

APPLICATION INSTRUCTION BOOKLET

for the

**Department of Health and Human Services
Federal Surplus
Real Property Program**



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PROGRAM FACT SHEET

Transfers of real property are generally made by quitclaim deed,¹ and are subject to the following conditions which are contained in the deed:

1. For a **period of 30 years** from the date of the initial deed, the property must be utilized in accordance with the approved application.
2. Where construction or major renovation is not required or proposed, the property must be placed into use within twelve (12) months from the date of the deed. Where construction or major renovation is contemplated at the time of transfer, the property must be placed into use within thirty-six (36) months from the date of the deed.
3. Grantee may not sell, lease, sublease, or otherwise encumber the property without prior consent of the grantor in writing.
4. Grantee must submit annual utilization reports.
5. Grantee must comply with section 606 of the Federal Property and Administrative Services Act of 1949; the Fair Housing Act (42 U.S.C. § 3601-19) and implementing regulations; and as applicable, Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations; Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d to d-4) (Nondiscrimination in Federally- Assisted Programs) and implementing regulations; Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) and implementing regulations; the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07) and implementing regulations; and the prohibitions against otherwise qualified individuals with handicaps under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and implementing regulations, and the Uniform Federal Accessibility Standards (UFAS), 41 CFR Subpart 101-19.6, Appendix A, and all requirements imposed by or pursuant to the Regulations of the grantor (45 CFR Parts 12, 80, 84 and 91) issued pursuant to said Acts and now in effect.
6. Grantee must remain tax supported or a nonprofit tax-exempt organization under section 501(c)(3) of the IRS code of 1986 throughout the period of restrictions.

Upon breach of any of the conditions subsequent contained in the deed of conveyance, title may revert to the Government. The grantee may also be permitted to abrogate the conditions by:

1. Obtaining the consent of the grantor, or its successor in function, and
2. Making payment to the United States of America of 1/360th of the percentage public benefit allowance granted of the fair market value as of the date of such requested abrogation, exclusive of the value of improvements made by the grantee to the extent that they add to the value of that portion of the property to be released, for each month of the period to be abrogated.

If utilization of the property has not commenced within 12 months or 36 months where construction or major renovations is contemplated, payments will be required for each month of the nonuse thereafter.

NOTE: *Other covenants and conditions may be required in the deed for such concerns as lead-based paint, environmental condition of the property, historical preservation issues, etc.*

¹*Transfers of real property for homeless purposes may also be conveyed by lease as authorized under Title V of the Stewart B. McKinney Homeless Assistance Act, as amended.*

LIST OF ELIGIBLE HEALTH PROGRAMS

The following is a list of the common types of programs considered eligible for real property grants. It is only a partial listing. Additional health programs not listed may also be eligible.

1. medical institutions
2. hospitals
3. health centers (i.e., related laboratories, administrative offices, and public health nursing programs)
4. mental health centers
5. clinics
6. nursing homes (i.e. long term care and convalescent facilities)
7. medical, dental, nursing, and paramedic schools
8. infirmaries
9. diagnostic or treatment centers providing outpatient services and care
10. preventive medical/health care programs
11. rehabilitation centers for mentally or physically disabled persons which provide an integrated medical, psychological, social evaluation and training program
12. residences for physicians, nurses, paramedics, etc. in isolated areas
13. pollution and pest control (related to public health)
14. maternal and child health programs
15. mental and physical hygiene training programs
16. sanitary engineering and inspection
17. health and nutrition education
18. drug and alcohol abuse rehabilitation programs
19. juvenile delinquent rehabilitation, diagnostic, and evaluation programs
20. communicable and chronic disease control (i.e., immunization programs)
21. migrant and Native American health programs
22. sewage disposal systems
23. storm sewer systems
24. solid waste programs (i.e., sanitary landfills, incinerators, and recycling facilities)
25. water systems (i.e., wells, pumps, underground distribution mains, purifiers, reservoirs, water towers, and protected watershed properties)
26. paramedic emergency treatment programs
27. health administrative offices
28. facilities to assist the homeless (Title V of the McKinney Act)
29. animal control facilities
30. forensic laboratories and morgues

**APPLICATION INSTRUCTIONS
REAL PROPERTY PROGRAM
FOR HOMELESS OR PUBLIC HEALTH PURPOSES**

(ON SITE)

NOTE: *Please read the instructions carefully before preparing your application. As you prepare your application be aware that it will be evaluated on the basis of the following factors:*

- A.** Services offered - The extent and range of proposed services such as meals, shelter, job training, counseling, etc.;
- B.** Need - The demand for the program and the degree to which the available property will be fully utilized;
- C.** Experience - Demonstrated prior success in operating similar programs and recommendations attesting to that fact by local, State, and Federal authorities;
- D.** Financial Ability - The adequacy and availability of funding to fully and properly run the programs and operate the facility; and
- E.** Implementation Time - How soon each proposed service can be operational.

