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Chapter 1

Introduction

1.1 Purpose

a. The purpose of this guidebook is to lay out the guidance and procedures for the new facility management (FM) system for facility managers in the Immigration and Naturalization Service (INS). Many of the procedures implement policies contained in the INS Administrative Manual (AM). Those policies are referenced throughout this Guidebook. An FM system is a comprehensive approach to the identification, justification, planning, programming, prioritization, approval, budgeting, funding, and execution of the maintenance, repair, construction, and alteration work done on facilities owned by, leased to, or assigned to an organization. Although presented in a readable and rather informal style, most of the procedures covered here are directive.

b. The new FM policies and procedures presented in this guidebook are a radical departure from the previous way the Service treated the task of facility management. The Service's staff, facilities budget, and real property inventory have rapidly grown to the size at which a more structured and orderly system is needed to ensure that government resources continue to be handled responsibly. Large public and private sector organizations typically have a dedicated system for managing their facilities. They impose such a system because of the large

proportion of their budgets they spend on facilities and because of the effect facilities have on their operations. Moreover, successful facility management requires a far more sophisticated system than that required to manage other assets or support functions. The FM system presented here is typical of today’s large, modern, national private sector or public organizations.

1.2 Scope

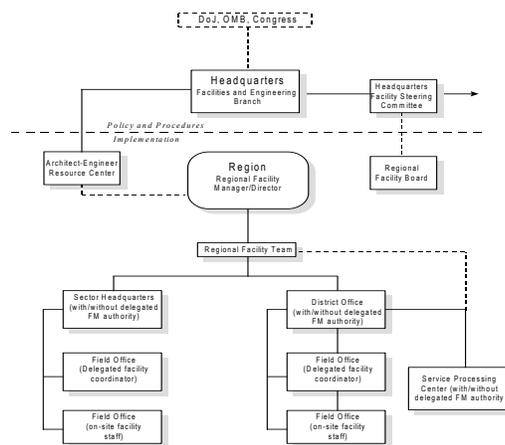
The scope of this Guidebook is for the FM staffs at INS Headquarters, FM staffs at the regions, and for those in the field with delegated FM responsibilities.

This Guidebook is organized to provide INS facility management personnel with quick access to the information they need for the new FM system. Each chapter addresses a single topic and the Guidebook is intended to be used as a reference book rather than a text. Since users are unlikely to read it from beginning to end, each chapter contains all of the information needed on its topic even though that information is also contained in other chapters. You will therefore find a great deal of repetition.

Although this Guidebook is designed to be a comprehensive guide to facility management in INS, no guidebook can anticipate and address directly every possible FM issue that will arise in an organization as large and complex as INS. INS is certain to have some facility-related circumstances that are truly “one-of-a-kind,” and therefore not covered in detail in the Guidebook. INS organizations with questions regarding those unique circumstances should contact HQENG.

1.3 Organization Chart

Figure 1-3. INS Facility Management Organization Chart



A map depicting INS facilities in the United States is shown in Appendix A.

1.4 Responsibilities

1.4.1 HQ Facilities and Engineering Branch (HQENG)

- ◆ Develop and publish FM guidance and procedures and recommend changes to INS Policies contained in the Administrative Manual.
- ◆ Publish and maintain written FM directives and guidance to implement those policies.
- ◆ Prepare the INS FM budget from regional and INS Headquarters inputs.
- ◆ Program, budget, and allocate the one time cost (OTC) fund.
- ◆ Allocate Repair and Alteration (R&A) funds and Operations and Maintenance (O&M) funds to each region.
- ◆ Determine the amount, if any, of R&A funds to be held at HQ for contingencies.
- ◆ Develop FM inputs to the INS Master Plan
- ◆ Develop and maintain the INS Headquarters (HQ) Facility Management Plan.
- ◆ Appoint an FM database administrator.
- ◆ Establish access authority and security levels for INS Headquarters inputs to the computer aided facility management (CAFM) system.
- ◆ Appoint the Director of HQENG to serve as executive secretary to the Facility Steering Committee (FSC).
- ◆ Develop the programs, plans, and priorities to be presented to the FSC by the Director who serves as the Executive Secretary of the FSC.
- ◆ Review and perform economic analyses on requested work to include lease versus buy and lease versus release analyses.
- ◆ Distribute and keep current the INS preventive maintenance standards manual.
- ◆ Distribute and keep current INS design standards. *Reference AM 2.1.107*
- ◆ Comply with requirements for environmental assessments, historic preservation, and architectural barriers.
- ◆ Develop and administer facility management training courses.
- ◆ Review new projects to ensure conformance to INS master plan.
- ◆ Ensure that budgeting and accounting for facility tasks are accomplished in a manner that is consistent with applicable laws, regulations, policies, and procedures.

1.4.2 Facility Steering Committee (FSC)

- ◆ Approve or disapprove requests for major projects with the exception of those projects that fall under the purview of HQ Field Operations: the establishment of a new office, the relocation of an office from one state or Congressional district to another, and the closing of an office.
- ◆ Prioritize approved requests for major projects for INS-owned facilities into two INS priority lists: one for projects to be funded by

line-item appropriation by the Congress and one for all other major projects on INS-owned facilities.

- ◆ Prioritize General Services Administration (GSA) requests for space and requests for direct-leased space into two respective priority lists.
- ◆ Approve and prioritize requests for one time cost (OTC).
- ◆ Present the annual FM budget to the Executive Staff.
- ◆ Determine the major project program guidance for each region.
- ◆ Review major and minor project obligation and execution rates.

1.4.3 Executive Secretary to the Facility Steering Committee

- ◆ Arrange meeting times, venues, and notifications for FSC meetings.
- ◆ Develop FSC agendas and arrange for minutes to be taken.
- ◆ Present plans and programs to the FSC.
- ◆ Participate in discussions as a non-voting member of the FSC.

1.4.4 The Architect and Engineer Resource Center (AERC)

The AERC, established by the U.S. Army Corps of Engineers under the Fort Worth District, was selected by INS to provide project management responsibilities, heretofore accomplished by HQENG. The AERC will, as directed by HQENG:

- ◆ Provide project planning, programming, and budgeting support, including program cost estimates and reviews.
- ◆ Provide engineering, design, and construction services, including contract management, for New Construction, R&A, Environmental, and OTC programs.
- ◆ Provide similar services for the regions and field offices upon request.

1.4.5 Regions

1.4.5.1 Regional Director

- ◆ Be responsible for the region's FM program and the quality of its facilities.
- ◆ Chair the regional facility board.
- ◆ Ensure that budgeting and accounting for facility tasks are accomplished in a manner that is consistent with applicable laws, regulations, policies, and procedures.

1.4.5.2 Regional Facility Director

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- ◆ Serve as the primary project and work management system manager.
- ◆ Develop or verify major and minor project estimates.
- ◆ Perform economic analyses on requested work to include lease versus buy and lease versus release analyses.
- ◆ Establish access authority and security levels for region and field inputs to the CAFM.
- ◆ Select those field offices for delegated FM authority.
- ◆ Appoint a regional CAFM system administrator.
- ◆ Serve as executive secretary to the Regional Facility Board (RFB).
- ◆ Develop Regional Facility Director budgets including a multi-year One Time Cost (OTC) funding plan.
- ◆ Develop and maintain the regional facility management plan.
- ◆ Ensure that budgeting and accounting for facility tasks are accomplished in a manner that is consistent with applicable laws, regulations, policies, and procedures.
- ◆ Appoint an environmental planner to ensure compliance with environmental requirements.

