

CHAPTER 2 - AUTHORITIES, ROLES AND RESPONSIBILITIES

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CHAPTER 2 - AUTHORITIES, ROLES AND RESPONSIBILITIES

2.0 Purpose and Scope

This Chapter sets forth authorities, roles, and responsibilities for conducting real property activities for the Department of Commerce (DOC). Real property activities include, but are not limited to, the acquisition of real property rights or interests by any means; assignment and utilization of space; facilities management; real property appraisals; disposal of real property, including improvements; and other related functions.

2.1 Applicability

This Chapter applies to all real property activities conducted in support of DOC programs in the United States and its territories. It is not the intent of this Real Property Management Manual (Manual), to supersede any authority over DOC real property activities which is covered under specific Federal law or other specific delegations given by the Secretary of DOC (Secretary). Any questions concerning the applicability of this Manual to a specific area will be determined on a case by case basis by the Chief Financial Officer/Assistant Secretary for Administration (CFO/ASA).

2.2 Authorities for DOC Real Property Activities

The authority to perform real property activities on behalf of DOC is held by the Secretary. The Secretary has delegated all appropriate authority and responsibility for conducting DOC's real property program to the CFO/ASA. The CFO/ASA has delegated the DOC real property program authority, with the exception of the reservations included in 2.3.1 below, to appropriate levels within DOC. The delegations are varied, ranging from "blanket" delegations contained in Department Organization Orders (DOOs) and Department Administrative Orders (DAOs), to specific delegations for special functions.

It is DOC policy to comply with all applicable statutes, Executive Orders (EO), 41 CFR 102 - Federal Management Regulation (FMR), DOC and other Federal regulations and authorities in implementing DOC's real property program. Authorities covering the various real property programs are listed in the chapters of this Manual which deal with a specific real property program.

2.3 Delegations of Authority

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Delegations of authority approved by the CFO/ASA are generally made to a specific Executive Position within the Office of the Secretary (O/S) or to an Operating Unit (OU) Executive Head (Head). Some of the CFO/ASA's delegations limit the level to which the O/S Executive or OU Head may redelegate the authorities of the CFO/ASA. In cases where there is no restriction on redelegations, it is the responsibility and decision of the OU Head to make the additional redelegation of the CFO/ASA's authority within the OU.

2.3.1 Reservations of Real Property Authority by the CFO/ASA

It is DOC policy to place authority and responsibility at the lowest practical organizational level to avoid delays and reduce unnecessary involvement of multiple management levels. However, there are certain circumstances where approval authority for particular functions is retained by the ASA to ensure propriety, consistency, and coordination of actions among the various DOC organizations. Therefore, the CFO/ASA expressly reserves the following:

- (a) The authority to approve all permanent fee and easement acquisitions of real property;
- (b) The authority to approve all direct leases, or requests for GSA assignment of space, with a cost at or exceeding the Prospectus Level, set by the Administrator of General Services;
- (c) The authority to approve all construction, repair and alteration projects with a cost at or exceeding the Prospectus Level, set by the Administrator of General Services, regardless of the source of funding;
- (d) The authority to approve requests for or the acceptance of delegations of real property leasing or other delegated authority from GSA;
- (e) As stated in DAO 203-9, "Gifts and Bequests," the authority to approve the acceptance of any interests in real property, including leaseholds, by donation or gift, regardless of the value; and
- (f) The authority to approve requests to GSA for waivers from the Uniform Federal Accessibility Standards, as described in 41 CFR 102-76.25 or to approve DOC waivers

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of the Uniform Federal Accessibility Standards if such authority is delegated to the CFO/ASA by the Administrator of General Services.