INSTRUCTIONS: *Please provide complete responses to each numbered item below. For ease of reference, begin each response with its respective item number and heading. In an instance where a request for information is not applicable to your program, please include the heading and state "Not Applicable." You must submit an original and two (2) copies of the application, along with all attachments. Applications found to be incomplete, may be denied or additional information may be requested.*

Applications should be submitted to the Department of Health and Human Services' office listed below by _____ . If this date cannot be met, requests for extensions will be considered.

Real Property Section
Program Support Center, DHHS/PSC
Room 5B-17, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Phone: (301) 443-2265
E-Mail: rpb@psc.gov

1. Federal Installation

- (A) State the official name and address of the Federal installation where surplus property is located. (Include city, county, and State when giving address.)
- (B) Give GSA and/or landholding agency number assigned to the property.

2. Identification of Applicant

- (A) State the legal name of the applicant organization and state whether the applicant is a State, political sub-division of the State, or a private nonprofit organization, tax-exempt under section 501(c)(3) of the 1986 Internal Revenue Code. (If tax-exempt, include a copy of the formal exemption letter from the Internal Revenue Service.)
- (B) Provide a copy of the document showing statutory or other authority under which your organization is permitted to acquire and hold title to real property for the proposed use. A copy of the applicable citation from the Corporations Division of the Secretary of State's Office, where the applicant is registered, will satisfy this requirement. If the applicant is a nonprofit corporation, evidence must be presented that said corporation is authorized, under its charter, to hold title to the real estate for which it has applied. A copy of the charter and State certification should be provided with the application.
- (C) Give the name, title, and address of the person authorized to complete this purchase. The authorized representative must be the same as named in the governing board resolution.
- (D) Give the address and telephone number of applicant organization.
- (E) Identify all possible lessees, sub-organizations, affiliates, etc., that may participate in and/or operate the proposed program on the requested property, if any.
- (F) Indicate whether the applicant organization is accredited, approved, or licensed by Federal or State accrediting, approving, or licensing authority. If so, give the name of such authority.

3. Description of Real Property Requested

- (A) Give a general description of the property being requested. The amount of property requested should not exceed operating requirements. The description should include the amount of acreage and improvements, e.g., buildings, structures, etc. Identify buildings as follows:

Bldg. No _____

Building Name _____

Size (square feet) _____

NOTE: *A legal description is not required at this time, but may be requested at a future date.*

- (B) Give information for items (1), (2), (3) and (4) as applicable:
- (1) Indicate the zoning restrictions, if any, that are applicable to the subject property, and assure that the proposed program will conform to such restrictions.
 - (2) State that the renovation of existing buildings (if any), or construction of any new buildings, will meet State and local building codes and/or regulations for the proposed program of use.
 - (3) Report the exact description of utilities required and state how arrangements will be made for securing all needed utility services.
 - (4) Identify any easements, including overhead and underground, which are reported with the property, or are to be otherwise acquired for use in connection with the property.
- (C) Related personal property included with the available real property may generally be acquired if the need and use are specifically included and justified in the application. It is subject to the same discount allowance as the real property for which you have applied. Such related personal property is to be identified by an inventory attached to each copy of the application showing the description, serial number, or other adequate identification. This information may be obtained from the landholding and/or disposal agency.

4. Proposed Program Brief for Property Requested - Brief must include the following applicable information

NOTE: *An applicant must place the property into its proposed use within 12 months from the date of transfer, or 36 months where new construction or major renovations are required.*

- (A) Identify the services the applicant will provide through the use of surplus Federal property. Also list other facilities in the community that currently offer the same type of service you propose to offer, including the number of clients and/or beds. Provide information to support the need for additional services in the community. **Include any surveys, reports, or other documentation to support your analysis.**
- (B) Supply a detailed description of the proposed program showing the specific use or need for the program to be realized by acquisition of the property. Indicate any anticipated improvements, the time required for completion of each component and for bringing the property to full utilization. Indicate the service area population (city, county, etc.) and the number of homeless or public health clients to be served after full utilization.
- Applications must be adequately documented to reflect well-planned utilization, and should be effectively supported by written recommendations, endorsements, and studies of appropriate State agencies, public officials of State and local governments, and recognized national or local sponsoring associations or organizations. Only information pertinent to the program of use need be submitted.
- (C) Demonstrate that the applicant is qualified to implement the program of use. Include a description of the organization's present and proposed staff in terms of numbers and types of professionals and technicians. Identify the range of services provided and the length of time the program has been operating.
- (D) If need stems from an emergency resulting from a disaster, explain fully.
- (E) If need is a result of requirements to comply with established State standards, explain and enclose certifications from appropriate State departments (i.e., State statutes, court decisions, etc.).