1.4.5.3 Regional Facility Board

The Regional Facility Board (RFB) will be chaired by the Regional Director. Its members will comprise the program directors and the RFD, who also will serve as the board's executive secretary.

- ◆ Approve or disapprove requests for minor projects.
- ◆ Prioritize minor projects into a single regional priority list.
- ◆ Approve the multi-year OTC funding plan.
- ◆ Fund designs and projects from the region's R&A funds.
- ◆ Determine the amount, if any, of regional R&A funds to be held for contingencies.
- ◆ Approve the regional Facility Management Plan.
- ◆ Approve the regional facility audit schedule.
- ◆ Notify field offices of approved spending plans.
- ◆ Review project obligation and execution rates.

1.4.6 Executive Secretary to the RFB

- ◆ Arrange meeting times, venues, and notifications for RFB meetings.
- ◆ Develop RFB agendas and arrange for minutes to be taken.
- ◆ Present regional plans and programs to the RFB.
- ◆ Participate in discussions as a non-voting member of the RFB.

1.4.7 District Offices, Service Processing Centers, and Border Patrol Sector Headquarters

1.4.7.1 With Delegated FM Authority

- ◆ Identify facility requirements and system failures as soon as possible and initiate corrective action within the limits of their approval authority.
- ◆ Prepare major and minor project preliminary “program” cost estimates, to include Davis Bacon Act prevailing wage rates when necessary.
- ◆ Perform economic analysis to determine the best method of work accomplishment, e.g., lease versus build and lease versus release analyses.
- ◆ Develop local FM budgets.
- ◆ Develop and maintain a Facility Management Plan.
- ◆ Develop facility maintenance plans.
- ◆ Develop and distribute instructions on what to do in case of emergency.
- ◆ Attend design reviews for projects within their purview.
- ◆ Assist region in developing Regional Facility Director budgets.

1.4.7.2 Without Delegated FM Authority

- ◆ Appoint a facility coordinator to be the primary point of contact for facility matters.
- ◆ Identify facility requirements and system failures to the RFD as soon as possible.
- ◆ Attend design reviews for projects within their purview.
- ◆ Assist region in developing local FM budgets.

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- ◆ Assist region in developing a local Facility Management Plan and maintenance plans.

1.4.8 Field Offices

Field offices include border patrol stations, ports of entry, district suboffices, etc.

- ◆ Assist district offices and border patrol sector headquarters in developing local FM budgets.
- ◆ Appoint a facility coordinator to be the primary point of contact for facility matters.

1.5 Definitions

1.5.1 Alteration

Facility alteration is a subcategory of construction. It is the alteration, conversion, or reconfiguration of a facility's interior space, systems, and features or exterior surfaces and openings. Alteration does not substantially add to the "footprint" of a facility. *Alteration is "new work."*

1.5.2 Breakdown Maintenance

An activity involving the restoration of failed or failing equipment or system to a defined level of performance.

1.5.3 Construction

Facility construction is an undertaking to make or form a new facility or an extension to an existing facility by assembling or combining elements, components, or systems. It includes preliminary planning, engineering, architectural, legal, fiscal, environmental, and economic investigations; and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the undertaking. Also, the term "construction" in its most generic sense includes alteration. *Construction is "new work."*

1.5.4 Contingency Funds

Contingency funds pay for facilities-related expenses that could not have been reasonably expected during the normal budget processes. At the beginning of the fiscal year, contingency funds may be set aside by HQENG or a region to cover extraordinary, unexpected expenses such as storm damage and major unanticipated failures in water, sewer, heating, ventilation, and air conditioning, and other major systems. Toward the end of the fiscal year, unobligated contingency funds may be used to fund projects that have been approved by facility boards, but have not been funded. Most contingency funds are set aside from R&A funds.

1.5.5 Deferred Maintenance

Maintenance tasks that cannot be performed due to a resource (staffing or budget) shortfall.

1.5.6 Delegated FM Authority

Regions may delegate one or more FM responsibilities to district offices, border patrol sector headquarters, or service processing centers that have full-time professional FM staff. Those responsibilities include:

- ◆ Initial program cost estimates for minor projects.
- ◆ Economic analyses to help scope a project.
- ◆ Greater autonomy in developing the scope of facility projects including layouts and timelines.
- ◆ Facility contract management.
- ◆ Access to the CAFM to update certain fields normally reserved for the Regional Facility Director.

1.5.7 Donated Labor

Labor hours that are not contracted for and are not charged by a regular in-house work force are donated labor. Donated labor hours may be donated by other federal agencies and departments, such as the Army National Guard, or by non-FM positions in the INS, such as Border Patrol agents. It is important to account for all donated hours to insure that the full cost of a project is documented.

1.5.8 Executive Staff

The Executive Staff comprises:

- ◆ Commissioner
- ◆ Deputy Commissioner
- ◆ Chief of Staff
- ◆ General Counsel
- ◆ Director, Office of Congressional Relations
- ◆ Director, Office of Public Affairs
- ◆ Director, Internal Audit
- ◆ Executive Associate Commissioner, Policy & Planning
- ◆ Executive Associate Commissioner, Management
- ◆ Executive Associate Commissioner, Programs

1.5.9 Facility Management Plan

A HQENG or region's plan to manage INS-owned and leased facilities over the next five years is a Facility Management Plan. It contains the lists of programmed major and minor projects; facility demolition, disposal, leasing, and expansion plans; and plans to establish or move functions. It also contains FM goals for the

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next five years and special facility programs such as initiatives to improve fire safety or quality of life, or to comply with new environmental requirements. Facility Management Plans are developed to support the INS Master Plan and are primarily the facility managers' responsibility. Spending plans are developed from Facility Management Plans.

1.5.10 Facility Project

A facility project is work to construct, alter, repair, or maintain a building (standard, modular, or relocatable), utility system, fence, real property installed equipment, mobile emergency generator, road, pavement, grounds, or natural habitat. A facility project does not include the cost of moving, leasing, communications, and equipment other than that which is real property installed. It does include facility work, such as conduit installation and electrical upgrade, needed to support an IRM or communication project.

1.5.11 Facility Steering Committee (FSC)

The FSC replaces the former Construction Program Steering Committee and it has an expanded role. It will be chaired by the Assistant Commissioner for Administration and its voting members will comprise the program Assistant Commissioners and HQ Field Operations. The Director of HQ Facilities Engineering Branch will serve as the Committee's executive secretary. The FSC calls upon expertise from the Office of Budget, IRM, and other areas as needed.

1.5.12 FIRM

The GSA's Foundation Information for Real Property Management (FIRM) is a standard automated database for real property information.

1.5.13 GSA-Assigned Space

GSA-assigned space is space that is leased for INS by the GSA or otherwise assigned to INS by the GSA.

1.5.14 INS Preventive Maintenance Program Guidelines

These are preventive maintenance standards, developed by HQENG, for equipment and systems commonly found at INS facilities. They are to be used as the basis of the facility maintenance plan if O&M manuals do not exist or are not available.

1.5.15 Life-cycle Cost

The total cost of constructing, maintaining and operating a facility or part of a facility. Life-cycle costs should be calculated in constant year dollars for

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comparison. Guidelines for evaluating life-cycle costs can be found in Office of Management and Budget (OMB) Circular A-94, *Discount Rates for to be Used in Evaluating Time-Distributed Costs and Benefits*.

