in concert with the RPC, SMO personnel, and Regional Technical Operations representatives must monitor site closure activities and, at the appropriate time, notify the lessor of final site closure. Such notification will be in writing and in accordance with the time constraints provided for by the terms of the lease. The RECO must ensure that all other lease terms regarding site closure have been satisfied, that the lessor does not have any outstanding issues regarding closure and that the site poses no risk to the general public. When the above conditions have been met, the RECO terminates the land lease, requests cessation of lease payments and advises all concerned parties (RPC, SMO, Regional Technical Operations, REMS property specialists, etc.) of the termination so that affected property, accounting and budgeting systems may be adjusted. In the case of no-cost leases, FAA property managers have a like obligation to act promptly and in accordance with the provisions of the lease and applicable government standards particularly regarding any potential environmental or safety considerations.

5.5.2.2 Owned Land Added 10/2005

As a rule, the FAA will not act as the disposal agent for Government-owned land inasmuch as the FAA's interests are better served by utilizing the disposal services offered by the General Services Administration (GSA). When the GSA acts as the disposal agent, the FAA fulfills the role of the holding agent and acts in conformance with provisions of paragraph 5.7, Reporting Excess Property for Interagency Screening. When land owned by other federal entities, e.g., the Bureau of Land Management and used by the FAA is no longer required, the land is made available for return to the owning agency. The decision to accept return of the land (along with any fixed improvements thereon) is discretionary and if rejected by the original owning entity, the property should then be reported to the GSA for disposal in the same manner as land owned in fee by the FAA. Property managers and facilities personnel must evaluate the assets installed on the site for potential FAA reutilization and take the necessary steps to facilitate transfer of those assets to other FAA facilities. In cases involving substantial buildings or structures that cannot be moved, the assets, along with the land upon which they are constructed, must be reported to the GSA.

5.5.2.3 Permanent Buildings Revised 1/2012

Permanent buildings are defined as buildings that cannot be removed from a site and transported without destroying their serviceability. Decisions on final disposition of such buildings are a cooperative effort involving property managers, Technical Operations personnel and the responsible Real Estate Contracting Officer (RECO). The handling of these buildings may vary. For example:

- A permanent building on a leased site may be conveyed by lease modification or other conveying document agreement to a lessor when doing so is more advantageous to the government than demolition and when environmental and safety considerations do not preclude transfer (see paragraph 5.4.8).
- A permanent building on a site owned by the FAA may be reported to GSA for disposal along with the land upon which it is constructed. Excess facilities may be disposed of by public bid or full removal from the site prior to excessing the land either through GSA or in accordance with AMS, leases, MOAs, etc.

5.5.2.4 Non-permanent Buildings Revised 1/2012

Non-permanent buildings are defined as buildings that can be removed from a site and transported without destroying their serviceability. When a facility is totally decommissioned, such buildings are eligible for the full range of disposal options. They may be conveyed by transfer agreement, demolished, or relocated at the discretion of property managers, Technical Operations personnel, and the responsible RECO. Relocation and reutilization is, however, the first option to be considered. A decision to relocate and reutilize a non-permanent building must be mission-based and economically sound; e.g., an immediate need exists, the asset remains serviceable, and relocation costs are less than the cost of new construction. A decision to convey or sell a non-permanent building is contingent on a determination that environmental and safety

considerations do not preclude transfer (see paragraph 5.4.8).

5.5.2.5 Structures Revised 1/2012

Structures are real property assets other than land or buildings and include such items as roads, fences, external power and control systems, parking lots, fuel storage systems, communications towers, etc. Again, decisions on disposition of such assets involve property managers, Technical Operations personnel, and the responsible RECO. Reutilization is the first option to be considered. Some structures such as roads, parking areas, underground power or water systems and concrete slabs on grade have more permanence than others and are conveyed by transfer agreement to new ownership either in "as is" condition or after they have been rendered innocuous. Other structures lack real permanence and may be candidates for relocation depending on age, condition, need, and relocation costs. A decision to convey or sell a structure is contingent on a determination that environmental and safety considerations do not preclude transfer (see paragraph 5.4.8).

5.5.2.6 Other Real Property Rights Added 10/2005

Other real property rights include easements, restrictions and other real property interests owned or leased in perpetuity or for a specified period of time. Easements may be disposed of to the owner of the land that is subject to the easement when the continued use, occupancy or control of the easement is not needed for the operation, production, use or maintenance of property owned or controlled by the Government. Such disposals may be made with or without consideration to the Government in accordance with a negotiated transfer agreement between the FAA and the property owner or in accordance with reversionary language contained in the document by which the FAA originally acquired the rights.

5.5.3 Partially Decommissioned Sites Added 10/2005

Land, buildings and structures associated with partially decommissioned sites are evaluated for retention or disposal according to circumstances existing at the time or to meet an anticipated need. Property managers, Technical Operations personnel and the responsible RECO must consider the implications of the partial decommissioning and the impact the action has on that portion of the site which contains facilities remaining in operation. For example

- As a portion of a site is decommissioned, land requirements (whether leased or owned) may diminish and allow the RECO to relinquish the excess acreage.
- Buildings or structures associated with the decommissioned facility may be useful assets for a co-located facility that will remain in operation and such property should be evaluated for transfer to the operational facility's property account.
- Buildings or structures associated with a decommissioned facility may, if left in place, impede the operation of other facilities on the site and should be considered for demolition or transfer off-site.

5.5.4 Miscellaneous Real Property and Component Items Revised 4/2009

Ancillary items installed to support operation of a facility being decommissioned but which were not recorded as stand-alone real property assets will be considered for disposition in the same way as recorded assets. In many instances, such items as electrical transformers, utility poles, external HVAC units and concrete piers or pads were considered to be integral components of larger systems and are not visible as individual line items in the automated property accounting system. Local property managers and Technical Operations personnel must evaluate these assets for reuse, demolition, or conveyance by transfer agreement (as either real or personal property) using the same standards applied to recorded real property assets. Transportable items should be reported using the USD system to ensure that their availability is made known over the widest possible area. RPCs are cautioned to check personal property systems to verify that any such items were listed as personal property when they were originally installed. Non-transportable items should be reported using Real Property Disposition Report with the "Remarks" section being used to identify the real property asset with which the item was originally associated.

5.5.5 Preparation and Routing of FAST Form, Real Property Disposition Report (Version 12/08) Revised 4/2009

The form, preparation instructions and routing procedures described below, and in Appendix C, are intended to facilitate the disposition of assets being removed from service at their original locations. These assets may be demolished, relocated, or conveyed by transfer agreement depending on circumstances and mission requirements.

5.5.5.1 The FAST Form, Real Property Disposition Report (Version 01/09) Revised 4/2009

This form is used to request RPDO approval of real property disposal actions and to serve as a report of completed real property disposal actions. It is similar to the old FAA Form 4800-1, however, a number of features have been added to allow for greater precision in identifying assets, describing asset condition and specifying actions taken or planned. Status codes have been included that will allow this form to be used to support removal of assets from property inventory and accounting systems. Provisions have also been made to include explanatory remarks from the initiator as well as from the approving official and a signature block is provided to indicate final RPDO approval. Detailed preparation instructions are contained in Appendix C.

5.5.5.2 Initiator Responsibilities Revised 4/2009

The initiator of the action, usually the RPC or a designee, can have a significant impact on the quality of the disposal process by careful preparation of the Real Property Disposition Report. The initiator must

- Ensure that the affected facility and the individual assets listed are identified correctly and that the information is consistent with data recorded in the property accounting

system.

- Assign the appropriate condition and action codes to each asset. These codes in combination constitute a recommendation to the RPDO, based on direct knowledge that a particular course of action is in the government's best interests.
- When reporting non-transportable component items, the "Remarks" section will be used to identify the real property asset with which the items were originally associated.
- Add appropriate remarks to explain situations or conditions to help the RPDO determine the most appropriate disposition option.
- Attach support documentation in those instances when it is required (e.g. Transfer Agreements) and when doing so serves to clarify or otherwise support the action.

A sample of a properly completed FAST Form, Real Property Disposition Report, is included in Appendix C.