2.3.2 General Delegations of Authority

- (a) To the extent such authority is vested in the Secretary by law, regulation or delegation, and to the extent any such authority has not been reserved by the Secretary, the CFO/ASA, or by other means, the Under Secretary for Oceans and Atmosphere and Administrator (US-NOAA) and the Director, Office of Administrative Services (OAS) are hereby delegated, in their respective areas, the following:
 - (1) The authority to acquire real property, or any interests therein;
 - (2) The authority to undertake new construction (including site selection, preparation and utilities provision), repairs, alterations, improvement and restoration projects that have been approved and lawfully funded by OU Heads, or their designated representatives;
 - (3) The authority to perform operation, maintenance and related facilities management activities; and
 - (4) The authority to assign, transfer, or dispose of real property, or any interests therein.
- (b) The general delegations of authority set forth above are made pursuant to the authority vested in the CFO/ASA by DOO 10-5. This general delegation of authority does not supersede, revoke, or otherwise modify any other specific delegation of authority.
- (c) In exercising the general authority delegated in (a), above, the US-NOAA and Director, OAS are responsible for ensuring that in their respective areas:
 - (1) Legal authority exists for any action proposed to be taken under such delegated authority;
 - (2) All authority is exercised in accordance with the requirements and limitations of applicable law,

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Federal regulations, and such DOC policies, procedures, and controls as are in effect on the date of the exercise of such authority;

- (3) The above authorities can only be exercised by duly authorized and qualified officials; and
 - (4) Sufficient funds to cover the costs of implementing the authorities are legally available for the purposes intended.
- (d) Subject to applicable authorities, the US-NOAA and Director, OAS may redelegate any of the authorities in their respective areas of responsibility under (a), above, to any qualified officer or employee of the Department. This is subject to such conditions and limitations on the authorities as the delegating official may prescribe. The authority to execute lease agreements may only be redelegated to Warranted Real Property Contracting Officers.

2.3.3 Specific Delegations of Authority

- (a) Easements: Pursuant to the authority vested in the CFO/ASA under DOO 10-5, the Director, National Institute of Standards and Technology (NIST), the Assistant Secretary for Communications and Information (ASCI), and the US-NOAA are hereby delegated the authority of the CFO/ASA, under 40 U.S.C. 319a-319c and 30 U.S.C. 351-359, and other statutory authorities, to grant easements and other rights of access to real property under their respective control or jurisdiction. The exercise of this authority must comply with DAO 216-11, "Floodplain Management and Protection of Wetlands," and DAO 216-6, "Implementing the National Environmental Policy Act." Additionally, the easement document must be reviewed and approved by the DOC General Counsel prior to execution. The authority to approve and execute easements may be redelegated as follows:
- (1) The Director, NIST, may not redelegate this authority.
 - (2) The ASCI may redelegate this authority only to the Director, Institute for Telecommunication Science,

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without authority for redelegation.

- (3) The US-NOAA may redelegate this authority only to the Chief Financial Officer/Chief Administrative Officer, National Oceanic and Atmospheric Administration, Office of Finance and Administration (NOAA-OA). The CFO/ASA, NOAA-OA may redelegate to the Directors, Administrative Support Centers (ASCs), the authority to grant easements to utilities providers only when the easements will be used solely to provide utility service to Government-owned, DOC-controlled real property.
- (b) Delegations of Authority from the CFR: The following authorities vested in the Department by the Code of Federal Regulations (CFR), are hereby delegated to the US-NOAA and Director, OAS, for their respective areas, with power of redelegation within their respective organizations:
- (1) The authority to lease unimproved land, building space, and land incidental thereto, and space on man-made structures, such as towers, to the extent authorized in 41 CFR 102-73.
 - (2) The authority to transfer excess real property, to the extent authorized in 41 CFR 101-47.2 and 102-75.
 - (3) The authority to act as the disposal agency for surplus real property to the extent authorized in 41 CFR 102.75.
 - (4) The authority to negotiate and execute leases or other agreements for facilities for no cost or nominal consideration to the extent authorized in 41 CFR 102.73. (Note: Facilities acquired under this authority must meet the same requirements and standards for facilities acquired competitively. Only Warranted Real Property Contracting Officers may execute such leases or agreements.)
 - (5) The authority to abandon, destroy, or donate to public bodies, Government-owned real property to the extent authorized in 41 CFR 102.75.