1.5.16 Maintenance

Facility maintenance is the work necessary to maintain the original anticipated useful life of a facility or real property installed equipment. It includes periodic or occasional inspection, adjustment, lubrication, cleaning (non-janitorial), painting, replacement of parts, minor repairs, and other actions to prolong service and prevent unscheduled breakdown, but it does not prolong the life of the property or equipment or add to its value. *Maintenance is preventative.*

1.5.17 Maintenance Plan

A plan that illustrates the resources needed and frequency of performing scheduled preventive maintenance tasks based on standards for existing equipment, systems and finishes found in INS facilities. The maintenance plan also includes critical facility information for handling breakdown maintenance, including phone numbers and procedures in the event of a breakdown. INS maintenance plans are developed from O&M manuals, INS Preventive Maintenance Program Guidelines, or industry standards. A maintenance plan should be developed for each individual facility.

1.5.18 Major Project

A major project is a facility project on one or more facilities for maintenance, repair, construction or alteration with an estimated cost of more than \$500,000, or a project that will result in additional space or a change of facility use, regardless of cost. The facility project may be for INS-owned facilities, or for “above standard or allocation” requirements on facilities not owned by the INS. Construction of smaller facilities are exempted from classification as major projects if all the following are met:

- ◆ They will be an owned facility or addition to an owned facility.
- ◆ They will be less than 10,000 gross square feet.
- ◆ They will be sited within an existing INS compound.
- ◆ They will be non-inhabitable, i.e., storage facilities, warehouses, etc.

A major project must be approved by INS Headquarters or higher authority. It may be funded by INS Headquarters or region from their Repair and Alteration or program funds, or it may require line-item funding by Congressional appropriation. The cost of the work must include design, engineering services such as soil testing, facility contracts, labor (contract or in-house), government-furnished materials, equipment rental, and outside project management.

1.5.19 Major Project Funds

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Major project funds pay for major projects, which are facility projects (see definition of major projects above). Major project funds usually come from Congressional appropriations in the INS construction budget account. Major project funds may also come from the INS Salaries and Expenses account or various INS fee accounts.

1.5.20 Master Plan

The Master Plan is a senior INS management long-term plan laying out strategic goals six to twenty years in the future. At INS there is no single document called the “Master Plan.” Master planning is performed and communicated through policy memoranda, management meetings, and various directives. The term “Master Plan” as used in this Guidebook represents the collective results of management’s long-term planning efforts. Facility management is an integral part of such planning and the planning should address the facility requirements needed to support INS operational goals. HQENG is a major contributor to the Master Plan’s development. Facility Management Plans are developed to support the strategic goals of the Master Plan.

1.5.21 Minor Project

A minor project is a facility project on one or more facilities for maintenance and repair with an estimated cost of between \$25,000 and \$500,000, or for construction or alteration with an estimated cost of \$500,000 or less. The facility project may be for INS-owned facilities, or for work that is an INS responsibility in leased or GSA-assigned facilities. The definition does not include work that will result in additional space or a change of facility use unless all the following apply to the new facility:

- ◆ Will be an owned facility or addition to an owned facility.
- ◆ Will be less than 10,000 gross square feet.
- ◆ Will be sited within an existing INS compound.
- ◆ Will be non-inhabitable, i.e., a storage facility, warehouse, etc.

A minor project must be approved by the region. It may be funded by region from its annual R&A budget or from other funding sources. Examples of those other funding sources include local, regional, or HQ program or R&A funds, and special funds set aside for specific programs such as facility health and safety improvements. (Repair and maintenance work with an estimated cost of less than \$25,000 may be approved and is normally funded locally.) Work with an estimated cost of more than \$500,000 must be approved by INS Headquarters as a major project and is funded from reallocated program funds, R&A funds, or from Congressional appropriation. The cost of the work must include design, engineering services such as soil testing, facility contracts, labor (contract or in-house), government-furnished materials, equipment rental, and outside project management.

1.5.22 O&M Funds

O&M funds pay for minor maintenance, repair, construction, or alteration on a building, utility system, real property installed equipment, mobile emergency generator, roads, pavements, grounds, or natural habitat costing less than \$25,000 per work order. O&M funds may come from Congressional appropriations in the INS Construction budget account, or from the Salaries and Expenses or various INS fee accounts. INS distributes most O&M funds in the Construction and Engineering program. However, other INS programs (Border Patrol, Detention and Deportation, Inspections, etc.) may fund a substantial portion of O&M work with their own program funds.

1.5.23 One Time Cost Fund

The One Time Cost (OTC) Fund comprises funds allocated by the Office of Budget from program elements 335 (salaries and expenses), 35X (examination user fees), and 35U (inspection user fees). Its purpose is to fund OTC in INS-leased and GSA-assigned facilities, where OTC are the initial occupancy costs of above allocation work in GSA-assigned facilities, above lease standard work in direct leased facilities, automated data processing cabling and facility support, furniture purchases, moving costs, project-related travel costs, security, and telecommunications requirements. The OTC Fund may also occasionally be used to fund post occupancy projects in leased and GSA-assigned facilities.

1.5.24 Operations and Maintenance Work

Facility operations and maintenance (O&M) work is minor maintenance and repair on a building, utility system, real property installed equipment, mobile emergency generator, roads, pavements, grounds, or natural habitat costing less than \$25,000 per work order. It does not include construction or alteration. O&M work may be approved locally according to regional policy. It is funded from the local O&M fund or from program funds at the local, regional, or INS Headquarters levels. Occasionally, regions may choose to spend their R&A funds on O&M work.

1.5.25 Plant Replacement Value (PRV)

PRV is the cost of replacing an existing facility with a new facility. Two methods are commonly used to calculate PRV. PRV can be calculated by estimating the cost to construct a new, functionally identical facility using current costs for construction and other new work. Alternatively, PRV can be calculated by determining the historical cost for construction of the existing facility and increasing it to compensate for the effects of inflation.

1.5.26 Post-Occupancy Work

Work that is required subsequent to the occupancy of a facility is termed post-occupancy work. It is usually not foreseen as part of the work needed to prepare for INS occupancy and is therefore not programmed for the initial OTC funding

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requirements.

1.5.27 Preventive maintenance

An activity based on set time or interval established for the purpose of maintaining facilities, systems or components at a specified level of performance.

1.5.28 R&A Funds

R&A funds pay for most minor projects for maintenance, repair, construction, or alteration (see definition of minor projects above). Regions may also occasionally choose to expend R&A funds on O&M work. R&A funds may not be used for work in facilities that the INS does not own. R&A funds usually come from Congressional appropriations in the INS Construction budget account, or from the Salaries and Expenses or various INS fee accounts. INS distributes R&A funds in the Construction and Engineering program (program code 3260).

1.5.29 RENT

INS pays GSA a fee, called RENT, for the space it occupies in GSA-assigned space. RENT payments go into the Federal Buildings Fund, a revolving fund from which GSA funds its facility purchases, its maintenance, repair, alteration, and construction projects, and its leases. Each RENT charge is calculated by adding a small surcharge to the appraised fair market rental of the space, and it is updated every three years.

1.5.30 Repair

Facility repair is work to restore damaged or worn-out facilities or real property installed equipment to a normal operating condition. Repairs can prolong the life of an asset but should not increase its value. Repair by replacement is permitted and is the exchange or substitution of one fixed asset for another having the capacity to perform the same function. The replacement may arise from obsolescence, wear and tear, or destruction and it involves a complete and identifiable item. Repair may bring assets to current functional standards. *Repair is curative.*

1.5.31 Run-to-failure

This involves the operation of a piece of equipment or system until it fails. It is based on the equipment being relatively inexpensive to replace and a shutdown having little or no significant impact on operations. The decision to use the run-to-failure concept should be based on a thorough life-cycle cost analysis.