5.5.5.3 Routing and Review of the FAST Form, Real Property Disposition Report (Version 1/09) Revised 4/2009

The initiator of the FAST Form, Real Property Disposition Report, may or may not be required to route the prepared form through the SMO LPC depending on the review policies established by the SMO Manager. If the SMO Manager directs LPC involvement, the precise nature and degree of that involvement will be as directed by the SMO Manager.

5.5.5.4 RPDO Decision Factors Added 10/2005

The RPDO must ensure that final decisions regarding the disposition of individual real property assets are made with due consideration for the overall circumstances existing at the place and time actions are to be carried out. The evaluation process described above addresses many of the factors that bear on RPDO decisions in the larger sense; however, the RPDO must also be aware of the following

- Technical Operations field personnel have the technical expertise to accurately assess the potential impact of property actions on the NAS mission.
- Technical Operations field personnel are in the best position to judge the condition of property in terms of its serviceability and suitability for current operations.
- If necessary, input can be solicited from the field to support a disposition request; e.g., if a relatively new asset is characterized as a safety hazard, the RPDO may ask for an evaluation from the local Safety Officer.
- Asset age and net book value are legitimate considerations in making decisions as to demolition, salvage, repair or transfer of individual items.

5.5.5.5 RPDO Actions Revised 4/2009

After considering all relevant information the RPDO will take the following actions

- Review the Real Property Disposition Report facility information for completeness and

accuracy.

- Review the asset descriptive information contained on the form against information recorded in automated property accounting systems.
- Ensure that Condition Codes and Actions Codes are entered for each asset listed.
- Ensure that Remarks are included when required by circumstances.
- Determine Net Book Value for each capital asset listed and enter that information on the form. NOTE: Capital assets are assets having an acquisition cost greater than $100,000.
- Approve or reject the form. If rejected, the form will be returned to the initiator with remarks added by the RPDO to explain the reason for the rejection.

After determining the appropriate disposition for each listed asset, the RPDO will return a signed copy to the originator, place a signed copy in the facility real property file and retain a signed copy for his/her own files. The RPDO will also route copies of approved forms to the Regional REMS point of contact, ensure that appropriate action is taken to record the asset disposition or change in status and a copy to accounting, AMZ. If the action includes the termination of real property rights (such as easements or restrictions) or a lease (cost or no-cost), the RPDO must ensure that the REMS property specialist provides appropriate termination documentation to accounting, AMZ.

5.6 Reutilization Added 10/2005

5.6.1 General Added 10/2005

Reutilization of real property as whole assets in their original, installed configuration is usually impractical and unrealistic. Reutilization of serviceable component parts removed from a dismantled real property asset is, however, possible under certain conditions. For example, a 60' steel tower is procured and placed in storage for use at a communications facility to be constructed in the future. This tower is accounted for as an individual personal property item or project material until it is installed. Upon installation, the tower and its ancillary items such as power, grounding and control systems become component parts of a single real property asset (a communications tower) and are no longer accounted for as individual personal property items or as project material. All costs associated with the procurement and installation of the assembled components are combined and reflected in the recorded acquisition cost of the communications tower. If the tower is subsequently dismantled and remains serviceable, it becomes a candidate for reutilization. While reinstallation is pending, the tower is accounted for by the owning RPC as personal property. Depending on local or Regional need, the tower may then be transferred to another facility, reinstalled and thereafter accounted for as real property, or reported through the USD system as available excess.

5.6.2 Criteria for Reutilization Added 10/2005

Proper consideration of potential effects of reutilization efforts must include an assessment of risk to commissioning plans, operational schedules, construction deadlines, contract incentives, etc. This assessment is a cooperative effort involving project planners (NAS Implementation, Technical Operations, and Project Engineers), regional property managers, and the owning entity. Their decisions will be reflected in a disposal plan. When the affected real property

asset is dismantled, any components that are to be reutilized are set aside and processed in accordance with the disposal plan. Under no circumstances will the accomplishment of the NAS mission be impeded by attempts to salvage component items.

5.6.3 Processing for Local or Regional Reutilization Added 10/2005

Excess property that has been identified as suitable for local or Regional reutilization will be processed as follows

- The property to be transferred remains accountable property; it is secured and accounted for in the same manner as any other piece of Government property or equipment.
- If vendor services are required to prepare the property for storage and handling or to transport the property, funding responsibility will be at the discretion of the SMO Manager. If the transfer takes place between SMOs, funding responsibility will be by mutual agreement between the managers involved.
- The RPC as the losing entity prepares the property for transport. This preparation includes compiling an inventory list of real property components to be transferred. Items recorded as personal property will continue to be processed for transfer in accordance with FAA Order 4800.2c.
- The RPC as the losing entity prepares FAA Form 4800-2, Real Property Disposition Report, identifying the property to be transferred as it is recorded in REMS and provides all available information as to the property's destination. It may be necessary at this point to coordinate with the RPC at the gaining entity in order to acquire REMS data relating to the gaining facility.
- The gaining and losing facilities will be identified as they are recorded in REMS (Air Traffic Identifier {ATID}, GSA Control Number {CN} and Facility Contraction) as well as by geographical location (City, Airport, etc.).
- Copies of the FAA Form 4800-2, Real Property Disposition Report, and the inventory list will accompany the property during transport. The gaining RPC will acknowledge receipt of the property by signature on the inventory list and return a signed copy to the losing RPC. The losing RPC will forward a copy of the inventory document to the RPDO and request that appropriate adjustments are made to the affected property accounts.
- The RPDO ensures that REMS data is adjusted for both the gaining and losing entities.

5.6.4 Reutilization of Land, Land Rights or Space Revised 4/2012

In some instances, land, land rights or space (both owned and leased) associated with a decommissioned facility may become candidates for reutilization by another FAA facility. The Government's interest may be retained and transferred from the property account of the facility being decommissioned to the property account of the operational facility when doing so facilitates the accomplishment of the NAS mission. The RECO and the REMS property specialist must cooperate to ensure the appropriate changes are made to lease documents, the REMS account is adjusted, and that distribution is made on all supporting documentation.

5.6.5 Reutilization Outside the Region Added 10/2005

When a specific local or Regional need has not been identified, the RPC makes the property available for transfer through a reutilization screening process, first within the FAA and then nationwide. The screening process is described in paragraph 5.7, below.

5.7 Reporting Excess Property for Interagency Screening Added 10/2005

5.7.1 General Added 10/2005

There are two primary mechanisms for reporting excess real property and/or real property component items for screening external to the FAA - the automated Utilization, Screening and Disposal (USD) system and the manual GSA reporting system. The following paragraphs provide only an overview of these reporting systems. USD procedural details and specific reporting requirements are contained in FAA Order 4800.2c and GSA reporting procedures are detailed on the GSA website via the links described in paragraph 5.7.3 below.

5.7.2 USD System Added 10/2005

The USD system is an important property management tool when demolition or disassembly projects result in the accumulation of serviceable component items that are suitable for reutilization (such items are also referred to as related personal property). The RPC should make maximum use of the USD system both to advertise excess property for transfer and to procure property to meet his/her operational needs. USD provides electronic visibility of available excess property to all FAA entities, the Department of Transportation (DOT), the GSA, and ultimately to all Government agencies. System documents (forms, letters, notices, etc.) are automatically generated as property is processed through various levels of screening and the system includes features that allow limiting access, freezing availability, and electronically exchanging system documents. Procedural guidelines for use of the USD system are contained in FAA Order 4800.2c, dated May 31, 1996.

5.7.3 GSA Property Disposals Revised 4/2009

The FAA has been granted authority to dispose of property using the procedures described in the paragraph 5.5, above, and is exempt from most GSA reporting requirements. The FAA may, however, choose to report excess real and related personal property through the GSA when doing so is in the best interests of the FAA and is consistent with NAS mission requirements. In such instances, a copy of a Standard Form (SF) 118 report submitted to the GSA, with all supporting documentation, will be furnished to the DOT for concurrent screening throughout the DOT. From the time of reporting through the time of final disposal, the FAA, as the holding agent, remains responsible for all on-going costs (utilities, rents, etc.), and assumes responsibility for any direct property management costs incurred by the GSA that are not offset by a sale of the property. The FAA will also maintain full property accountability records related to the property until the GSA advises the property manager or RECO, in writing, of final disposition. Use of GSA services is not a viable option if adherence to GSA procedures and time-lines has the potential to delay completion of NAS construction projects, to adversely affect commissioning

schedules or to cause any disruption to NAS operations. General responsibilities and actions are described in the following paragraphs. Property managers or RECOs reporting excess property to the GSA must refer to the GSA website and their local GSA Regional Office for up to date procedural guidance on a case by case basis.