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- (c) Delegations of Authority from GSA: GSA has granted DOC numerous special delegations of authority for lease acquisition, lease administration, and facilities management activities. These delegations of authority are redelegated by specific letters from the CFO/ASA to the appropriate office to meet specific requirements. An exception to this is the delegation of Administrative Contracting Officer (ACO) responsibilities, which are delegated by GSA directly to the ACO.

2.3.4 Delegations of Authority for the Administrative Support Centers (ASCs)

By DAO 201-44, the CFO/ASA delegated specific administrative authorities, including real property management, to the US-NOAA to enable NOAA to manage and operate the Department's ASCs. The stated scope of DAO 201-44 includes providing administrative support services to DOC field components for the real property management functions covered under this Manual and other functions.

- (a) Except as provided in other sections of this Manual, or through GSA's Building Delegation Program, the ASCs, in their respective service areas, are responsible for providing all OUs' field components, including NOAA field components, with real property program services. These services include meeting OU facilities requirements by lease, purchase, transfer, or assignment of space through GSA.
- (b) The ASCs' Warranted Real Property Contracting Officers are trained, in accordance with GSA and DOC requirements, and have the delegated authority to negotiate and execute contracts for the acquisition of land and facilities under the DOC's Real Property Warrant Program. Therefore, to assure compliance with all statutes, regulations, policies and orders pertaining to the acquisition of real property, officials or employees of OUs, including NOAA field components, shall refrain from directly or indirectly making contact with landowners, lessors, offerors, or potential offerors. Non-warranted employees shall refrain from making oral or written representations, commitments or agreements with respect to potential

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occupancy, price, rent, terms, particular space, tenant improvements, alterations and repairs unless coordinated through the Warranted Real Property Contracting Officer of the appropriate ASC.

- (c) Consistent with the DOC policy that real property management authority and responsibility should be delegated to the lowest organizational level practical, OU Heads may redelegate to field units appropriate authority for requesting real property services from the ASCs. To facilitate the ASCs' delivery of services, OU Heads shall provide the appropriate ASC Directors with a statement of facilities delegations and authorities. This statement should include a current list of names and levels of authority for requesting real property services of ASCs.

2.4 Roles and Responsibilities

In accordance with DOO 10-5, the Secretary has delegated to the CFO/ASA the authority and responsibility for all DOC administrative management functions. This delegation includes authority and responsibility for real property management functions. These authorities have been redelegated through other DOOs, DAOs and this Manual. Any changes in the authorities, roles and responsibilities established in revisions to DOOs and DAOs referenced in this Manual will be reflected in future revisions to this Manual.

It is the policy of DOC, and the responsibility of employees implementing the provisions of this Manual and the DOC real property program, to manage, administer and conduct the Department's real property program with economy and efficiency and to strive to eliminate fraud, waste and abuse.

2.4.1 Office of Administrative Services

- (a) Director, OAS: In accordance with DOO 10-5 and DOO 20-1, in all real property related areas, the Director, OAS:
 - (1) Develops, implements and oversees policies and procedures for compliance with real property laws, regulations, program requirements, and sound management practices;

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- (2) Implements Government-wide and DOC real property initiatives;
 - (3) Reviews and provides advice on all real property matters which require approval of the CFO/ASA;
 - (4) Serves as the sole Departmental office authorized to obtain delegations of authority from GSA through the CFO/ASA;
 - (5) Carries out the CFO/ASA's responsibilities under the Competition in Contracting Act, appoints OU Competition Advocates, promotes competition, issues policy to enhance competition and challenges barriers thereto;
 - (6) Provides a full range of administrative services for the Department, including space management and use, property management, and building management for the Herbert Clark Hoover Building (HCHB), including operations, maintenance and repairs;
 - (7) Manages the Real Estate and Space Management Information System (RSMIS) and Federal Real Property Management System (Federal RPM) including establishing policies and procedures and developing requirements;
 - (8) Approves permanent and interim warrants for the positions of Real Property Contracting Officer, for lease contracting activities, and Administrative Contracting Officer for Lease Administration, for lease administration activities;
 - (9) Redelegates any of the authorities in his/her respective area of responsibility, subject to such conditions and limitations on the authorities as the delegating official may prescribe.
- (b) Associate Director, Office of Real Estate Policy and Major Programs (OREPMP): Within OAS, in accordance with DOO 20-1, in all real property-related areas, the Associate Director, OREPMP:
- (1) Develops and coordinates DOC policy in the areas of real property, energy conservation, seismic safety,