- (F) Identify any real estate owned or leased by the applicant organization. If applicable, include a statement that the real estate owned or leased by the applicant organization is not suitable for the proposed program of utilization.

5. Physical Layout, Plans, and Cost Estimates

- (A) State that the property is suitable for the proposed use and/or provide plans for its conversion. If there are any easements, rights of use, zoning regulations, or other encumbrances, existing or proposed, which would impede the homeless/health program, please identify.
- (B) Submit a rough draft plat of the property requested. Show the location of existing improvements and identify any proposed new improvements.
- (C) Identify the proposed use of the property and give estimated costs anticipated to prepare the property for full utilization:
 - 1) Existing facilities (identify each building and proposed improvements);
 - 2) New facilities (i.e., building, structures, etc.); and
 - 3) Land areas (i.e., parking, recreational, open space, etc.).

6. Ability to Finance and Operate

- (A) Give a full and complete statement of the ability to finance, operate, and maintain the property requested. Identify the source of funding for converting the property for its intended use, including any new improvements. Funding sources for program operations should be identified separately. Be sure to include the capital outlay budget and the following, if applicable:
 - (1) Special building funds;
 - (2) Undistributed reserve;
 - (3) Property tax rate;
 - (4) Funds available for personnel and maintenance;
 - (5) Amount raised by taxation;
 - (6) State appropriation; and
 - (7) Other (contracts, services, Federal payments, fund-raisers, grants, etc.).
- (B) If the applicant contemplates that major construction/renovation is necessary to make the property suitable for full utilization, and funds are not currently available, give plans and sources of funding to carry out the proposed program and development. Please include the estimated amount of funds to be obtained from each source.

7. Local Government Notification

The applicant must provide written notification, of its proposed program, to the applicable unit of local government responsible for providing sewer, water, police, and fire services. Please provide copies of these notices.

8. Applicant Certification

The applicant must certify, by signature on Attachment A, its assurance of compliance with nondiscrimination, insurance, and protection and maintenance requirements. Please provide a signed copy with the original and each copy of the application.

9. Governing Board Resolution

Complete the governing board resolution, enclosed as Attachment B, authorizing a representative to act on behalf of the applicant organization. **The certifying officer must be an official other than the representative named in the Resolution. Please provide an original and two copies with the application.**

10. Environmental Compliance

The National Environmental Policy Act of 1969 (PL 91-190 42 U.S.C. Sections 4321-4347) requires consideration of the environmental effects that may result from major Federal actions, significantly affecting the quality of the human environment, including real property conveyances. Your completion of the attached Environmental Questionnaire (Attachment C) will assist us in evaluating any potential environmental effects arising from your proposal. **You are required to provide the supporting documentation to your questionnaire responses.**

The application must be signed and dated by the official authorized by the governing board resolution to act for the applicant institution.

NOTE: The Department of Health and Human Services' (HHS) approval of this application does not constitute the final decision on whether the property will ultimately be assigned to the applicant. In the ordinary course, HHS will recommend that the disposal agency assign the property to HHS for conveyance to the applicant. The disposal agency will accept HHS recommendation, review any competing requests, and exercise its assignment authority accordingly.

Attachment A - Applicant Certification

- (A) The applicant certifies that it will comply with section 606 of the Federal Property and Administrative Services Act of 1949; the Fair Housing Act (42 U.S.C. § 3601-19) and implementing regulations; and as applicable, Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations; Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d to d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations; Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) and implementing regulations; the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07) and implementing regulations; and the prohibitions against otherwise qualified individuals with handicaps under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and implementing regulations and the Uniform Federal Accessibility Standards (UFAS), 41 CFR Subpart 101-19.6, Appendix A.

The applicant will not discriminate on the basis of race, color, national origin, religion, sex, age, familial status, disability or handicap in the use of the property, and will maintain the records required to demonstrate compliance with Federal laws.