5.7.3.1 Reporting Environmental Information to the GSA Revised 4/2009

All reports of excess property forwarded to the GSA must include specific information regarding environmental issues and conditions related to the property being reported. The Excess Real Property Checklist that is attached to SF 118 includes questions regarding NEPA compliance, floodplain/wetland certification, endangered species and biological resources, archeological and cultural resources, asbestos, polychlorinated biphenyls (PCBs), lead based paint, underground storage tanks, RCRA permits and landfills, mold, radon, pesticides, coastal zone management, national parks or Indian reservations, national forests or wildlife refuges. The agency must also provide a notice of any hazardous substance activity (i.e., storage, release, or disposal) at the property, based upon a complete search of agency files.

The GSA website provides guidance for environmental reporting requirements. For completeness and accuracy, property managers reporting excess to the GSA should consult with FAA environmental professionals and the local GSA Regional Office on a case-by-case basis to ensure that each submission meets current reporting requirements.

5.7.3.2 Standard Form 118 Added 10/2005

Reports of excess real property and related personal property are prepared using the SF 118 and accompanying continuation schedules SF 118A (Buildings, Structures, Utilities, and Miscellaneous Facilities - Schedule A); SF 118 (Land-Schedule B) and SF 118C (Related Personal Property - Schedule C). Submission requirements will be in accordance with GSA policies in effect at the time each report is made but will include at a minimum

- Copies of all instruments in FAA's possession which bear on the right, title, or interests of the United States in the property or the use and operation of such property. When reporting public domain land to GSA for disposal, the Bureau of Land Management (BLM) declination notice will be submitted as title information.
- Any appraisal reports indicating the fair market value or the fair annual rental of the property reported.
- The certification..."This property is being screened concurrently within the DOT and by the GSA." imprinted on the SF 118.
- Mandatory environmental information (see paragraph 5.7, below).

5.7.3.3 Excess Government-Owned Land Added 10/2005

When reporting government-owned land, a written report is prepared by the RECO in consultation with Regional attorneys and the RPDO on the Government's title to the property

based upon review of FAA records. The report must include

- A title summary indicating the date title was vested in the United States, providing a complete legal description of the property and providing a description of all exceptions, reservations, conditions, and restrictions, relating to the title.
- Detailed information concerning any action, thing, or circumstance that occurred, from the date of the acquisition of the property by the United States to the date of the report, which in any way affected, or may have affected the right, title, and interest of the United States in and to the property. The report will also include copies of legal documents or opinions bearing on any of the above issues or on criminal or civil jurisdictional issues arising from Government ownership of the land.
- Detailed information regarding any known flood hazards or flooding of the property.
- The historical significance of the property and a description of fixtures and related personal property that have possible historic or artistic value.

5.7.3.4 Relinquishment of Public Domain Land Added 10/2005

Withdrawn or reserved public domain lands that are no longer required for NAS operations will be reported to the Bureau of Land Management (BLM) office to which the application for withdrawal or reservation was originally made. This report is prepared using standard agency letterhead with "Notice of Intent to Relinquish" as the subject line. Before filing this report, the RECO should contact the affected BLM office to determine the nature and scope of current reporting requirements. A Notification of Intent to Relinquish will be submitted in accordance with the guidance received from the BLM with a copy furnished to the local GSA office. If the property is suitable for return to the public domain, the BLM will proceed with relinquishment action. If the BLM finds the property unsuitable for return to public domain, BLM will advise the FAA reporting office of that fact through a declination notice and

- Advise the FAA whether any other agency claims primary, joint or secondary jurisdiction over the land.
- Advise the FAA whether the land is encumbered with any existing valid rights or privileges under the public land laws.
- Advise the FAA whether there are any minerals in the land, which are authorized for reporting to GSA for disposal with the land.
- Request the FAA report the land, building(s), and/or structure(s) to the GSA for disposal in accordance with procedures established by the GSA.

5.7.4 Withdrawal From Excess Added 10/2005

Subject to the approval of GSA, reports of excess real property and related personal property may be withdrawn in whole or in part by the FAA reporting office at any time prior to transfer to another Federal agency or prior to execution of a legally binding agreement for disposal as surplus property. Request for withdrawals will be addressed to the GSA office where the report was filed.

5.8 Real Property Reports of Survey Added 10/2005

5.8.1 General Added 10/2005

A Report of Survey (ROS) is a report of administrative action to remove assets from property and financial accounting systems and to relieve the Real Property Custodian (RPC) of responsibility for specific government property. ROSs are generally associated with personal property and in that context, processing is carried out in accordance with FAA Order 4630-3c. There are, however, rare occasions when assets accounted for as real property are lost, damaged or destroyed under circumstances that merit investigation: an example is when events (fire, flood or other natural disaster) or acts (vandalism, theft or sabotage) make it necessary to relieve the accountable individual of responsibility for the property. Circumstances may also dictate an investigation to determine culpability and financial liability associated with the
losses. In extreme cases, ROSs may lead to disciplinary or legal action seeking restitution for losses brought on by individual acts of negligence or willful misconduct when such acts are proven to be the proximate cause of the loss, damage or destruction of property.

5.8.2 Special Terms Added 10/2005

Terms used in the ROS system have very specific meanings that bear directly on results and validity of the ROS. For example, a person can be judged *culpable* and held *financially liable* for destruction of Government property only if the Survey Officer (SO) finds conduct that was not *reasonable* or *prudent* but was instead demonstrably *negligent* or attributable to *willful misconduct* and that this negligence or willful misconduct was the *proximate cause* of the destruction. In reading this section, the following definitions apply

- Personal Responsibility. The obligation of all persons to use, care for and secure all Government property in their possession. This obligation is not contingent upon an assumption of signature responsibility.
- Signature responsibility. The obligation of a person to ensure that Government property he or she has received is properly used cared for and secured and that records associated with its custody are maintained.
- Supervisory Responsibility. The obligation of a supervisor to ensure that all Government property in the possession of his or her subordinates is properly used, maintained, secured and accounted for in accordance with existing laws, regulations, policies and procedures.
- Reasonable and prudent. Describes conduct or action expected of persons in full possession of their faculties performing tasks for which they are suited by training, experience and duty position.
- Negligence. Acting, or failing to act, in a manner expected of a reasonable and prudent person with similar training, experience and resources under the same circumstances. Failure to comply with existing laws, regulations, policies or procedures may be considered as evidence of negligence but such failure is not negligence in and of itself unless it can be demonstrated that the person knowingly committed the violation.
- Gross Negligence. A reckless, deliberate departure from the actions expected of a reasonable and prudent person with a demonstrable disregard of readily foreseeable

consequences.

- Willful Misconduct. A willful (knowing) violation of existing laws, regulations, policies or procedures committed by a person or persons in the absence of duress or other extenuating circumstances.
- Proximate Cause. The act or event from which loss, damage or destruction of Government property resulted as a natural, direct and immediate consequence. Without this act or event, the loss, damage or destruction would not have occurred.
- Culpability. A determination of fault arising from a finding of negligence or willful misconduct that was the proximate cause of loss, damage or destruction of government property.
- Financial Liability. The statutory obligation of an individual to reimburse the Government for property that is lost, damaged or destroyed as a result of their negligence or willful misconduct.

5.8.3 Loss, Damage or Destruction of Government Real Property Added 10/2005

5.8.3.1 Loss of Government Real Property Added 10/2005

To make a determination that property has been lost, the RPC must have definitive knowledge of the property's existence at a particular location, and a specific point in time. Receiving Reports and inventory records are examples of documents that would serve to support the physical placement of property at a particular location. Secondly, the RPC must ensure that the "loss" is real and not due to administrative error or oversight in processing documents relating to the property.