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historic preservation and environmental programs;

- (2) Provides DOC interpretation of DOC policy and provides DOC interpretation of policy and procedures contained in various intergovernmental authorities and laws affecting Government acquisitions and Government-owned or leased real property;
- (3) Leads DOC task force in the development and updating of this Manual and assumes the lead role for all revisions to the Manual;
- (4) Serves as DOC interface for policy matters with Departmental counterparts and external entities such as GSA, OMB, and the Department of Justice;
- (5) Performs oversight reviews and studies to determine compliance with applicable laws, regulations, policies, and procedures, and to gauge the effectiveness of DOC policies, procedures, and operations;
- (6) Defines, develops and manages the DOC RSMIS and Federal RPM data base and, in coordination with the ASCs and OUs, develops department-wide data systems requirements and makes periodic updates to the data base and;
- (7) Secures legal opinions from the Office of General Counsel which have bearing on Department-wide policy issues;
- (8) Reviews and makes recommendations concerning approval to the CFO/ASA for all DOC requests for special delegations of leasing and related authorities from GSA;
- (9) Analyzes, monitors and provides advice to the CFO/ASA, Director OAS, and other high level officials on issues relating to the implementation of Government-wide real property programs and DOC real property initiatives;
- (10) Manages the DOC Real Property Contracting Officer Warrant Program;

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- (11) Develops policies for the use and disposal of tobacco products and for the use, storage and consumption of alcoholic beverages in DOC facilities;
 - (12) Coordinates DOC requests to GSA for delegations of authority for real property operations and lease administration;
 - (13) Serves as a liaison with GSA on implementation of Government-wide real property programs;
 - (14) Reviews and coordinates OSBM-developed procedures to implement DOC policy and incorporates them into this Manual; and
 - (15) May redelegate any of the authorities in his/her respective area of responsibility, subject to conditions and limitations.
- c) Associate Director, Office of Space and Building Management (OSBM): Within OSBM, consistent with DOO 20-1, in all facility management areas the Associate Director, OSBM:
- (1) Develops and coordinates DOC procedures to implement policies, and submits them to OREPMP for review and incorporation into this Manual;
 - (2) Coordinates the review and submission of the Department's and the OUs' annual workspace management plan and budget submission to GSA and OMB;
 - (3) Operates and manages the HCHB in accordance with the GSA/DOC Building Delegation Agreement;
 - (4) Plans, develops, and coordinates current and projected space requirements for the HCHB;
 - (5) Provides facility management services for the HCHB, including office renovation, carpet/drapes, furniture, cabling, telecommunications services, space planning, and design services;

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- (6) Provides labor/moving services for the HCHB;
- (7) Coordinates the HCHB recycling program. Serve as the Contracting Officer's Technical Representative for the contracted cafeteria, landscaping, janitorial, elevators, and exterminating services. Provide building operations including HVAC, electrical, plumbing, carpentry and welding services in the HCHB.
- (8) Analyzes, monitors and provides advice to the CFO/ASA, Director OAS, and other upper level DOC management on policy issues;
- (9) Redelegates any of the authorities in his/her respective area of responsibility, subject to such conditions and limitations on the authorities as the delegating official may prescribe.

2.4.2 US-NOAA

In accordance with DOO 25-5 and DAO 201-44, the US-NOAA has the authority and responsibility for providing real property services NOAA-wide and to DOC OUs outside of the National Capital Region (NCR). These services are provided through the CFO/CAO, NOAA-OA by the Directors, ASCs, for areas outside of the NCR; and the Director, NOAA-OA Office of Facilities, to NOAA components within the NCR.