- (B) The applicant agrees for itself, its successors and assigns, that it shall cause any conveyed improvements to be insured against loss, damage, or destruction. If any such loss, damage, or destruction shall occur during the period grantee holds title to said property subject to said conditions 1 through 5, said insurance and all monies shall be held in trust by the grantee, its successors or assigns, and shall be promptly used by the grantee for the purpose of repairing such improvements and restoring the same to their former condition and use or for the purpose of replacing said improvements with equivalent or more suitable improvements or, if not so used, the grantee shall cause to be paid over to the Treasurer of the United States that part of the insurance proceeds that is attributable to the Government’s residual interest in the property lost, damaged, or destroyed, determined on the basis of the fair market value of the facilities at the time of the loss, damage, or destruction.
- (C) The applicant covenants and agrees for itself, and its successors and assigns that in the event the grantor exercises its option to revert all right, title, and interest in the property, to the grantor, or the grantee voluntarily returns title to the property in lieu of a reverter, then the grantee shall provide protection to and maintenance of the property at all times until such time as the title reverts to and is accepted by the grantor. Such protection and maintenance shall, at a minimum, conform to the standards prescribed by the General Services Administration in its regulations FPMR 101-47.4913 (41 CFR 101) in effect as of the date of the deed, a copy of which is attached (**Attachment D**) to the application.

(Organization Name) _____

(Signature) _____

(Title) _____

(Date) _____

Attachment B

RESOLUTION FORMAT FOR PROPERTY TO BE ACQUIRED BY DEED

Whereas, certain real property owned by the United States, located in the County of _____,

State of _____, has been declared surplus and is subject to assignment for disposal for homeless or public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949, as amended, and rules and regulations promulgated pursuant thereto, more particularly described as follows [*Please insert property name and description below (full legal description is not required at this time)*]:

Whereas, _____, needs and can utilize said

(Legal name of applicant)

property for public health purposes in accordance with the requirements of said Act and the rules and regulations promulgated thereunder of which this Board is fully informed, including commitments regarding use and time such use shall commence.

Now, Therefore, Be It Resolved, that _____

(Legal name of applicant)

has legal authority, is willing, and is in a position financially and otherwise to assume immediate care and

maintenance of the property, and that _____,

(Name of Official(s) (legally authorized)

_____, hereby authorized, for and on behalf of the

(Title of Official(s))

(is/are)

_____, to do and perform any and all acts and things which

(Legal name of applicant)

may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds and other instruments pertaining to the transfer of said property; and the payment of any and all sums necessary on account of the purchase price thereof, including fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs, together with any payments by virtue of nonuse or deferral of use of the property.

If the applicant is unable to place the property into use within the time limitation indicated below (or determines that a deferral of use should occur), it is understood that the _____,

(Legal name of the applicant)

will pay to the Department the sum of 1/360 of the fair market value for each month of nonuse, beginning 12 months after the date of the deed, or 36 months where construction or major renovation is contemplated.

If the application is approved, a copy of the application and standard deed will be filed with the permanent minutes of the Board.

Legal Title of Governing Body of Applicant

Address

City _____ State _____ Zip Code _____

I, _____, hereby certify that I am the

(Name of Certifying Officer)

_____, of the _____

(Title of Certifying Officer)

(Title of Governing Body)

and that the foregoing resolution is a true and correct copy of the resolution adopted by the vote of a majority of members of said _____ present at a meeting of said Board on

(Title of Governing Board)

_____ day _____, 20__ at which a quorum was present.

(Signature of Certifying Officer)

Note: *The person named in the Resolution **cannot** sign as the Certifying Officer.*

Attachment C

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
PROGRAM SUPPORT CENTER
FEDERAL PROPERTY ASSISTANCE PROGRAM**

ENVIRONMENTAL QUESTIONNAIRE

PROPERTY NAME: _____

APPLICANT NAME: _____

Why is this information required?

The Department of Health and Human Services (HHS) is required to include environmental information in its decision making activities, including the consideration of applications for the use of excess and surplus real property for public health purposes under the Federal Property Assistance Program. It is therefore necessary for you, the applicant, to submit environmental information for use by HHS in reaching a decision on your application. The following guidance is provided to assist you in that effort. If difficulty is encountered in acquiring the information or if questions arise, please call 301-443-2265.

How will this information be used?

This information will be used by HHS to evaluate the potential environmental impacts of your proposed program of use, as described in your application.

Hasn't this already been done by GSA?

The General Services Administration (GSA), as well as other agencies, have included environmental information in their management of the property, including the decision to make it available for this program.

HHS must now consider your application, including your proposed program of use. Your specific proposal may include various actions and/or activities which were unknown to the other agencies.

Must I repeat what has already been done?