5.8.3.2 Damage to Government Real Property Added 10/2005

Damage to real property must be attributable to specific events or acts and not to degradation in condition or serviceability brought about through fair wear and tear. In assessing any damage to real property, the RPC must evaluate the prior condition of the asset, secure estimates for repairs needed to return the property to current serviceability standards, and make a determination as to the economic viability of asset repair versus replacement.

5.8.3.3 Destruction of Government Real Property Added 10/2005

Real property assets are characterized as destroyed when damage is sustained to a degree that repair is clearly impossible and the only residual value of the property is as scrap or salvage.

5.8.4 Report of Survey Investigations, Findings and Recommendations Added 10/2005

The RPC and the SO work in concert to gather evidence, establish an audit trail and assemble the forms and documents necessary to prepare ROSs for IRO and RPM review.

5.8.4.1 Real Property Custodian Added 10/2005

The RPC prepares FAA Form 4800-4 when it has been determined that real property assigned to his or her account has been lost, damaged or destroyed. This action must be accomplished within ten (10) working days of the date the loss, damage or destruction is discovered. Instructions for the preparation of this form are contained in Appendix C and are based on the following guidelines

- The RPC must specify the date on which the loss, damage or destruction was discovered and the person or persons making the discovery.
- The affected property must be identified exactly as it is recorded in automated property accounting systems.
- Unit cost will include the acquisition cost and the cost of any improvements.
- The descriptive narrative must be complete, precise and, whenever possible, supported by documentary evidence.
- Persons having knowledge of circumstances relating to the property will be identified in the narrative. Statements from these persons will be appended to the ROS as Exhibits when doing so serves to clarify circumstances surrounding the loss, damage or destruction to property.
- Evidentiary documents (police reports, fire reports, inventory records, etc.) will be used to support the narrative and will also be appended as Exhibits to the ROS.
- If the affected property is deemed repairable, an estimate of repair costs will be appended as an Exhibit to the ROS.

5.8.4.2 Survey Officer Revised 4/2012

The SO is appointed by the IRO to investigate incidents of loss, damage or destruction of government property. The SO may be named on a standing appointment or appointed on a case-by-case basis at the discretion of the Regional RPM. The SO will not be in the direct chain of accountability, responsibility or custody of any property being investigated. The SO will review the ROS for completeness and technical accuracy, coordinating with the initiator and other persons having knowledge of events to secure any additional statements, information or documents deemed necessary. Using the information gathered during the investigation, the SO will enter a narrative account of events and circumstances surrounding the loss, damage or destruction of the property involved in the Survey Officer Findings section of FAA Form 4800-4. The narrative will be followed by a set of findings developed by the SO after a thorough review of all available evidence. The SO is allowed thirty working (30) days from the date the ROS is received to complete the findings and recommendations portion of FAA Form 4800-4. The following entries are mandatory

- An opening finding that: "(Negligence and/or Willful misconduct) (is or is not) believed to be the proximate cause of the (loss and/or damage and/or destruction) of the Government property described in this Report of Survey". (Select the appropriate terms).
- The date the loss, damage or destruction was discovered and identification of the person or persons making the discovery.
- A statement as to the specific event, act or omission that was the proximate cause of the

loss, damage or destruction of Government property. Evidence that directly supports this statement will be cited in detail.

- A tabulation of the depreciated value of lost or destroyed property.
- A comparative analysis of repair versus replacement costs when property is damaged. The age, condition and Net Book Value of the damaged asset will be considered in formulating the cost analysis.

When the SO opening finding is that the loss, damage or destruction of government property was not due to negligence or willful misconduct, no additional comment need be made in the Findings section of FAA Form 4800-4. If, however, the SO indicates that negligence or willful misconduct was a proximate cause the following is required

- Identification of any person or persons deemed culpable due to his or her negligence or willful misconduct by name, job title and permanent duty location.
- An affirmation that the person or persons deemed culpable due to his or her negligence or willful misconduct possessed the requisite training and experience to have prevented the loss incurred by the Government had they acted in a reasonable and prudent manner.
- Text citing specific instances when the person or persons deemed negligent failed to act in a reasonable and prudent manner.
- Text linking individual acts of negligence or willful misconduct to the specific property items affected by those acts accompanied by references to the supporting ROS Exhibit.
- A statement assigning culpability to the person or persons whose negligence or willful misconduct was determined to be the proximate cause of the losses incurred by the Government.

To support a finding of joint liability, the SO must demonstrate that specific acts by the persons found culpable were, when taken in combination, the proximate cause of the loss incurred by the Government.

The SO will prepare recommendations based on the results of the investigation and record them in the Survey Officer Recommendations section of FAA Form 4800-4. In cases not involving negligence or willful misconduct the SO will recommend that all accountable persons be relieved of responsibility for the lost or destroyed property. Property remnants, if any exist, will be released for disposal. When damage to property is under investigation and no negligence or willful misconduct is involved, the SO will recommend that the property be released for repair. If, however, there is a finding of negligence or willful misconduct and a further finding that such negligence or willful misconduct was the proximate cause of the losses under investigation, the SO must identify the person or persons deemed financially liable and the amount of their liability. The SO calculates financial liability using the guidelines shown in Paragraph 5.8, below and enters the following statement:

> "(Insert Name) has been found culpable for losses incurred by the Government as a result of (his or her) (negligence or willful misconduct). Further, it has been found that this (negligence or willful misconduct) was the proximate cause of the loss, damage or destruction of property described in this Report of Survey. I recommend that (Insert Name) be held financially liable in the amount of ($)."

NOTE: In those cases where more than one person has been recommended for financial liability

(joint liability), this statement will be repeated with the appropriate name and dollar amount entered for each person named.

5.8.5 Survey Officer Calculations for Property Value, Repair Cost and Financial Liability

Added 10/2005

5.8.5.1 Value of Lost or Destroyed Real Property **Added 10/2005**

The amount of financial liability arising from a loss incurred by the Government is dependent in part on the value of the property at the time of its loss or destruction. The SO will calculate property value as follows

- Determine the original acquisition date and cost of the property.
- Calculate monthly depreciation by dividing the property's acquisition cost by the life expectancy of the property expressed in months. Life expectancy for "Buildings" (Property Code 2) is 480 months; for "Other Structures" (Property Code 3) it is 180 months.
    - EX: Building Acq Cost = $12,000. Divide by 480 months = <u>$25.00 depreciation per month</u>.
- Using the original acquisition date, calculate the number of months the property was in service prior to its destruction.
    - EX: Acq Date = Jan 1980 / Destruction Date = June 2003 / <u>Months in Service = 282</u>
- Calculate accumulated depreciation by multiplying the monthly depreciation amount by the number of months the property was in service.
    - EX: Monthly Depr @ $25.00 x 282 months in service = <u>Total depreciation $7,050.00</u>
- Determine current value by subtracting total depreciation from the original acquisition cost of the property. Depreciation is limited to 95% of the recorded acquisition cost; i.e., the 5% residual is considered to be the asset's scrap value.
    - EX: Acq Cost = $12,000 minus Total Depr @ $7,050.00 = <u>Building Value $4,950.00</u>

In this example, the calculated loss to the government is $4,950.00 -- the adjusted value of this unimproved building. While this is the preferred method and the one most likely to be used, there may be instances where the original acquisition cost and/or a precise acquisition date cannot be determined. In such cases the SO may use a "comparable value" method whereby cost and date information is derived by reference to like property known to have been acquired at roughly the same time as the lost or destroyed asset. When this method is used the SO will so indicate in the Findings section of FAA Form 4800-4.

If the building in the above example had been the subject of an "Improvement" during its lifespan, the current value of the improvement would have been calculated (cost minus depreciation) and added to the current value of the building thus increasing the "loss to the Government" amount. Depreciation on improvements is determined by calculating the number of months between the "Improvement Date" and the expiration of the parent asset's lifespan. For

example, this 1980 building's service life would have expired in January 2020 so a June 1998 improvement would have a 258-month life expectancy. To calculate the value of the improved building at the time it was destroyed

- Divide the improvement cost by the life expectancy of the improvement expressed in months.
  - EX: Improv Cost = $4,000.00. Divide by 258 months. Monthly depreciation = $15.50
- Determine the improvement's months in service prior to destruction.
  - EX: Improv Date = June 1998 / Destruction Date = June 2003 / Months in Svc = 60
- Calculate accumulated depreciation by multiplying the monthly depreciation amount by the number of months the property was in service.
  - EX: Monthly Depr @ $15.50 x 60 Months in Svc = Total Depreciation $930.00
- Determine current value by subtracting total depreciation from the original improvement cost.
  - EX: Improv Cost = $4,000 minus Total Depr @ $930.00 = Improvement Value $3,070
- Combine the building's value with the value of the improvement to arrive at a value for the improved building at the time of its destruction.
  - EX: Building Value = $4,950.00 plus Improv Value @ $3,070 = Total Value $8,020.00

The calculated loss to the Government in this case is $8,020.00 - the combined value of the building and the improvement. The same method is used to establish values for "Other Structures" (Property Code 3); however, the standard life expectancy is fifteen years (180 months) rather than forty years as is the case with buildings.