2.4.3 CFO/CAO, NOAA-OA

- (a) Within NOAA, in accordance with DOO 25-5 and DAO 201-44, in all real property related areas, the CFO/CAO, NOAA-OA:
 - (1) Provides technical guidance to the ASC's and NOAA Line Offices on matters related to real property acquisition, utilization, management and disposal;
 - (2) Implements Departmental policies and procedures, and develops NOAA-wide policy and procedures to ensure the efficient, safe and economic use of NOAA resources;
 - (3) Analyzes and coordinates operational aspects of

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NOAA's nationwide workspace management program;

- (4) Serves as the functional counterpart to Director OAS, and provides interface between OAS and the ASCs;
 - (5) Coordinates ASC requests for delegations of authority for leasing and other real property functions with OAS;
 - (6) Manages NOAA's facility maintenance budget;
 - (7) Provides all real property operations for NOAA within the NCR through the NOAA-OA Director, Office of Facilities; and
 - (8) Provides interface between the ASCs and OAS/OREPMP and other Departmental counterparts when approval or guidance relating to policy issues concerning acquisition, management, utilization and disposal are required.
- (b) The CFO/CAO, NOAA-OA, may redelegate any of the authorities in his/her respective area of responsibility, subject to such conditions and limitations on these authorities as the delegating official may prescribe.

2.4.4 The Directors of ASCs and the Director, Bureau of the Census, in connection with the Decennial Census

Except as mentioned elsewhere in this chapter, each ASC Director and the Director, Bureau of the Census, for the Decennial Census, is delegated the authority and responsibility for providing real property operations services for all DOC OUs for their respective service areas. Real property operations to support the Decennial Census program are managed directly by the Director, Bureau of the Census, consistent with this section.

- (a) In accordance with DOO 25-5 and DAO 201-44, in all areas of real property, each ASC Director and the Director, Bureau of the Census, for the Decennial Census:
- (1) Exercises authorities in accordance with applicable

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laws, regulations, policies, procedures, and delegations;

- (2) Implements and administers real property programs;
- (3) Develops ASC policies and procedures on services to clients in compliance with other sections of this Manual;
- (4) Recommends space design and utilization improvements to assure space is assigned, managed and used in accordance with DOC policy and procedures;
- (5) Acquires real property in a manner consistent with site specific workspace plans and in accordance with all applicable laws, regulations, DOC policies, procedures, and delegations of authority;
- (6) Coordinates with OUs in monitoring construction, alterations, improvements, and repairs. In DOC-controlled space, serves as contracting officer's technical representative, as requested, for alterations and repairs and, with OU assistance, monitors quality control and conformance to specifications. In GSA-controlled space, coordinates with OUs in monitoring alterations, improvements and repairs;
- (7) Serves as liaison, except where contracting officer's technical representative has been designated, with GSA Regional Offices on daily operational matters;
- (8) Conducts utilization surveys of Government-owned, DOC-controlled real property in the ASC servicing area annually, under 41 CFR 101-47.201-2; recommends real property for excessing; coordinates screening, reassignments, transfers or disposals of unneeded property; participates in GSA-scheduled utilization surveys and routes completed surveys through NOAA-OA to OAS/OREPMP;
- (9) Verifies square footage and classification assignments for the Federal Buildings Fund and RENT bills; assists the OU in verifying RENT; reconciles

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discrepancies with GSA; verifies and maintains current any tenant changes to the RSMIS and Federal RPM data bases;

- (10) Approves, coordinates, and ensures timely payments for leases and purchases with client funding;
- (11) Complies with the National Historic Preservation Act by nominating properties for inclusion on the National Register of Historic Places; by assessing the impact of all actions or undertakings proposed for historic properties; and by obtaining comments from the State Historic Preservation Officer (SHPO) and other appropriate organizations on actions that may affect the condition and/or historic or cultural nature of the property prior to the commencement of the project;
- (12) Maintains current, updated RSMIS and Federal RPM data base for all locations served by the ASCs, including population and FTE statistics (with the cooperation of OUs, as required), and assists in the development of RSMIS Federal RPM data system requirements;
- (13) Provides space layout and planning assistance toward meeting DOC space utilization goals;
- (14) Proposes additions, deletions and modifications to Departmental policy and procedures for further review and consideration by OAS;
- (15) Maintains records on all real property under the ASC's area of responsibility, as required by NOAA and Census record management directives. This includes leasing records, maps and surveys, records of legislative jurisdiction, construction and repair contracts, lease and purchase acquisition files, title files, disposal records, outgrants, use agreements, occupancy agreements, memorandums of understanding affecting use of facilities, and all documents pertaining in any way to the management, acquisition, or disposal of the real property assets of DOC;
- (16) Prepares and submits required responses, reports,