1.6 Guidebook revisions

This Facility Management Guidebook is the product of extensive efforts on the part of numerous individuals within the Service. The guidebook is a dynamic document that is open to improvement and circumstance may determine that portions of the guidebook be updated. The Facility Management community is consistently looking for better ways to do business and when they are found they will be communicated throughout the service via this FM Guidebook. To keep this important document viable and effective each facility manager should communicate comments, suggestions and recommendations on the FM Guidebook to John Dragonetti, Policy Officer of the Policy and Planning Branch, HQENG at (202) 514-2646.

Chapter 2 Facility Planning

2.1 The Importance of Facility Planning

- a. Good planning is the foundation of a successful FM program. Facility planning provides direction for an organization to improve the quality of life for employees and to accommodate changing organizational requirements. Without proper planning, changing organizational requirements can stifle the FM process, which, in turn, can cause the deterioration of existing facilities and undermine operational effectiveness.
- b. The following are some of the many benefits of facility planning.
 - ◆ The facility planning effort serves as a link with INS organizational goals and objectives and helps the organization achieve those goals through a coordinated effort.
 - ◆ Planning results in simpler, more accurate budgeting, which helps the facilities group and INS gain credibility.
 - ◆ Proper planning helps to maximize the efficient use of limited INS facility resources.
 - ◆ Planning enhances the quality of life for INS employees through improved facility conditions.
 - ◆ Facility planning helps to define a course of action. Plans are dynamic and can be tailored for changes in organizational objectives.
- c. Facility planning is influenced by the current political environment, budget projections, and human resource allocations. Planning should therefore be an ongoing process that must be continuously monitored, evaluated, and updated,

based on the current operational environment, as organizational objectives change. Even though the best of plans cannot predict future changes in requirements, planning can help to frame a suitable response and course of action in the event of change.

d. An important consideration in planning is flexibility in and access to the Facility Management Plan and Annual Work Plan. Since these plans are working documents and relevant to all levels of the organization, they should be developed and maintained on-line for ease of access and timely updates. INS staff should have read-only capability when viewing the plans to prevent changes or tampering.

2.2 Relationship of Facility Planning to the INS Master Plan

a. As defined in Chapter 1, the Master Plan is an INS operational plan that identifies strategic goals and objectives for the mid-to long-term. The Master Plan emphasizes continuity and compatibility with future developments in INS. Facility planning is integral to the successful execution of the Master Plan since it addresses the facility requirements needed to support strategic goals.

b. The most important aspect of facility planning is the coordination of the near-term actions proposed in the Facility Management Plan and the Annual Work Plan with the long-term strategic goals identified in the Master Plan. The Facility Management Plan and Annual Work Plan link the organizational goals and objectives identified in the INS Master Plan with specific real estate, design, and construction activities, and provide the supporting details and rationale for overall facility needs. INS facility planners must work closely with the programs to identify new and changing requirements.

2.3 The Facility Management Plan

2.3.1 Scope

a. The Facility Management Plan is used to manage INS-owned, GSA assigned, and INS direct-leased facilities over the coming five years. Facilities Management Plans are required at both the headquarters and regional levels. A sample format for a Facility Management Plan is included in Appendix B.

b. At the regional level, it contains the lists of programmed major and minor projects, including facility demolition, disposal, leasing, and expansion as well as plans to establish or move functions. Regions must obtain guidance from headquarters on special programs, such as the fuel tank replacement program, as well as current policies and other issues that influence the funding and objectives. Headquarters should provide policy guidance to the regions through informal memorandums.

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c. At the headquarters level, it contains work scheduled for the headquarters facility as well as other facilities for which headquarters has direct FM responsibility. The plan also contains service-wide FM goals and special headquarters facility programs such as initiatives to improve fire safety or quality of life, or to comply with new environmental requirements.

2.3.2 Development

a. Each RFM and the HQENG Facility Planning Branch are responsible for developing and coordinating their respective Facility Management Plans. The plans should be a coordinated effort between the regions and headquarters. Each of the facility managers should develop an FM Plan for his or her area of responsibility. For instance, headquarters staff should work with the regions to identify and program any projects involving additional space.

b. Development of the Facility Management Plan requires substantial input from INS programs. Their contribution to the Plan is important because of their understanding and awareness of operational considerations and the external environment influencing INS plans and policies.

c. Facility Management Plans should be developed as follows:

- ◆ From the Master Plan and with input from the programs, identify future INS organizational goals and objectives for the next five years;
- ◆ Translate the organizational goals and objectives into facility requirements;
- ◆ Assess existing facility assets, such as number, area, condition, and locations of existing buildings, relative to anticipated future requirements;
- ◆ Identify any variances, including a deficit or surplus of adequate space, between projected facility requirements and existing facility resources; and
- ◆ Develop solutions, and identify possible alternatives, to eliminate the variances.
- ◆ Estimate the costs of implementing the solutions for each fiscal year covered in the FM Plan.

2.3.3 Use

a. The Facility Management Plan simplifies annual planning efforts. Although priorities and requirements change over time, a majority of the work identified in the FM Plan can be incorporated into an Annual Work Plan.

b. The development of accurate budgets is an integral part of facility planning. Frequently, the magnitude of the facility budget is determined without full understanding of facility needs and requirements. However, a properly developed Facility Management Plan, which justifies projects in a logical manner based on actual needs and requirements should be used to develop the facility budget.

2.4 The Annual Work Plan

2.4.1 Scope

- a. The Annual Work Plan (AWP) is an integral part of a successful FM program. It serves as a road map for the development of INS owned, INS leased, and GSA assigned facilities during a given year. The AWP, which is developed at the regional level, clearly identifies the work to be performed during the current, or upcoming, fiscal year. At any one time, facility managers are working with three Annual Work Plans: the one currently being executed, the one being developed for next year from the FM plan, and the review and analysis of the previous year's AWP to determine areas for process improvement. A sample format for an AWP is contained in Appendix C.
- b. The AWP is developed on an annual basis but should be updated periodically during the year, if necessary. A well developed plan will also help to minimize and control the end of year spending pressures.
- c. The AWP is developed by taking the first year of the FMP and developing it in much greater detail. For example, the FMP identifies a major underground sewage line replacement in FY98 due to constant leaks. The AWP identifies a service contract in FY97 to run video cameras through the lines to help identify the scope of the project and its phasing and, in FY98, the AWP would include the scope, cost, and milestones for the first phase of the project.
- d. The AWP must be based on the projected budget for approved and funded projects. Often, the amount of funds received does not match the amount requested in the budget, in which case, the AWP must be revised. If the projects in the plan are prioritized properly, adjusting the list of those to be funded should be a relatively simple task.

2.4.2 Development

- a. The AWP should be considered a working document. It should have a simple format so that it can be easily updated during the year in the event INS organizational goals, funding, or priorities change. Regional Facility Managers are responsible for developing Annual Work Plans for their regions. HQENG is responsible for developing an AWP's covering facilities for which they are directly responsible. Projects included in the Plan should be consistent with overall INS goals and objectives, including environmental, health, and safety concerns.
- b. The initial AWP is developed from the prioritized project list contained in the CAFM system. These projects support the requirements identified in the Facility Management Plan and the INS Master Plan. The final version of an AWP comprises the approved, funded projects in the CAFM system.

- c. The plan should be easily understood with projects organized by major and minor categories and by priority ranking within each category. Major project funding should be aggregated and presented by district or sector. Other pertinent project information, including estimated cost, project number, and a brief description, should also be included.
- d. The development of the Plan should be consistent from year to year in order to account for all aspects of a project. For instance, an AWP for a given fiscal year may only include the planning and design phases of a project, while the actual construction and occupancy phases are scheduled for the following fiscal year.