5.8.5.2 Value of Damaged Property Added 10/2005

Damaged property is property that can be economically repaired and returned to service with no degradation in its capability or serviceability. The SO will coordinate with the owning property custodian to arrange preparation of a written estimate of repair costs to include time, material, travel and miscellaneous expenses involved in returning the damaged asset to service. This written estimate is the basis for determining the extent to which an individual may be held financially liable and a copy will be attached to the ROS as an exhibit. In some instances, the estimate for repairs is so high that it is in the Government's best interest to consider the property destroyed and to replace it outright. When this occurs, values will be calculated using the technique described in Paragraph 5.8, above.

5.8.5.3 Limits of Liability Added 10/2005

The following individuals/entities may be assessed liability for the full amount of the Government's loss, minus amounts charged to other parties

- States and territories of the United States - Contractors and contractor employees

- Perpetrators of criminal acts causing the loss
- Individuals or entities not federally employed

Federal civilian employees may be assessed an amount not to exceed 1/12 of the individual's annual base pay.

Using the example in Paragraph 5.8, above, and assuming that an FAA employee and a contractor have been found jointly liable

Value of the Improved Bldg	$8,020.00
Maximum Liability of FAA Employee	< $3,670.75 >
w/ Annual Base Pay of	$44,049.00
Loss to the Government	$4,349.25
Liability of Contractor	< $4,349.25 >
Loss to the Government	$0

5.8.6 Internal Review Officer Responsibilities Added 10/2005

The IRO is the Appointing Authority for SOs and may either name a single appointee to serve as SO until relieved of the duty or appoint SOs on a case-by-case basis as the need arises. The Regional RPM will establish the policy to be followed in this regard. The IRO is also the final Approving Authority for ROSs when investigation reveals that no negligence or willful misconduct was a factor in the losses suffered by the Government. The IRO is allowed five (5) working days from the date the ROS is forwarded for review to either accept or reject the ROS. In reviewing ROSs the IRO must

- Examine the ROS for completeness and accuracy.
- Direct the RPDO remove property described on the ROS from property accounting systems.
- Make any additional inquiries or request any additional documents deemed necessary to support the findings.
- Evaluate the findings and recommendations of the SO and concur or non-concur.

If the SO states in the findings a belief that negligence or willful misconduct was the proximate cause of the loss, damage or destruction of the property, the IRO will evaluate the ROS and decide whether the evidence does or does not support such a finding.

When the evidence **does not support the finding

- The IRO consults with the SO and seeks to reconcile their different conclusions by joint review of the evidence.
- If no reconciliation of views is possible, the IRO disapproves that portion of the findings

bearing on negligence/willful misconduct and states the reasons for doing so in the IRO Review section of FAA Form 4800-4.

- The IRO signs FAA Form 4800-4 as Approving Authority, and forwards the completed ROS to the Regional Real Property records custodian and the owning RPC.

When the evidence **does support the finding

- The IRO indicates concurrence with the findings in the IRO Review section of FAA Form 4800-4.
- In the same section of FAA Form 4800-4, the IRO will address the SO recommendation and indicate concurrence or non-concurrence. In the case of non-concurrence, the IRO will make alternate recommendations.
- The IRO forwards the ROS to the RPM with any additional comments or recommendations deemed necessary to expand upon or clarify the findings and recommendations of the SO.

5.8.7 Report of Survey (ROS) Board Revised 4/2012

When the IRO concurs with a SO recommendation that financial liability be assessed against one or more persons, the ROS will be reviewed by an appointed ROS Board. ROS Board requirements are as follows

- The ROS Board will be appointed by the RPM who serves as chairperson.
- The ROS Board will consist of a minimum of three members, including the RPM.
- ROS Board members will not be in the property accountability chain associated with the lost, damaged or destroyed property.
- ROS Board members may be appointed as "standing members" to serve until relieved from the appointment or they may be appointed on an "as needed" basis at the discretion of the RPM.

The ROS Board will convene as soon as possible after a ROS recommending assessment of financial liability is forwarded from the IRO to the RPM. The Board will examine the ROS to determine whether

- Evidence cited to support a finding of negligence or willful misconduct is sufficient to prove the point.
- The proximate cause of the loss suffered by the Government was a direct result of the negligence or willful misconduct described.
- The assignment of culpability to individual(s) flows logically from the negligence or willful misconduct described.
- The amount of financial liability assessed is appropriate to the situation and calculated correctly (see Paragraph 5.8, above).

During deliberations, the Board may call upon persons having knowledge of events pertinent to the ROS under consideration for additional information, statements or evidence as necessary to clarify any doubtful issues. After considering all available evidence, Board members will state their individual conclusions regarding findings of financial liability to the RPM. If a majority of

the board agrees with the SO findings and recommendations, the ROS is approved. If no majority is achieved, the RPM in his/her capacity as Board Chairperson will render a decision as to approval or disapproval of the ROS.

5.8.8 Real Property Manager Responsibilities Added 10/2005

The RPM, as Chairperson of the ROS Board, signs the ROS as Approving Authority on all real property ROSs that result in an assessment of individual financial liability. The RPM, acting through the ROS Board, may also disapprove any findings and recommendations whenever a ROS is found to be in error or the conclusions unsupported. In the event of non-concurrence, the RPM will direct that all action on the ROS be terminated; in the event of concurrence, processing continues as described below.

5.8.9 Review by Counsel Added 10/2005

Within five (5) working days after the RPM concurs with a finding of financial liability, a copy of the ROS (complete with all exhibits and attachments) will be forwarded to the Regional legal office for review by counsel. The reviewing attorney will advise the RPM, in writing, whether the documents presented are sufficient to justify the assessment of financial liability against the person or persons identified in the ROS. If the ROS is legally acceptable, the RPM will notify these persons, in writing, of the liability finding and allow them an opportunity to respond. If the ROS is legally unacceptable, the RPM has the following options

- Reopen the investigation if there is a reasonable prospect that additional information will be discovered that would make the ROS legally acceptable.
- Terminate the ROS proceedings.

5.8.10 Notifying Respondent(s) of Financial Liability Findings Added 10/2005

If the ROS is judged legally acceptable, the SO will notify the person or persons found financially liable, in whole or in part, for the losses incurred by the Government. This notification will be accomplished using the memorandum shown in Appendix C as "Notice of Financial Liability" accompanied by a copy of the ROS with all exhibits. Notification will be sent by Certified Mail - Return Receipt Requested. Return of the signed certified mail receipt to the SO is taken as proof of notification of liability and as an acknowledgement that the respondent is aware of his or her rights in the matter.

5.8.10.1 Respondent's Rights Added 10/2005

The respondent has the right to

- Make voluntary restitution of the total amount by setting up a collection arrangement or payment schedule.
- Inspect and copy all documents associated with the ROS.

- Obtain legal advice relating to the assessment of financial liability.
- Submit a written request for reconsideration of the liability finding to the RPM. Such a request must be based on legal error, procedural error, new evidence or extenuating circumstances.
- In the event a request for reconsideration is denied, the respondent may submit a written request for cancellation of the debt to the RPM on the basis of personal hardship.

5.8.10.2 Processing Time Added 10/2005

Thirty (30) calendar days are allowed for the exercise of respondent rights. An exception to this schedule is made when an individual submits a request for reconsideration, in which case no action will be initiated until ten working days (10) after an RPM denial of the request. This extension allows time for the respondent to request that the RPM cancel the debt on the grounds that payment would constitute an undue hardship.