No. Please do not duplicate any efforts that may have been made elsewhere. If an environmental assessment has been prepared on the proposed project for another local, State, or Federal agency which addresses all of the following information requirements, then simply include that assessment in your application package. Otherwise, using the resources available to you, answer the attached questions completely.

What is HHS' responsibility in this?

Because this application is a request for HHS action, HHS retains the responsibility to evaluate independently the adequacy and accuracy of the information submitted, and to make its own evaluation of the environmental issues which may arise. Therefore, please provide all the information requested. Failure to provide this information will necessitate returning the application to you for completion.

NOTE: Additional environmental information may be required for major construction or renovation projects.

Supplemental Instructions

BASIS FOR DETERMINATION AND DOCUMENTATION

The basis for determination and documentation information must be traceable and establish the factual data to support the response to each question. Types of information to be included in this column are outlined below:

1. PRINTED MATERIALS. These are useful sources of detailed information materials such as comprehensive land use plans, zoning maps, city master plans, environmental baseline survey, environmental assessments, environmental impact statements and studies. Information must be current and must represent accepted methodologies, i.e., not so old that changing conditions make them irrelevant. Citations for the material should include enough information so that an outside reviewer can locate the specific reference, e.g., author, document title, publication date, and page number.

Examples include the Record of Decision, Finding of Suitability to Transfer, Finding of Suitability to Lease, GSA¹ Property Suitability Determination Form, Federal Property Information Checklist, Environmental Baseline Surveys, Preliminary Assessments Reports, Environmental Assessments, draft or final Environmental Impact Statements, and City/County master plan or zoning map.

Possible sources of the above document include as appropriate, GSA, HUD², the property owner, military base environmental office, local governmental organizations, local public library, and City/County planning office.

2. PERSONAL CONTACT. Personal contacts are useful when the individual contacted is an accepted authority on the subject(s), and the interview is documented. Supporting documentation should include the name, organization, and title of the person contacted and the date of the conversation. Examples include officials from State and local planning offices and environmental offices, or an environmental officer of the agency that owns the property.

3. SITE VISIT. A site visit does not usually involve any testing or measurements. A site visit is an important method for initial screening of the issues, but for some of the categories it may be inadequate for final evaluation. Supporting documentation should include the date of the site visit, by whom, and the support observation.

Pollution Prevention. The applicant is urged to include pollution prevention considerations in the siting, design, construction, and operation of the project or facility.

Are there any pollution prevention activities that can be included in the applicant's program of use (e.g., source reduction, recycling, etc.)?

The questionnaire items on sedimentation and erosion control measures and storm water control plans are also pollution prevention related.

¹ General Services Administration

² Department of Housing and Urban Development

ENVIRONMENTAL QUESTIONNAIRE AND DOCUMENTATION

Property: _____ Location: _____ Applicant: _____

Category	Determination <i>(Yes or No)</i>	Identify/Sources(s) for Determination <i>(See supplemental Instructions)</i>
PART I		
<p>1. <u>Historic Preservation</u>. Will the proposed use of the property adversely affect properties listed, or eligible for listing on the National Register of Historic places (buildings, archaeological sites, objects of significance)?</p> <p>If a property is more than 50 years old and no determination of eligibility was done, contact the State Historic Preservation Officer (SHPO) and document the contact and SHPO response.</p>		
<p>2. Will the proposed use of the property generate or use any hazardous substances, hazardous wastes, or medical wastes? Activities that generate those items include dry cleaning, air conditioning repair and service, motor pools, automobile repair, welding, services stations, gas stations, landscaping, agricultural and farming activities, print shops, hospitals, clinics, medical centers, etc..</p>		<i>(If yes, state your proposed mitigation plan.)</i>
<p>3. Will the proposed use of the property result in a known violation or continuance of a violation of applicable (Federal, Tribal, State, or local) laws or requirements for protection of environment or public health and safety?</p>		
<p>4. Will the proposed use of the property result in a conflict with existing or proposed Federal, State, and local land use plans?</p>		
<p>5. Is the proposed use of the property significantly greater in scope than normal for the area or does the proposed use of the property have significant unusual characteristics?</p>		
<p>6. Does the proposed use of the property have significant adverse direct or indirect effect on park land, other public lands, or areas of recognized scenic or recreational value?</p>		
<p>7. Is there a controversy with respect to environmental effects of the proposed use of the property based on reasonable and substantial issues?</p>		