2.4.3 Use

- a. The AWP serves several functions.
 - ◆ The Plan will serve as a budgeting tool. While the FM plan serves as a budgeting tool, the AWP serves as a funds allocation tool following budget approval.
 - ◆ It serves as the basis for scheduling projects throughout a fiscal year. This enables the facilities department to better manage projects through resource leveling. For example, the AWP should contain sound estimated dates for design completion, contract award, and work start.
- b. The Plan should be revisited and updated periodically throughout the year to reflect any changes in the plan or in the approved budget.

Chapter 3

GSA and Leased Facility Acquisition

3.1 Purpose

Acquisition of new building space and other facilities can be a long and complex process. This chapter explains that process for GSA-assigned space and for direct leased space.

3.2 General Information

- a. New facility requirements may include office and storage space, animal shelters, residential housing, fences, roads, parking lots, and utility systems. Some new facilities, such as a small storage shed within an existing SPC, can be handled as a minor project at the regional level. Many others, however, can have political ramifications. Opening a new district suboffice or building an additional stretch of border fence, *for example*, may draw the attention of Congressional oversight committees or individual Congressmen. The process for acquiring these

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types of facilities is therefore necessarily one of rigorous procedure and stringent review.

b. A facility manager must be aware of the options available for the acquisition of space. General office space must be acquired through GSA unless INS receives a delegation from GSA. GSA has delegated INS in the Federal Procurement Management Regulations (FPMR) the authority to lease space for Border Patrol Stations for a term of 5 years (FPMR 101-18.104-3). GSA has also delegated all agencies certain categorical delegations (FPMR 101-18.104-2) including but not limited to repeater sites, dock space, and airplane hangars. The Immigration Act gives the Attorney General the authority to acquire space for detention space and allows for the acceptance of donated real property in specific situations. Line item budget authority authorizes INS to purchase or construct Border Patrol stations and other real property. Clarification on the acquisition of real property should be referred to Headquarters, Facilities and Engineering.

c. Whatever the method of space acquisition, the facility management system must handle the requirement not just as a facility project for the above GSA allocation work that will be done on the new facility, but as a comprehensive undertaking. Such an undertaking includes furniture purchases, automated data processing cabling and facility support, moving costs, project-related travel costs, security needs, and communications requirements. The facility manager must use the system to plan, program, and budget for all of those needs so that they are satisfied at the right time.

3.3 Policy

a. It is the policy of the Immigration and Naturalization Service (INS) to obtain the most efficient and effective use of all the space it owns, leases, or has been assigned. Full and effective use of government real property is a fundamental responsibility of every INS manager. INS managers will cooperate with other government departments to ensure that space is used in the best interests of the federal government.

It is also INS policy that office openings, relocations, and closings will be reported to the INS Field Operations Office, OMB, and the Congress regardless of the action's size, the number of personnel affected, or the activity involved.

When authorized, direct leasing will be undertaken only when INS-owned space cannot be provided and other government-owned space is not available.

Reference: AM 2.1.101.

b. It is the policy of the Immigration and Naturalization Service that all leases for real property shall be executed by a Warranted Lease Contracting Officer whose warrant is issued by Headquarters. It is also the policy of INS that a delegation of authority shall be requested from Headquarters, Facilities and Engineering, for all leases for real property including, but not limited to new

leases, renewals of existing leases, and no cost leases. *Reference:* AM 2.1.104.

3.4 GSA-Assigned Space

- a. Acquiring space through GSA is the most common means of INS space acquisition. The DOJ has delegated to HQENG the authority to deal with GSA directly. With certain restrictions, HQENG has further delegated this authority to the RFDs. Although no further delegations may be made, some of the actions to prepare space requests may be handled at the field level. Requests for GSA-assigned space and the related facility projects are processed through the INS facility management system as major projects. In that way, the requests receive the appropriate cost estimates, management reviews, and automated status tracking.
- b. Acquiring space through GSA is an extremely lengthy process. Action must begin at least 18 to 24 months prior to a lease expiration, for example - longer if the action is likely to lead to a prospectus-level project or new construction.

3.4.1 Identifying the Need for GSA-Assigned Space

- a. The need for new GSA-assigned space may arise for several reasons.
 - ◆ *Lease expiration.* If GSA determines that it is more cost effective for the INS to seek alternative leased space, the occupant must initiate a major project to accommodate a move.
 - ◆ *Agency expansion.* New requirements may cause an INS function to expand. The need for new space can be accommodated by expanding existing facilities, by moving the new requirement to new space, or by moving the entire function to new space.
 - ◆ *Consolidation.* GSA is constantly seeking ways to save money by consolidating two or more government functions. Those functions may belong to one or more agencies. If GSA's economic analysis shows a cost saving, INS functions may be directed to move.
 - ◆ *Emergency relocation.* Fires, natural disasters, threats to health and safety, and other emergencies may render current space unusable. Swift action and special funding is needed to acquire alternative space.
 - ◆ *Forced move.* The INS sometimes loses the lease on a facility. It is also often told to vacate a facility to make room for a larger tenant to expand. Action must be taken as soon as the forced move is known.
 - ◆ *Repair and alteration.* Facility work on a building may cause the occupants to be displaced. GSA will arrange and pay for moves resulting from its repair and alteration projects.
- b. About 25 percent of major projects are nondiscretionary moves directed by GSA or caused by the end of a lease. GSA will contact regions directly to notify them of nondiscretionary moves, although routine lease expirations should come as no surprise to the regions. Additional space needs caused by expansions are identified by the field and by regions. The regions may involve local field offices,

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especially if they have delegated FM authority, in the preparation of the space request to GSA.

c. Requirements for GSA-assigned space should be documented as soon as they are identified. First, however, before entering a request into the FM system, the requester should check the requirement for conformance with the following:

- ◆ *INS policies*: INS Headquarters issues policies on operations and facility management that affect facility requirements.
- ◆ *Regional criteria*: Regions may establish criteria that affect facility requirements.
- ◆ *Master plan*: Facility requests should be consistent with long-term planning.
- ◆ *Facility management plan*: Facility requests should also be consistent with the two- to six-year management plans.

For nondiscretionary moves the requester will have to move whether or not such a move fits into a master plan. However, the above checks are still useful since they may provide information needed during the requirement discussions with GSA.

d. The requester documents the requirement on Form **GXX**, *Facility Project Request*, regardless of the expected funds source. A single form is to be used for all project requests, including requests for more space, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. Appendix D is a sample **GXX**.

e. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement (and the acquisition process, if that is possible), and who will be available to work with the region and with GSA as necessary.

f. HQ and regional requesters and other requesters with delegated FM authority should include a preliminary "side-by-side" cost estimate, which compares current costs and the projected costs for the new space, on a *GSA-Assigned Space Action Summary Sheet*. In addition to the construction and alteration costs, the sheet includes OTC costs such as the estimated cost of automated data processing and cabling requirements, furniture, moving costs, project-related travel costs, security, and communications requirements. Local field offices without delegated FM authority should contact their RFD for help with the preliminary (rough) cost estimate and to get help in completing the **GXX**.

3.4.2 Submitting a Request for GSA-Assigned Space

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- a. Forms **GXX** originating from the field or region are submitted to the RFD in accordance with regional policy. Sometimes, HQENG originates a project and it will forward copies of Forms **GXX** to the appropriate RFD for action. Submittal of a request from the field to the RFD is no guarantee that the request will be forwarded to HQENG. *For example*, if the request is for additional GSA space because of an expansion, the RFB may determine that more efficient use of existing space would satisfy the need instead.
- b. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. *For example*, the project manager would probably reject an expansion of a GSA-assigned facility that is due to be vacated. The initial screening should also ensure that the project does not duplicate or conflict with other programmed or ongoing projects.
- c. For valid projects, the project manager establishes a project record in the CAFM. From that point on, the project is tracked and referred to by its project number.