5.8.11 Finalization of Reports of Survey Added 10/2005

ROSs are considered finalized when the RPM signs the original copy of the ROS. Thereafter, the action is treated as a Government claim against an individual and accounting policies governing amounts to be collected, collection periods, installment payments, appeals for relief, negotiated settlement, etc., will apply. A copy of the entire ROS packet will be retained in the Logistics Division administrative files for not less than three years after which time the file will be permanently retired.

5.8.12 Special Actions Added 10/2005

On rare occasions it may be necessary to re-visit closed ROSs in order to address substantive property issues or provide relief to an individual erroneously assessed liability.

5.8.12.1 Recovered Property Added 10/2005

In spite of an SO's best efforts, property will occasionally be deemed lost when, in reality, it was merely misplaced or not identifiable because of a failure to maintain a proper paper trail. If property subjected to ROS proceedings is found after the ROS is finalized, a Real Property Account Adjustment Report will be prepared to document the "recovery" of the property. This document supports re-entering the asset to the property accounting system and will be retained as a permanent record in the affected facility's property file. If the ROS was finalized with an assessment of liability and subsequent collection action, the amounts collected will be remitted to the person or persons erroneously charged for the supposed loss incurred by the Government.

5.8.12.2 Repayment of Amounts Erroneously Collected Added 10/2005

An individual subjected to collection action can dispute or appeal the Government's claim for

damages and the ROS can be overturned after it has been closed. In such cases, the individual must file a claim with the Department of the Treasury seeking repayment of the erroneously collected amounts.

5.9 Appendices Added 10/2005

5.9.1 Appendix A - Glossary Revised 4/2009

Term	Definition
Abandon in Place	A method for disposing of excess property that involves leaving the property at its original location and relinquishing ownership to non-FAA entities. Permitted by non-restoration provisions contained in lease agreements, abandonment will be recorded on a Transfer Agreement executed between the FAA and the gaining entity.
Acquisition Cost	The original cost of an operational asset as recorded in the FAA property accounting system
Airport	Any land or water that is used as, or is intended for use as, an area for the landing and takeoff of aircraft along with any appurtenant land or water that is used as, or is intended for use as, an area for emplacement of airport buildings, structures or rights-of-way.
Airway property	Any real property, or interest therein, used or useful, directly or indirectly in connection with the administration, operation, or maintenance of any ground installation or facility necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air traffic control, airway communications, and meteorological facilities.
Approving Official	The individual designated by a Regional Administrator/Center Direct as having final authority for approval related to the disposal of excess real property.
Buildings	A roofed and walled structure emplaced for permanent administrative, operational, technical or storage purposes.
Component Items	Items of property that are used as integral parts of larger real property assets, systems or structures. When standing alone, such items are accounted for as personal property; when combined with other components in final configuration, such items are accounted for within the larger asset and are no longer distinguishable as individual items. See also Related Personal Property.
Condition Code	A one-character GSA code that describes the physical condition, serviceability, or repairability of an asset.
Conveyance	The formal transfer of property ownership from one entity to another. Instruments of conveyance may take the form of Warranty Deed, Bills of Sale or Transfer Agreements and other published forms used to transfer ownership of property.
Cost Center Code (CCC)	An accounting code used to identify financial and/or physical responsibility for an asset or action.
Decommission	Term used to describe a decision to permanently de- activate and delete

	a facility from the National Airspace System (NAS). NOTE: Decommissioning and Disposal are separate and distinct actions; facilities are decommissioned, and finally disposition occurs.
Destruction	The process by which property is rendered unusable for its original intended purpose.
Disposal	The act by which property is removed from an entity's property and/or financial accounting system(s). Disposal may take the form of, but is not limited to, destruction, disassembly and conversion to personal property, transfer to other entities, and conveyance of ownership in furtherance of government interests or abandonment pursuant to non-restoration provisions contained in a contractual agreement.
Disposal Agency	Any federal agency designated by the Administrator of the GSA to dispose of excess property.
Duplicate Count (DUP or DC) or DUP or DC)	A sequential number assigned to each real property asset. Used in conjunction with the property code and usage code to identify a specific item of real property.
Easement	This term generally means the right of one person to use all or part of the property of another person for some specific purpose. Easements can be permanent or temporary (i.e., limited to a stated period of time). The term may be used to describe either the right itself or the document conferring the right.
Excess Property	Any property that is not required to meet the mission needs of the owning entity. The term may be applied to both real and personal property and to salvageable component items associated with real property that are otherwise referred to as related personal property.
Facility Contraction (FAC)	An identifier assigned to specific facility types established for and engaged in FAA operations.
Fair Market Value (FMV)	The value that would probably be negotiated between a willing seller and a willing buyer within a reasonable time. It is usually determined by reviewing comparable sales in the area and is commonly used measure for the value of real property transaction. Typically, a contract for an appraiser is let and the appraiser determines the rate that is to be used for the basis for negotiation.
Federal Management Regulations (FMR)	This is the Government successor regulation to the FPMR (described below). The FMR contains updated regulatory policies originally found in the FPMR.
Federal Property Management Regulations (FPMR)	The Government regulation issued by the GSA to govern and guide federal agencies in the management of property.
General Services Administration (GSA)	The Government agency responsible for real property utilization and disposal services.
GSA Control Number (GSA CN)	The General Services Administration Control Number is a five-digit number formerly assigned by the GSA to identify a specific facility. Although GSA no longer assigns these numbers, they remain in use as a component of the three-element identification line used in the Real Estate Management System.
Hazardous materials	Property that is deemed hazardous material, chemical substances or mixtures, or hazardous waste under the Hazardous Materials Transportation Act (HMAT), the Resource Conservation and Recovery

	Act (RCRA), and the Toxic Substances Control Act (TCSC).
Holding Agency	The entity maintaining care and custody of reported excess property on behalf of the disposal agency pending a determination of final disposition.
Improvement	Any modification of an asset that results in an increase in the asset's performance or capacity or which increases the asset's service life by two or more years.
Improvement Cost	Cost incurred over and above original acquisition cost to enhance the capacity or performance of an asset or to extend the life of the asset by two or more years.
Leasehold Improvement	Improvements (as defined above) made to leased buildings or structures (or portions thereof) that enhance the operational usefulness, safety or security of the assets or which converts, modifies or adapts the buildings or structures to different uses.
Location Identifier (LOC ID)	A three or four character alphanumeric code assigned by the National Fight Data Center to identify a specific airport, navigation aid, weather station or manned air traffic control facility.
Maintenance	The upkeep of real property only to the extent necessary to offset serious deterioration. The operation of utilities (water, sewage, HVAC, plumbing) as is necessary for the fire protection, needs of interim occupancy, and preservation of installed equipment.
Memorandum of Agreement (MOA)	A formal agreement between two or more entities to delineate the responsibilities or actions of each party and obligating the signatories to faithfully execute the terms of the agreement.
Net Book Value	A financial term used to describe from an accounting standpoint, the residual value of a specific asset after deduction of accumulated depreciation from the recorded value of the asset.
No Commercial Value	This term is used to describe real property, including related personal property that has no reasonable prospect of being disposed of for a financial consideration.
Non-Permanent Building	A building that is more or less affixed to the land but which can be separated from the land and transported without rendering it unserviceable.
Permanent Building	A building that is permanently affixed to the land and which cannot be separated from the land and transported without rendering it unserviceable.
Personal Property	Property with the ability to stand alone and be accounted for as a complete asset and which is not permanently attached to or made an inseparable part of any building, structure or system. Personal property items may be incorporated as components of real property assets, lose their identities and later be separated to reacquire personal property accounting status.
Property Code (PROP or PC)	A code that identifies an asset as Land (1), Building (2) or Other Structure (3). Used in conjunction with the usage code and duplicate count to identify a specific item of real property.
Project Material	Property and material acquired for use in the construction of real property assets on a per-project basis.
Public Domain Land	Land that is reserved by the federal government for public use.