ENVIRONMENTAL QUESTIONNAIRE AND DOCUMENTATION

Property: _____ Location: _____ Applicant: _____

Category	Determination <i>(Yes or No)</i>	Identify Source(s) for Determination <i>(See supplemental instructions)</i>
PART II		
8. Will the proposed use of the property require major sedimentation and erosion control measures?		
9. Will the proposed use of the property adversely affect community noise levels?		
10. Will the proposed use of the property adversely affect community air pollution?		
11. Will the proposed use of the property create a need of additional capacity in educational facilities?		
12. Will the proposed use of the property create a need for additional capacity in health care facilities and for health care services?		
13. Will the proposed use of the property create a need for additional energy supply or generation? (Contact the local utility or supplier and document the name and date of contact.)		
14. Will the proposed use of the property create a need for additional capacity at solid waste disposal facilities?		
15. Will the proposed use of the property create a need for additional capacity at wastewater treatment facilities?		
16. Will the proposed use of the property create a need for or require a storm water control plan?		
17. Will the proposed use of the property create a need for additional drinking water supply?		
18. Will the proposed use of the property create a need for additional capacity in transportation systems?		
19. Are there other considerations about the proposed program of use for the requested property that could adversely affect the environment and/or public health and safety?		

ENVIRONMENTAL QUESTIONNAIRE AND DOCUMENTATION

Property: _____ Location: _____ Applicant: _____

Category	Determination (Yes or No)	Identify Source(s) for Determination (See supplemental instructions)
PART III		
20. <u>Safe Drinking Water</u> . Will the proposed use of the property impact an EPA designated sole source aquifer?		
21. <u>Flood Plains</u> . Will the proposed use of the property endanger people who occupy the property, involve construction in a flood plain, or encourage floodplain development?		
22. <u>Wetlands and Water Resources (lakes, rivers, streams, etc.)</u> . Will the proposed use of the property adversely affect wetlands and water resources or will there be construction in wetlands?		
23. <u>Coastal Zone Management</u> . Will the proposed use of the property directly affect a Coastal Zone in a manner inconsistent with the State Coastal Zone Management Plan? (Each coastal State should have a State office to manage its coastal zone development and use.)		
24. <u>Wild and Scenic Rivers</u> . Will the proposed use of the property impact a wild, scenic, or recreational river area or create conditions inconsistent with the character of the river?		
25. <u>Farmland Protection</u> . Will the proposed use of the property convert significant agricultural lands to non-agricultural uses?		
26. <u>Wilderness</u> . Will the proposed use of the property adversely impact a Wilderness Area?		
27. <u>Endangered Species</u> . Is the proposed use of the property likely to adversely affect a plant or animal species listed on the Federal or State list of endangered or threatened species or a specific critical habitat of an endangered or threatened species'?		

I certify that to the best of my knowledge and ability the information presented herein is true and correct.

Applicant's Signature

Title or Position

Date

Attachment D

101-47.4913 Outline for protection and maintenance of excess and surplus real property.

A. General. In protecting and maintaining excess and surplus properties, the adoption of the principle of "calculated risk" is considered to be essential. In taking what is termed a "calculated risk," the expected losses and deteriorations in terms of realizable values are anticipated to be less in the overall than expenditures to minimize the risks. In determining the amount of protection to be supplied under this procedure, a number of factors should be considered; such as, the availability of, and the distance to, local, public, or private protection facilities; the size and value of the facility; general characteristics of structures; physical protection involving fencing, number of gates, etc.; the location and availability of communication facilities; and the amount and type of activity at the facility. Conditions at the various excess and surplus properties are so diverse that it is impracticable to establish a definite or fixed formula for determining the extent of protection and maintenance that should be applied. The standards or criteria set forth in B and C, below, are furnished as a guide in making such determinations.

B. Protection Standards. The following standards are furnished as a guide in determining the amount and limits of protection.

1. *Properties not Requiring Protection Personnel.* Fire protection or security personnel are not needed at:

(A) Facilities where there are no structures or related personal property;

(B) Facilities where the realizable or recoverable value of the improvements and related personal property subject to loss is less than the estimated cost of protection for a one-year period;

(C) Facilities of little value located within public fire and police department limits, which can be locked or boarded up;

(D) Facilities where the major buildings are equipped with automatic sprinklers, supervised by American District Telegraph Company or other central station service, which do not contain large quantities of readily removable personal property, and which are in an area patrolled regularly by local police; and

(E) Facilities where agreements can be made with a lessee of a portion of the property to protect the remaining portions at nominal, or without additional cost.