3.4.3 Processing a Request for GSA-Assigned Space

- a. Once the request is officially entered into the FM system, the project manager coordinates it as appropriate. Typical coordinating activities include all affected INS programs, health, safety, security, IRM, and environmental representatives. For projects initiated within a region, the region's project manager coordinates the project at the regional level. However, some projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. For example, requests for new space should be coordinated with the Office of Policy and Planning since there may be policy and political implications of which the region is unaware.
- b. Major projects initiated within a region must receive concurrence and be prioritized in a single priority list by the RFB before they are submitted to HQENG. Before the RFD adds a project to the RFB's agenda, the preliminary cost estimate is reviewed and will probably be made into a more accurate "side-by-side" cost estimate. The side-by-side cost estimate should also include an estimate of above GSA allowance work to be funded by the HQENG from its OTC fund.
- c. The RFD adds the validated and estimated routine requests for space to the agenda for the next RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with the other major project requests into a single major priority list regardless of program. It is important the RFB produce only one coordinated priority list and to use no priority number more than once. In many cases, projects compete with each other

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for funds from the same funding source. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund and support. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities. Even prospectus project requests are prioritized if they require OTC funds, as most of them do. The RFD will coordinate emergency space requests with the RFB members out of cycle and, if approved, they will be inserted into the existing priority list and forwarded immediately to HQENG.

- d. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the regional major priority list and project documents to HQENG.
- e. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out the side-by-side cost estimates and other project documents. For each project, including requests for GSA-assigned space, HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.
- f. HQENG reviews the requests for GSA-assigned space to confirm that they are valid, are in compliance with the master plan and facility management plans, and do not duplicate or conflict with other projects. HQENG also reviews the cost estimates and any economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn.
- g. HQENG must decide whether to request any changes to the annual RENT appropriation based on the space request. Since it takes two years of the budget cycle to change the RENT budget, action must begin as soon as possible. Also, OTC estimates for such projects are included in HQENG's future year budget projections of OTC requirements and forwarded to the Office of Budget.
- h. Requests for GSA-assigned space for office openings, relocations from one Congressional district or state to another, or closings must be handled by HQ Field Operations for approval by the INS Commissioner.^{1/} HQENG forwards those project packages to HQ Field Operations for concurrence prior to HQ Field Operations' submittal of the package to the INS Commissioner. Information copies of those projects are made available to the FSC. It notifies HQENG as soon as it concurs with a space request referred to it. For GSA-assigned space requests that do not fall within the purview of HQ Field Operations, HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director. A major reason for coordination with the program director is to secure

his or her commitment to fund any additional RENT charges that the new space will generate. The program must fund those RENT charges until Congress increases the annual RENT appropriation.

i. During the coordination process, HQENG and HQ Field Operations will emphasize to INS programs and senior management the critical importance that anticipated facility staffing levels have to facility planning.^{2/} Changes in anticipated facility staffing create costly delays in facility acquisition. In addition, such changes can adversely affect the credibility of the entire INS facility program. It is therefore imperative that during the coordination process for space, HQENG and HQ Field Operations remind INS programs of the long-term implications of their facility staffing estimates, and that INS programs develop staffing estimates that are timely, accurate, and stable.

3.4.4 Approving a Request for GSA-Assigned Space

a. In January, the FSC meets to review major projects, including requests for GSA-assigned space that do not fall within the purview of HQ Field Operations. (For those requests it has an information copy of the project to preclude conflicts within the Service's facility management program.) After review, the FSC prioritizes the projects it endorses into several priority lists. One of those lists is for GSA-assigned space requests. That list and the projects on it are forwarded to the Executive Staff for approval. Similarly, HQ Field Operations forwards to the Executive Staff those requests that fall within its purview.

b. When the Executive Staff approves a request for GSA-assigned space or change of use project, HQENG advises the region to develop a Standard Form (SF)-81, *Request for Space*. The region may involve the requesting field office according to regional policy. In the process, the region also refines the side-by-side cost estimate from which HQENG refines its OTC and RENT budget estimates. For its refined cost estimate, the region should obtain verification of the staffing numbers from the regional finance office. In developing the formal SF-81, the region should coordinate early with GSA, requesting its technical help where necessary. The revised OTC projections are forwarded to the Office of Budget.

c. The region submits the formal SF-81 package to HQENG for a final review. HQENG discusses with the region any questions it has and when HQENG concurs with the concept, the region forwards the final SF-81 package to the GSA with a copy to HQENG. At this point, the region assumes all responsibility for coordination on the project with the GSA. However, any regional changes to the approved SF-81 package after HQENG concurrence must be referred back to HQENG for review.

d. GSA will notify the region when the project is approved.

3.4.5 Executing an Approved Request for GSA Space

- a. The region assists GSA with the preparation of layouts for the project. The region also reviews and approves the GSA's RFP for the project. Final layouts and RFPs for regional headquarters and service centers are submitted to the HQENG for review.
- b. The GSA has some facilities built to lease to the INS and in other leased facilities major alteration is required to meet INS requirements. For those projects, a key consideration in the design and construction processes is customer involvement. The region should give the customer every opportunity to participate. In many instances, the customer will not have any relevant facility experience and a lack of communication and involvement will lead to misunderstandings and unfulfilled expectations as the project progresses.
- c. At the appropriate time, GSA will request the funds agreed to for above allowance work. In theory, the OTC funds should be available because HQENG has been updating the multi-year OTC budget projections whenever side-by-side cost estimates are made or refined. In practice, however, the OTC fund may not be fully funded, in which case some above allowance work may have to be downscoped. Since projects are listed in relative priority, such decisions are made easier. However, for serious OTC funding shortfalls, HQENG may have to consult the FSC members to determine what gets sacrificed.

3.5 Direct-Leased Facilities

- a. Acquiring space through direct INS leasing follows many of the same procedures as those discussed above for acquiring GSA assigned space. Requests for direct-leased space and the related facility projects are processed through the INS facility management system as major projects. In that way, the requests receive the appropriate cost estimates, management reviews, and automated status tracking.
- b. Like GSA space acquisitions, acquiring space through direct leasing is a lengthy process. Action must begin at least 18 to 24 months prior to the time the space is needed. The lead time is much longer if the space must be built to INS specifications.

3.5.1 Identifying the Need for Direct-Leased Space

- a. The need for new direct-leased space may arise for several reasons.
 - ◆ *Lease expiration.* If INS determines that it is more cost effective to seek alternative leased space, the occupant must initiate a major project to accommodate a move
 - ◆ *Agency expansion.* New requirements may cause an INS function to expand. The need for new space can be accommodated by expanding existing facilities, by moving the new requirement to new space, or by moving the entire function to new space.

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- ◆ *Emergency relocation.* Fires, natural disasters, threats to health and safety, and other emergencies may render current space unusable. Swift action and special funding is needed to acquire alternative space.
 - ◆ *Forced move.* The INS sometimes loses the lease on a facility. It is also often told to vacate a facility to make room for a larger tenant to expand. Action must be taken as soon as the forced move is known.
 - ◆ *Repair and alteration.* Facility work on a building may cause the occupants to be displaced.
- b. Space needs caused by expansions are identified by the field and by regions. The regions may involve local field offices, especially if they have delegated FM authority, in the preparation of the space request.
- c. Requirements for direct-leased space should be documented as soon as they are identified. First, however, before entering a request into the FM system, the requester should check the requirement for conformance with the following:
- ◆ *INS policies:* INS Headquarters issues policies on operations and facility management that affect facility requirements.
 - ◆ *Regional criteria:* Regions may establish criteria that affect facility requirements.
 - ◆ *Master plan:* Facility requests should be consistent with long-term planning.
 - ◆ *Facility management plan:* Facility requests should also be consistent with the two- to six-year management plans.