Real Property	Land and rights over or under the land along with buildings and structures affixed to the land that possess characteristics of physical or operational permanence and which at the time of construction or emplacement are not intended to be dismantled or removed.
Real Property	A report prepared on FAA Form 4800-3 to correct
Account Adjustment Report (RPAAR)	property account balances found to be incorrect due to administrative oversight or error.
Real Property Management Officer (RPMO)	An official at the FAA Headquarters who is appointed to oversee property management activities and ensure compliance with all applicable legal and regulatory requirements throughout the FAA. This person also serves as liaison between the FAA and all other agencies in matters pertaining to property management and utilization.
Related Personal Property	Personal property affixed to or made a part of a building, structure or system that is integral to the functioning of the larger asset but which may be removed and transported without becoming unserviceable. See also Component Items.
Repairs	Those additions or changes necessary for the protection and maintenance of property to deter or prevent excessive or rapid deterioration or obsolescence, and to restore property damaged by storm, flood, fire, accident, earthquake, riots, or negligence.
Report of Survey (ROS)	A report of administrative action to remove assets from property and financial accounting systems, thereby relieving the accountable individual from further responsibility over the property. The Report describes the findings of a Report of Survey Officer or Board, is supported by evidence and may or may not include a finding of pecuniary liability arising from negligence on the part of one or more parties.
Reutilization	The act of transferring property from a location where it is excess to another location where a need for the property exists. Screening for utilization takes place progressively within the FAA and DOT and then Government-wide until a requirement is identified or the property is declared surplus.
Screening	A process through which a holder of excess property advertises that property's availability for transfer to new ownership. Typically, this is a sequential process beginning at the user level and progressing upward through succeeding levels of management.
Structures	Other structures are any structures (other than buildings) that possess characteristics of physical or operational permanence, are permanently affixed or attached to the land or a building by foundation or otherwise, and that at the time of construction are not designed to be dismantled and moved for use elsewhere.
Transfer Agreement	An instrument used to transfer ownership of real property, or interest therein, between the FAA and other entities, public or private, for direct or indirect consideration in order to secure an operational or financial benefit to the Government.
Usage Code (USAGE or UC)	A code that identifies an asset's principal use. Used in conjunction with the property code and duplicate count to identify a specific item of real property.

5.9.2 Appendix B- Acronyms Revised 4/2012

AIP - Abandon in Place

ANI - Office of NAS Implementation

ATID - Air Traffic Identifier

BLM - Bureau of Land Management

CCC – Cost Control Center

CERCLA - Comprehensive Environmental Response, Compensation and Liability Act

DOT - Department of Transportation

DEMO – Condition code used to describe property to be demolished

DUP CT (also shown as DUP or DC) – Duplicate Count

EDDA - Environnemental Due Diligence Audit

FAA - Federal Aviation Administration

FAC – Facility Contraction

FMR - Federal Management Regulation

FMV - Fair Market Value

FPMR - Federal Property Management Regulation

GSA - General Services Administration

GSA CN - General Services Administration Control Number

HAZ – Condition code used to describe a safety hazard.

HAZMAT - Hazardous Material

HMTA - Hazardous Materials Transportation Act

IFAS - Interim Fixed Asset System

IRO - Internal Review Officer

LIMS - Lease Information Management System

LIS - Logistics Inventory System

LOC ID – Location Identifier. Sometimes referred to as ATID (Air Traffic Identifier)

LPC - Logistics Program Coordinator (SMO-level)

MOA - Memorandum of Agreement

NAS - National Airspace System

NBV - Net Book Value

NEPA - National Environmental Policy Act

PPDO - Personal Property Disposal Officer

PROP CODE (also shown as PROP or PC) – Property Code

Prop - Usage Code – Dup Ct – Property Usage Code and Duplicate Counter

PL - Public Law

RECO - Real Estate Contracting Officer

REMS - Real Estate Management System

ROS - Report of Survey

RPC - Real Property Custodian

RPDO - Real Property Disposal Officer

RPAAR - Real Property Account Adjustment Report

RPMO - Real Property Management Officer

RPM - Real Property Manager

RPR – Condition code used to describe Repairable property

SCR – Condition code used to describe property that is determined to be Scrap Only

SMO - System Management Office

SO - Survey Officer

SSC - System Support Center

SVC – Condition code used to describe property that is Serviceable

TRFR – Condition code used to describe property that is to be transferred

TSCA - Toxic Substances Control Act

USD - Utilization, Screening and Disposal

UNR – Condition code used to describe property Uneconomical to Repair

UNS – Condition code used to describe Unserviceable property(ies)

USAGE CODE (also shown as USAGE or UC) – Usage Code

5.9.3 Appendix C - Forms Revised 4/2012

5.9.3.1 LIS/USD Excess Personal Property Report Revised 7/2010

- Blank Form
- Sample Form

Note: This form is only to be used in the LIS system. There is no form available in the Real Estate Template Library.

PREPARATION NOTES: FAA FORM 4800-1, LIS / UTILIZATION SCREENING AND DISPOSITION EXCESS PERSONAL PROPERTY REPORT

This form is embedded in the LIS / USD software as an integral feature of the reporting and screening process for excess personal property. Instructions for the preparation and uses of this form are contained in FAA Order 4800-2c (Utilization and Disposal of Excess and Surplus Personal Property). The following notes apply to reporting available excess component items (also referred to as related personal property) formerly accounted for as real property.

1. Real property assets are constructed by assembling components that become integral parts of the parent asset. In doing so, these components lose their individual identities as accountable property items.

2. Real property assets are frequently dismantled and lose their individual identities as parent assets while leaving on-hand component items suitable for reutilization by other FAA entities.

3. The residual component items, no longer associated with a particular real property asset, revert to their original personal property classification and are reportable as excess personal

property through the electronic LIS / USD system.

4. In such instances the provisions of FAA Order 4800-2c govern the reporting, tracking and final disposition of the affected components.

5.9.3.2 Real Property Disposition Report Revised 7/2010

Real Property Disposition Report

Note: This form is also available in the Real Estate Template Library.

PREPARATION NOTES: FAA REAL PROPERTY DISPOSITION REPORT

INTRODUCTION
This form replaces the FAA Form 4800. This form is entitled "Real Property Disposition Report", (RPDR), avoiding any reference to an FAA Order Number.

The purpose of this form is as follows:

-Reporting requirements as per Executive Order 13327, Real Property Asset Management and OMB compliance.

- Reporting items as ACTIVE, INACTIVE, EXCESS, and DISPOSED OF as status codes and as part of the above requirements.

MODIFICATIONS TO THE REPORT
Status Codes and Disposition Codes are new to this form. Condition Codes remain the same. Action Codes and the Personal Property check boxes have been eliminated. Remarks remains the same. The form is prepared as follows:

1. Header Information (blocks 1 - 6): Self-explanatory. Block 6 is now Cost Center Code/Doc Number. Please note, that the Point of Contact (block 5) need not be the initiator - the preferred POC is the person most familiar with the Property and the circumstances.

2. Property Description and Disposition Section:
- REMS ASSET NUMBER: available from REMS

- DELPHI NUMBER: available from REMS or Delphi

- ITEM NAME: available from REMS

- STATUS CODE: the Status of the Property as ACTIVE, INACTIVE, EXCESS or DISPOSED OF. Select ACTIVE if the Property is being reinstated or found on base.

- STATUS DATE: Date the Property changed Status between ACTIVE - INACTIVE - EXCESS – DISPOSED OF

- DISPOSITION METHOD: use the code that best describes the way the Property is going to be Disposed.

- CONDITION CODE: use the code that best describes the condition of the Property.

- ACQUISITION COST: the cost recorded in REMS.

- DISPOSITION VALUE: for owned Properties that are Disposed Of through Sale, enter the Sale Price. For the rest of the owned Properties, enter the Plant Replacement Value (from REMS). For Leased Properties, enter either the Annual Rental or the Annual Operations Cost (if the Annual Rental is $0).

- TRFR ASSET TO LOC ID-FAC: The new ATID and Facility Contraction to where the Asset is being transferred.

3. Property Custodian Remarks: this section is used to further describe the affected Property or to add disposition recommendations.

4. Real Property Disposal Officer Remarks (RPDO): this section is used to provide the initiator item-by-item disposition instructions.

The RPDO will provide the initiator a signed copy of the completed form for local property records and a copy will be placed with the property records maintained at the Regional Office or LSA.