2. *Properties Requiring a Resident Custodian.*

A resident custodian or guard only is required at facilities of the following classes:

(A) Facilities containing little removable personal property but having a considerable number of buildings to be sold for off-site use when (a) the buildings are of low realizable value and so spaced that loss of more than a few buildings in a single fire is improbable, or (b) the buildings are so located that water for firefighting purposes is available and municipal or other fire department services will respond promptly;

(B) Small, inactive industrial and commercial facilities which must be kept open for inspection and which are so located that public fire and police protection can be secured by telephone;

(C) Facilities where the highest and best use has been determined to be salvage; and

(D) Facilities of little, or salvage, value but potentially dangerous and attractive to children and curiosity seekers where the posting of signs is not sufficient to protect the public.

3. *Properties Requiring Continuous Guard Service.* One guard on duty at all times (a total of 5 guards required) is required at facilities of high market value which are fenced; require only one open gate which can be locked during patrols; all buildings of which can be locked; and where local police and fire protection can be secured by telephone.

4. *Properties Requiring High Degree of Protection.* More than one firefighter-guard will be required to be on duty at all times at facilities of the classes listed below. The number, and the assignment, of firefighter-guards in such cases should be determined by taking into consideration all pertinent factors.

(A) Facilities of high market value which are distant from public assistance and require an on-the-site firefighting force adequate to hold fires in check until outside assistance can be obtained.

(B) Facilities of high market value which can obtain no outside assistance and require an on-the-site firefighting force adequate to extinguish fires.

(C) Facilities of high market value at which the patrolling of large areas is necessary.

(D) Facilities of high market value not fenced and containing large quantities of personal property of a nature inviting pilferage.

(E) Facilities of high market value at which several gates must be kept open for operating purposes.

5. *Standards for All Protected Properties.*

(A) All facilities within the range of municipal or other public protection, but outside the geographic limits of such public body, should be covered by advance arrangements with appropriate authorities for police and fire protection service, at a monthly or other service fee if necessary.

(B) Patrolling of all facilities with large areas to be protected should be accomplished by use of automotive vehicles.

(C) At fenced facilities, a minimum number of gates should be kept open.

6. *Firefighter-Guards.* Firefighters and guards are the normal means for carrying out the fire protection and security programs at excess and surplus real properties where both such programs are required. The duties of firefighters and guards should be combined to the maximum extent possible in the interest of both economy and efficiency. Such personnel would also be available in many cases for other miscellaneous services, such as, removing grass and weeds or other fire hazards, servicing fire extinguishers, and other activities related to general protection of property.

7. *Operating Requirements of Protection Units.* Firefighter-guards or guards, should be required to make periodic rounds of facilities requiring protection. The frequency of these rounds would be based upon a number of factors; such as, location and size of the facility, type of structures and physical barriers, and the amount and type of activity at the facility. There may be instances where some form of central station supervision, such as American District Telegraph Company, will effect reduction in costs by reducing the number of firefighter-guards, or guards, required to adequately protect the premises.

8. *Watchman's Clock.* To insure adequate coverage of the entire property by the guards, or firefighter-guards, and approved watchman's clock should be provided, with key stations strategically located so that, in passing from one to the other, the guards will cover all portions of the property.

9. *Protection Alarm Equipment.* Automatic detection devices and allied equipment and services may materially assist in minimizing protection costs. However, use of devices of this

type, like guards, are purely secondary fire protection and are primarily a means of obtaining fire and police protection facilities at the property in an emergency. There are various types of devices, each of which can be considered separately or in combination as supplementing guard patrols, which may assist in reduction of costs and, in some instances, it may be possible to eliminate all guards.

10. *Sentry Dogs.* Frequently there are facilities of high market value, or which cover large areas, or are so isolated that they invite intrusion by curiosity seekers, hunters, vagrants, etc., which require extra or special protection measure. This has usually been taken care of by staffing with additional guards so that the "buddy system" of patrolling may be used. In such cases, the use of sentry dogs should be considered in arriving at the appropriate method of offsetting the need for additional guards, as well as possible reductions in personnel. If it is determined to be in the Government's interest to use this type of protection, advice should be obtained as to acquisition (lease, purchase, or donation), training, use, and care, from the nearest police department using sentry dogs. When sentry dogs are used, the property should be clearly posted "Warning-This Government Property Patrolled by Sentry Dogs."

C. Maintenance Standards. The following standards or criteria are furnished as a guide in connection with the upkeep of excess and surplus real properties.

1. *Temporary Type Buildings and Structures.* Temporary buildings housing personal property which cannot be readily removed to permanent type storage should be maintained only to the extent necessary to protect the personal property. Vacant temporary structures should not be maintained except in unusual circumstances.

2. *Permanent Type Buildings and Structures.*

(A) No interior painting should be done. Where exterior wood or metal surfaces require treatment to prevent serious deterioration, spot painting only should be done when practicable.