For nondiscretionary moves the requester will have to move whether or not such a move fits into a master plan. However, the above checks are still useful since they may provide information needed during the requirement discussions with the lessor.

d. The requester documents the requirement on Form **GXX**, *Facility Project Request*, regardless of the expected funds source. A single form is to be used for all project requests, including requests for more space, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. Appendix D is a sample **GXX**.

e. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement (and the acquisition process, if that is possible), and who will be available to work with the region as necessary.

f. HQ and regional requesters and other requesters with delegated FM authority should include a preliminary "side-by-side" cost estimate, which compares current costs and the projected costs for the new space, on an *INS Leased Space Action Summary Sheet*. In addition to the construction and alteration costs, the sheet includes OTC costs such as the estimated cost of automated data processing and cabling requirements, furniture, moving costs, project-related travel costs,

security, and communications requirements. Local field offices without delegated FM authority should contact their RFD for help with the preliminary (rough) cost estimate and to get help in completing the **GXX**.

3.5.2 Submitting a Request for Direct-Leased Space

- a. Forms **GXX** originating from the field or region are submitted to the RFD in accordance with regional policy. Sometimes, HQENG originates a project and it will forward copies of Forms **GXX** to the appropriate RFD for action. Submittal of a request from the field to the RFD is no guarantee that the request will be forwarded to HQENG. For example, if the request is for additional space because of an expansion, the RFB may determine that more efficient use of existing space would satisfy the need instead.
- b. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. For example, the project manager would probably reject an expansion of a direct-leased facility that is due to be vacated. The initial screening should also ensure that the project does not duplicate or conflict with other programmed or ongoing projects.
- c. For valid projects, the project manager establishes a project record in the CAFM. From that point on, the project is tracked and referred to by its project number.

3.5.3 Processing a Request for Direct-Leased Space

- a. Once the request is officially entered into the FM system, the project manager coordinates it as appropriate. Typical coordinating activities include all affected INS programs, health, safety, security, IRM, and environmental representatives. For projects initiated within a region, the region's project manager coordinates the project at the regional level. However, some projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. For example, requests for new space should be coordinated with the Office of Policy and Planning since there may be policy and political implications of which the region is unaware.
- b. At this stage, the project manager should determine the likely method of project acquisition for the work. For new space, those methods may include INS construction projects, GSA-assigned space, or direct-leased space. In many cases, such a determination will be a formality. In other cases, some cost and operational analysis will be required. For example, expanding and reconfiguring a function currently in direct-leased space may be better achieved by terminating that lease and moving the function to another leased facility already large enough and suitably configured. Another example is a request for a new Border Patrol station,

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which could be acquired through construction or direct leasing. The analysis should be readied for discussion at the RFB and later with HQENG.

c. Major projects initiated within a region must receive concurrence and be prioritized in a single priority list by the RFB before they are submitted to HQENG. Before the RFD adds a project to the RFB's agenda, the preliminary cost estimate is reviewed and will probably be made into a more accurate side-by-side cost estimate. The side-by-side cost estimate should also include an estimate of the initial outfitting work to be funded by the HQENG from its OTC fund.

d. The RFD adds the validated and estimated routine requests for space to the agenda for the next RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with the other major project requests into a single major priority list regardless of program. It is important the RFB produce only one coordinated priority list and to use no priority number more than once. In many cases, projects compete with each other for funds from the same funding source. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund and support. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities. The RFD will coordinate emergency space requests with the RFB members out of cycle and, if approved, they will be inserted into the existing priority list and forwarded immediately to HQENG.

e. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the regional major priority list and project documents to HQENG.

f. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out the side-by-side cost estimates and other project documents. For each project, including requests for direct-leased space, HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.

g. HQENG reviews the requests for direct-leased space to confirm that they are valid, are in compliance with the master plan and facility management plans, and do not duplicate or conflict with other projects. HQENG also reviews the cost estimates and any economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn.

h. HQENG must decide whether to request any changes to the INS Salary and Expenses budget, which funds most of the INS-direct leases, based on the space

request. Since it takes over a year to change the INS budget, action must begin as soon as possible. If the new lease is to be funded from a fees account, HQENG must coordinate with the appropriate funds manager to determine whether the projected fee income will cover the cost of the new lease. Also, OTC estimates for direct-leased projects are included in HQENG's future year budget projections of OTC requirements and forwarded to the Office of Budget.

i. Requests for direct-leased space for office openings, relocations from one Congressional district or state to another, or closings must be handled by HQ Field Operations for approval by the INS Commissioner.^{3/} HQENG forwards those project packages to HQ Field Operations for concurrence prior to HQ Field Operations submittal of the package to the INS Commissioner. Information copies of those projects are made available to the FSC. It notifies HQENG as soon as it concurs with a space request referred to it. For direct-leased space requests that do not fall within the purview of HQ Field Operations, HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director. A major reason for coordination with the program director is to secure his or her commitment to fund any additional direct-lease charges that the new space will generate. The program must fund those lease charges until Congress increases the INS Salaries and Expenses appropriation.

i. During the coordination process, HQENG and HQ Field Operations will emphasize to INS programs and senior management the critical importance that anticipated facility staffing levels have to facility planning. Changes in anticipated facility staffing create costly delays in facility acquisition. In addition, such changes can adversely affect the credibility of the entire INS facility program. It is therefore imperative that during the coordination process for space, HQENG and HQ Field Operations remind INS programs of the long-term implications of their facility staffing estimates, and that INS programs develop staffing estimates that are timely, accurate, and stable.

3.5.4 Approving a Request for Direct-Leased Space

a. In January, the FSC meets to review major projects, including requests for direct-leased space that do not fall within the purview of HQ Field Operations. (For those requests it has an information copy of the project to preclude conflicts within the Service's facility management program.) After review, the FSC prioritizes the projects it endorses into several priority lists. One of those lists is for direct-leased projects. That list and the projects on it are forwarded to the EXECUTIVE STAFF for approval. Similarly, HQ Field Operations forwards to the EXECUTIVE STAFF those requests that fall within its purview.

b. When the Executive Staff approves a request for direct-leased space project, HQENG advises the region to develop a Standard Form (SF)-81, *Request for Space*. Strictly speaking, the SF-81 is required only for GSA-assigned space requests but it is used for direct-leased space because much of the same

information must be developed and documented. The region should involve the requesting field office according to regional policy. In the process, the region also refines the side-by-side cost estimate from which HQENG refines its OTC and direct lease budget estimates. For its refined cost estimate, the region should obtain verification of the staffing numbers from the regional finance office. In developing the formal SF-81, the region should coordinate with HQENG. The revised OTC projections are forwarded to the Office of Budget.

c. The region submits the formal SF-81 package to HQENG for a final review. HQENG discusses with the region any questions it has. When HQENG concurs with the concept, it notifies the region. If the additional lease cost is approved in the INS budget, HQENG notifies the region.