5.9.3.3 Real Property Account Adjustment Report Revised 7/2010

- Blank Form
- Sample 1 Form
- Sample 2 Form

Note: This form is also available in the Real Estate Template Library

PREPARATION NOTES: FAA FORM 4800-3, REAL PROPERTY ACCOUNT ADJUSTMENT REPORT

This form will be used by property managers to adjust property account balances when discrepancies related to administrative error or oversight are discovered. It will not be used in situations where negligence or misconduct is suspected to have resulted in the loss of government property.

Block Note

1. Region: Self-explanatory.

2. Adjustment Type: One type of adjustment per form submitted.

3. Justification: "Found on Facility" refers to assets physically present but not shown on the facility record. "Asset Not Present" refers to recorded property that is not present at the facility. "Other" covers all other circumstances (quantitative errors, discrepant shipment documents, unrecorded transfers, undocumented demolition, etc).

4. Submitted By / Routing Symbol / Date: Self explanatory.

5. Point of Contact: The person most familiar with the circumstances that justify the requested action.

6. Facility Identification: Self-explanatory.

7. Local Document Number: Optional.

8. Facility Address: Self-explanatory.

9. Add to Inventory: Descriptive remarks must be as complete as possible. The information provided will be used when items are added to the property accounting system.

10. Reconfigure Assets: Use this section to correct descriptive data (dimensions, composition, etc.) asset identification information (Property Codes, Usage Codes, etc.), Facility information (GSA Control Number, Fac Cont, Fac Type,etc.). Enter information recorded in REMS in the "As Reads" portion; enter correct information in the "Is Amended To Read" portion.

11. Remove From Inventory: Self-explanatory.

12. Narrative: The narrative will explain the research done by the preparer to identify the error, when it may have originated and what may have caused it. The narrative will describe corrective actions to be taken. Continuation pages will be used to extend a narrative if necessary. Copies of supporting documents will be attached and they will be listed in the narrative. Signed statements from persons having knowledge of events described in the narrative should be attached whenever possible.

13. Regional Office Review: The person appointed as Approving Official must not be in the direct property accountability/responsibility chain of the facility affected by the action. The Approving Official may concur or non-concur with the action as presented. If the Approving Official fails to concur, comments will be entered to explain the reasons for non-concurrence and to direct corrective measures to finalize the action.

14. Approving Official -Name / Routing Symbol / Date: Self Explanatory.

15. Signature of Approving Official: Self Explanatory.

5.9.3.4 Report Survey Revised 7/2010

- Blank Form
- Sample Form
- Memorandum - Notice of Financial Liability
- Report of Survey Roles Chart

Note: This form is also available on the Real Estate Template Library

PREPARATION NOTES FAA FORM 4800-4 REAL PROPERTY REPORT OF SURVEY

Block	Note
1.	Date. Self-explanatory
2.	Regional Office Control Number. This number is assigned by the RO for tracking purposes.
3.	Initiator's Name. The name of the person initiating the ROS (normally the Real Property Custodian).
4.	Title. Initiator's duty position.
5.	Property Described Below Has Been. Check one or more applicable boxes.
6.	Organization. Organization to which the initiator is assigned.
7.	Location. City and state.
8.	Item No. Self explanatory
9.	GSA CN - Prop/Usage - Dup Ct. Property identification line as it appears in the property account. Example: 48143 - 373 - 001.
10.	Qty. Number of items lost, damaged or destroyed.
11.	Item Description. The item name as it appears in the property account.
12.	Unit Cost. The cost recorded for the item in the property account.
13.	Total Cost. The extended cost arrived at by multiplying the number of items by the unit cost.
14.	Loc ID. Location identifier for the property account.

15. Facility. The facility where the item was in use.

16. CCC. Cost Center Code for the property account.

17. Point of Contact. The name and title of the person most knowledgeable of the circumstances surrounding the Report of Survey.

18. Phone / FAX. Point of contact phone and FAX number.

19. Narrative. A detailed account of circumstances surrounding the loss, damage or destruction of the property shown on the ROS. The initiator will identify (by name and duty position) all persons involved in or having knowledge of events leading up to the ROS or who have provided information contained in or appended to the ROS. When dates and times used, they should be as precise as possible. If the initiator has documentary evidence bearing on the property, to include written statements provided by individuals, such documents will be appended to the ROS and identified as Exhibit A, Exhibit B, etc. Contact information (phone, fax, address, etc.) will be provided for any person identified in the ROS. The intent of the narrative is to give the Survey Officer a complete account of events that led to the loss, damage or destruction of property to facilitate his or her investigation.

20. Date. Date signed by the initiator.

21. Report of Survey Officer Findings and Recommendations. Complete the "negligence" statement by lining out the terms that do not apply. Using the information provided by the initiator, documentary evidence gathered during the investigation, and written statements secured from involved parties, the Survey Officer arrives at a specific set of findings and records them in this space. Based on these findings, the Survey Officer formulates recommendations for consideration by the Internal Review Officer and also records them in this space. The Survey Officer will prepare a cost assessment of the damages suffered by the government attendant to the loss, damage or destruction of the property shown on the ROS. This assessment will be included in the Findings and Recommendations section. Refer to Section H of this document for detailed guidance on these tasks particularly as regards the requirements to support a finding of negligence or willful misconduct.

22. Internal Review Officer Comments. Complete the "negligence" statement by lining out the terms that do not apply. Check the appropriate boxes. Note that if no negligence or willful misconduct is involved and the IRO concurs with the SO's findings and recommendations, the ROS is closed and no further action is necessary. The IRO also has the option to non-

concur and return the ROS for amendment or further investigation. If the ROS is to be forwarded to the Real Property Manager for review of negligence or willful misconduct findings, the IRO will comment on his or her reasons for doing so.

23. Real Property Manager Review. The RPM is the final authority on ROSs that include a finding of negligence or willful misconduct leading to a recommendation of financial liability. In this section, the RPM will indicate his agreement or disagreement with the findings and, when necessary, specify any further action on the part of the IRO or the SO.

5.9.4 Appendix D - GSA Headquarters and Regional Offices Added 10/2005

GSA is headquartered in Washington, DC. There are 11 regional offices. Below is a listing for states and territories. GSA Central Office, Public Buildings Service, 18 and F Streets, NW, Washington, DC 20405, 202-501-1100.

GSA Regional Offices

GSA Northwest/Arctic Region
400 15th Street
Auburn, WA 92001
253-931-7000
Serving Alaska, Idaho, Oregon, and Washington

GSA Pacific Rim Region
450 Golden Gage Avenue
San Francisco, CA 94102
415-522-3001
Serving Arizona, California, Hawaii, Nevada, the territories of Guam and American Samoa
GSA Rocky Mountain Region Bldg. 41, Denver Federal Center Denver, CO 80225
303-236-7329
Serving Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming

GSA National Capital Region
7th & D Sts, SW
Washington, DC 20407
202-708-9100
Serving the District of Columbia, Montgomery and Prince George's Counties in Maryland, Alexandria City and the counties of Arlington, Fairfax, Loudon, and Prince William in Virginia.

GSA Greater Southwest Region
819 Taylor Street
Ft. Worth, TX 76102
817-978-2321

Serving the states of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas

GSA New England Region
10 Causeway Street
Boston, MA 02222617-565-7648

GSA Heartland Region
1500 East Bannister Road
Kansas City, MO 64131816-926-7201
Serving the states of Iowa, Kansas, Missouri, Nebraska

GSA Great Lakes Region
230 South Dearborn Street
Chicago, IL 60604
312-331-3200
Serving the states of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin

GSA Mid-Atlantic Region
1000 Penn Square East
Philadelphia, PA 19107
215-656-5501
Serving the state of Delaware, Pennsylvania, Maryland and Virginia excluding the counties of Montgomery, Prince George in Maryland and Alexandria City, Arlington, Fairfax, and Loudon in Virginia.

GSA Northeast and Caribbean Region
26 Federal Plaza
New York, NY 10278
212-264-2600
Serving the states of New Jersey, New York, the territories of Puerto Rico, and the US Virgin Islands

5.9.5 Appendix E - Other Useful References **Added 10/2005**

GSA – Publications	http://www.gsa.gov/portal/content/136021
Federal Highway Administration	www.fhwa.dot.gov
FAA Acronyms	employees.faa.gov/acronyms (FAA only)