(B) Carpentry and glazing should be limited to: work necessary to close openings against weather and pilferage; making necessary repairs to floors, roofs, and sidewalls as a protection against further damage; shoring and bracing of structures to preclude structural failures; and similar operations.

(C) Any necessary roofing and sheet metal repairs should, as a rule, be on a patch basis.

(D) Masonry repairs, including brick, tile, and concrete construction, should be undertaken only to prevent leakage or disintegration, or to protect against imminent structural failure.

(E) No buildings should be heated for maintenance purposes except in unusual circumstances.

3. *Mechanical and Electrical Installations.* These include plumbing, heating, ventilating, air conditioning, sprinkler systems, fire alarm systems, electrical equipment, elevators, and similar items.

(A) At facilities in inactive status, maintenance of mechanical and electrical installations should be limited to that which is necessary to prevent or arrest serious deterioration. In most cases, personnel should not be employed for this work except on a temporary basis at periodic intervals when it is determined by inspections that the work is necessary. Wherever possible electrical systems should be deenergized, water drained from all fixtures, heat turned off, and buildings secured against unauthorized entry. Sprinkler systems should be drained during freezing weather and reactivated when danger of freezing has passed.

(B) At facilities in active status, such as multiple-tenancy operations, equipment should be kept in reasonable operating condition. Operation of equipment to furnish services to private tenants, as well as the procurement of utility services for distribution to tenants, should be carried on only to the extent necessary to comply with lease or permit conditions, or in cases where it is impracticable for tenants to obtain such services directly from utility companies or other sources.

(C) At facilities where elevators and/or high-pressure boilers and related equipment are in operation, arrangements should be made for periodic inspections by qualified and licensed inspectors to insure that injury to personnel, loss of life, or damage to property does not occur.

(D) Individual heaters should be used, when practicable, in lieu of operating heating plants.

4. *Grounds, Roads, Railroads, and Fencing.*

(A) Maintenance of grounds should be confined largely to removal of vegetation where necessary to avoid fire hazards and to control poisonous and noxious plant growth in accordance with local and State laws and regulations; plowing of fire lanes where needed; and removal of snow from roads and other areas only to the extent necessary to provide access for maintenance, fire protection, and similar activities. Wherever practicable, hay crops should be sold to the highest bidders with the purchaser performing all labor in connection with cutting and removal. Also, agricultural and/or grazing leases may be resorted to, if practicable, as other means of reducing the cost of grounds maintenance. Any such leases shall be subject to the provisions of 101-47.203-9 or 101-47.312.

(B) Only that portion of the road network necessary for firetruck and other minimum traffic should be maintained. The degree to which such roads are to be maintained should be only that necessary to permit safe passage at a reasonable speed.

(C) Railroads should not be maintained except as might be required for protection and maintenance operations, or as required under the provisions of a lease or permit.

(D) Ditches and other drainage facilities should be kept sufficiently clear to permit surface water to run off.

(E) Fencing, or other physical barrier, should be kept in repair sufficiently to afford protection against unauthorized entry.

5. *Utilities.*

(A) At inactive properties, water systems, sewage disposal systems, electrical distribution systems, etc., should be maintained only to the extent necessary to provide the minimum services required. Buildings or areas not requiring electrical service or water should be deenergized electrically and the water valved off. Utilities not in use, or which are serving dismantled or abandoned structures, should not be maintained.

(B) At active properties, water supply, electrical power, and sewage disposal facilities frequently must be operated at rates much below designed capacities. Engineering studies should determine the structural and operating changes necessary for maximum economy. Where leakage is found in water distribution lines, such lines may be valved off rather than repaired, unless necessary for fire protection or other purposes.

(C) Where utilities are purchased by contract, such contracts should be reviewed to determine if costs can be reduced by revision of the contracts.

6. *Properties to be Disposed of as Salvage.* No funds should be expended for maintenance on properties where the highest and best use has been determined to be salvage.

D. *Repairs.* Repairs should be limited to those additions or changes that are necessary for the preservation and maintenance of the property to deter or prevent excessive, rapid, or dangerous deterioration or obsolescence and to restore property damaged by storm, flood, fire, accident, or earthquake only where it has been determined that restoration is required.

E. *Improvements.* No costs should be incurred to increase the sales value of a property, and no costs should be incurred to make a property disposable without the prior approval of GSA. (See 101-47.401-5.) (29 CFR 16126, Dec.3, 1964, as amended at 30 CFR 11281, Aug. 2, 1965)

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