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- and inventories on real property holdings;
- (17) Monitors and enforces terms and conditions of leases;
 - (18) Implements GSA delegations of authority for the operation and maintenance of Government-owned buildings and administration of GSA leases;
 - (19) Acquires leasehold interests in real property, as well as other temporary interests in real property (e.g. licenses, permits and interagency agreements), in accordance with other chapters of this Manual;
 - (20) Acquires permanent interests in real property by purchase, including fee simple and easement (when statutory authority exists), by withdrawal or reservation of public domain lands, and by long term (20+ years or indefinite term) use agreements;
 - (21) Obtains rights for use of real property held by other Federal agencies via use agreements and interagency support agreements;
 - (22) Provides engineering services including consultation, project planning, project management, design, cost estimating and construction inspection and services for facilities repair and alteration, new construction and demolition of facilities;
 - (23) Provides comments and suggestions on proposed changes to DOC real property policy and procedures;
 - (24) In light of applicable requirements and standards, reviews proposed gifts or donations of any interest in real property, including leaseholds, to any DOC OU, under DAO 203-9, and forwards recommendations concerning acceptance of the real property through NOAA-OA and OAS/OREPMP to the CFO/ASA for approval. (If the fair market value of the interest in real property exceeds \$25,000, the approval of the DOC Secretary is required

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prior to acceptance.) Upon receipt of approval, coordinates the development and execution of the necessary instruments with the receiving OU and the owner or representatives of the owner to effect the gift.

- (25) Assures compliance with requirements of leasing authority from GSA, including the warranting and training requirements for Real Property Contracting Officers;
 - (26) Prepares and executes outgrants for the temporary non-exclusive use of Government-owned, DOC-controlled and DOC-leased real property;
 - (27) Obtains Phase I Environmental Assessments on real property being considered for acquisition by NOAA and Phase II Environmental Assessments when required; and
 - (28) Performs other related real property activities.
- (b) The Directors of ASCs and the Director, Bureau of the Census, may redelegate any of the authorities in his/her respective area of responsibility, subject to such conditions and limitations as prescribed.

2.4.5 Operating Unit Heads

Through various DOOs, DAOs, and delegation from the CFO/ASA and GSA, OU Heads are authorized to conduct limited real property activities, including certain real property operations and lease administration activities under GSA's Buildings Delegation Program. The OUs are listed in DOO 1-1, as amended. By this reference, the OUs listed in DOO 1-1, and all future amendments, are incorporated herein. For informational purposes, the below listed OUs are included in DOO 1-1, Amendment 2, dated July 3, 2000.

- o National Oceanic and Atmospheric Administration
- o International Trade Administration
- o Bureau of Industry and Security
- o Economic and Statistics Administration
- o Technology Administration
- o Bureau of the Census
- o Bureau of Economic Analysis

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- o National Institute of Standards and Technology
 - o National Technical Information Service
 - o Patent and Trademark Office
 - o Minority Business Development Agency
 - o Economic Development Administration
 - o National Telecommunications and Information Administration
- (a) In accordance with various DOOs, DAOs and delegations of authority from the CFO/ASA, GSA and this Manual, in all real property related areas the OU Head:
- (1) Develops facilities requirements; budgets for space reductions to meet space utilization rates and develops annual work space management plans;
 - (2) Initiates requests for real property services in a timely manner to the appropriate Real Property Operations Office;
 - (3) Provides sufficient funds to real property operations office to cover purchase costs or rent and related acquisition expenses.
 - (4) Approves OU construction and alteration projects (said approval may be delegated to lower management levels and, if so delegated, shall include cost approval thresholds) and budgets funds to cover the costs of operations; utilities; maintenance; construction; repairs; alterations; and restoration of damage, destruction or alterations to the leased property. Additionally, the OU Head shall include the cost of either:
 - a. Alterations to existing owned or leased facilities to meet the Uniform Federal Accessibility Standards, included in 41 CFR 102-74 &76, and/or to eliminate fire, safety, health or environmental hazards or
 - b. Acquisition of alternate facilities, and related moving expenses, which meet the Uniform Federal Accessibility Standards, and DOC and OSHA fire, safety, health and environmental standards;

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- (5) Participates with OREPMP and OSBM in the development of general policy, specific requirements, procedures, evaluations and other related items and plans;
- (6) Acts as the authority on the OU's requirements;
- (7) Provides funding for real property services; appropriation, funding, and general authority references; and funding certifications to the real property operations office when requesting services and/or upon request;
- (8) Verifies the financial portion of the Federal Building Fund/RENT in coordination with the ASCs;
- (9) Reviews real property inventory and reports as excess property that is underutilized or not needed for program purposes and provides for funding and management of excess real property until it is transferred to another agency;
- (10) Provides funds for any fees payable to state and local governments for environmental programs when such fees are required by state or county law and when such fees are authorized under Federal statute or regulation;
- (11) Provides the Real Property Contracting Officer with sufficient information to justify non-competitive acquisitions, as required by the Code of Federal Regulations (CFR) and this Manual;
- (12) Initiates requests to the ASCs for licenses, permits, and, when statutory authority exists and approval has been received from the CFO/ASA, the acquisition of permanent interests (fee simple or easement) in real property;
- (13) Participates in the acceptance of facilities, including verification of square footage and inspection of the premises;
- (14) Provides management control and use of all space, in compliance with applicable laws, Executive Orders, regulations, and DOC policies and

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procedures described in this Manual;

- (15) Initiates requests for repair, alteration and maintenance of buildings and grounds;
- (16) Assists in conducting physical inventories; reviews inventories for accuracy; maintains RSMIS and Federal RPM data base for Headquarters locations; and provides the ASCs with RSMIS and Federal RPM data for OU field locations (including population, FTE, and workstation statistics);
- (17) Provides real property-related information unique to the OU's organizational mission;
- (18) Validates and provides information as required for DOC-wide real property data base systems and programs (data on personnel for the Associate Director, OREPMP, is to be provided by OU Headquarters and not to be redelegated) and provides DOC, ASC and contractor personnel with data for environmental compliance and hazardous and contaminated substances surveys;
- (19) Prepares real property reports and submits them through channels;
- (20) Implements GSA delegations of authority for the operation and maintenance of Government-owned buildings and administration of GSA leases;
- (21) Nominates on-site representatives to serve as Contracting Officer's Representatives (CORs) for DOC and GSA-delegated leases, as appropriate;
- (22) Executes real property responsibilities within the framework of applicable statutes, regulations, orders, and DOC rules, policies and procedures;
- (23) Complies with the National Historic Preservation Act by nominating properties for inclusion on the National Register of Historic Places; by assessing the impact of undertakings proposed for historic properties; and by obtaining comments from the state historic preservation officer and other appropriate organizations on actions that may

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affect the condition and/or historic or cultural nature of the property;

- (24) Implements an energy management program to comply with the National Energy Conservation Policy Act, as amended, Federal Energy Management Improvement Act of 1988, Federal Property and Administrative Services Act, as amended, Executive Order 12759, dated April 17, 1991, DAO 217-16: Federal Energy Management and the DOC Strategic Implementation Plan for Energy Management.
 - (25) Performs condition survey reports at the request of the real property operations office to document the condition of DOC-leased space at time of occupancy and upon vacating the space; and
 - (26) Completes annual engineering plans to be used by ASC engineers in scheduling and planning their workload for the upcoming year.
- (b) Except in the areas of responsibility reserved in other parts of this Manual, the OU Head may redelegate any of the authorities in his/her respective area of responsibility, subject to conditions and limitations contained herein.