3.5.5 Executing an Approved Request for Direct-Leased Space

a. When funds for the additional lease cost are available, the region prepares the layouts for the project and develops the RFP for the lease. The region then executes the RFP and the source selection, and awards the lease.

b. Consistent with AM Policy 2.1.104, Lease Acquisition of Space, all INS leases for real property shall be executed by a Warranted Lease Contracting Officer whose warrant is issued by Headquarters, INS. See subparagraph 3.3.d. The procedures for executing those leases are prescribed in Appendix E to this Guidebook.

c. For those facilities that will be built to lease or that require major alterations to meet INS requirements, a key consideration in the design and construction processes is customer involvement. The region should give the customer every opportunity to participate. In many instances, the customer will not have any relevant facility experience and a lack of communication and involvement will lead to misunderstandings and unfulfilled expectations as the project progresses.

d. At the appropriate time, the region will request the funds agreed to for above allowance work. In theory, the OTC funds should be available because HQENG has been updating the multi-year OTC budget projections whenever side-by-side cost estimates are made or refined. In practice, however, the OTC fund may not be fully funded, in which case some above allowance work may have to be downscoped. Since projects are listed in relative priority, such decisions are made easier. However, for serious OTC funding shortfalls, HQENG may have to consult the FSC members to determine what gets sacrificed.

Footnotes

- 1/** Details for preparing and submitting the Congressional Relocation Report (CRR), are under revision. For information on CRR, contact DeNiele Berman, HQENG,

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at (202)626-7579.

- 2/ See Note 1.
- 3/ Details for preparing and submitting the Congressional Relocation Report (CRR), are under revision. For information on CRR, contact DeNiele Berman, HQENG, at (202)626-7579.

3.6 Budgeting and Funding

This section summarizes budgeting and funding procedures for new facilities. Chapter 8 covers INS budgeting in detail.

3.6.1 GSA Assigned Space

- a. GSA-assigned space requests with an estimated first-year lease and standard fit-out costs above a certain threshold are termed prospectus level projects. The threshold is legislated each year and is in excess of \$1.7 million. The GSA requests Congressional line-item funding for such large projects. They therefore require a prospectus development study, which is a detailed justification and request for Congressional line-item approval. The GSA Public Buildings Service's *Prospectus Development Study Guide* and Paragraph 3.4, explain how to conduct a prospectus development study. Upon Executive Staff approval, HQENG prepares a Congressional notification for each prospectus level project. The prospectus development study is passed on to the GSA for its budgeting process, which includes OMB review before Congressional approval.
- b. Below prospectus level projects for additional space or change of use for GSA assigned facilities are funded primarily from GSA's Federal Buildings Fund.
- c. The INS uses its OTC fund, sometimes referred to as "The Spending Plan," for requirements that are above the GSA allowance for initial outfitting of the space. Any office requesting new facilities must identify the need for OTC funds at the same time. Each fiscal year, the INS Office of Budget recommends to the Executive Staff how much funding to allocate to OTC, which, in turn, determines how much work can be funded. Often, the amount allocated is not enough to fund all of the projects awaiting funds. This becomes serious when commitments have been made to GSA to fund above allocation requirements. Some customers may have to downscope their requirements to stay within the OTC funds available.
- d. GSA notifies INS of prospectus level projects that have been funded by the Congress and of below prospectus level projects that it has funded. At the appropriate time, GSA will request the OTC funds agreed to for above allowance work.

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- a. The INS has never had a direct-lease prospectus level project, although such a project is possible. If, in the future, the Service requires a direct-leased facility that will exceed the prospectus threshold, HQENG will notify the region to perform the prospectus development study. Upon Executive Staff approval, HQENG would prepare a Congressional notification for the prospectus level project. The prospectus development study would be submitted to DOJ as part of the budget submission.
- b. Below prospectus level projects for additional space or change of use for direct-leased space are funded from the INS lease appropriation.
- c. As with GSA-assigned space, the INS uses its OTC fund, sometimes referred to as “The Spending Plan,” for requirements that are beyond the lessor’s responsibility to fund and not amortized over the life of the lease. Also, as with GSA-assigned space, some customers may have to downscope their requirements to stay within the OTC funds available.

3.7 Reports

To facilitate the budget planning process, the RFDs must submit a quarterly report on the status of all outstanding space requests. The report is submitted by way of each region’s Project Tracking System (PTS). HQENG consolidates the regional reports into a single report that is distributed to the program offices.

3.8 References

- ◆ AM 2.1.101—*Facility Acquisition: INS Owned and Leased and GSA-Leased Facility Acquisition*
- ◆ AM 2.1.104—*Lease Acquisition of Space*
- ◆ GSA Public Building Service “*Prospectus Development Study Guide*”
- ◆ Office of Budget memo, Subject: Reporting Requirements for Office Openings, Relocations, and Closings, 26 Sep 96.

Chapter 4

INS-Owned Facility Acquisition

4.1 Purpose

Acquisition of new building space and other facilities can be a long and complex process. This chapter explains that process for facilities that will be INS owned.

4.2 General Information

a. New facility requirements may include office and storage space, animal shelters, residential housing, fences, roads, parking lots, and utility systems. Some new facilities, such as a small storage shed within an existing SPC, can be handled as a minor project at the regional level. Many others, however, can have political ramifications. Opening a new district suboffice or building an additional stretch of border fence, for example, may draw the attention of Congressional oversight committees or individual Congressmen. The process for acquiring these types of facilities is therefore necessarily one of rigorous procedure and stringent review.

b. A facility manager requiring space must be aware of the options available. With certain exceptions, federal agencies must, by law, obtain space through GSA. However, GSA has delegated leasing authority to INS for border patrol stations and detention facilities. Moreover, when no federal buildings are available or suitable, 8 United States Code (USC) 1252 permits INS to acquire land and build detention facilities. Similarly, 8 USC permits the Border Patrol to construct its facilities.

c. When real property (land, buildings, and other structures) is to be acquired by purchase, donation, condemnation, indefinite use permit, and/or any other method that conveys ownership to the U.S. Government, the procedures specified in Appendix F must be followed. When real property declared excess by other federal agencies can satisfy an INS space deficiency, INS policy, AM 2.1.103, and its procedures apply to the process for the excess property acquisition. (See Paragraph 4.5.3).

d. Whatever the method of space acquisition, the facility management system must handle the requirement as a comprehensive undertaking. Such an undertaking includes furniture purchases, automated data processing cabling and facility support, moving costs, project-related travel costs, security needs, and communications requirements. The facility manager must use the system to plan, program, and budget for all of those needs so that they are satisfied at the right time.

4.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to obtain the most efficient and effective use of all the space it owns, leases, or has been assigned. Full and effective use of government real property is a fundamental responsibility of every INS manager. INS managers will cooperate with other government departments to ensure that space is used in the best interests of the federal government.

It is also INS policy that office openings, relocations, and closings will be reported to the INS Field Operations Office, OMB, and the Congress regardless of the action's size, the number of personnel affected, or the activity involved.

When authorized, direct leasing will be undertaken only when INS-owned space cannot be provided and other government-owned space is not available.

Reference: AM 2.1.101.

4.4 Acquiring INS-Owned Facilities

a. Acquiring INS-owned space means building or buying it. (Buying space means the acquisition of modular or mobile facilities.) Acquisition of INS-owned space is handled through the major or minor facility project process depending on the project's scope. The minor project process is used if the new facility:

- ◆ Has an estimated cost below \$500,000,
- ◆ Will be an owned facility or addition to an owned facility,
- ◆ Will be less than 10,000 gross square feet,
- ◆ Will be sited within an existing INS compound, and
- ◆ Will be non-inhabitable, i.e., a storage facility, warehouse, etc.

b. INS-owned space that does not meet the above criteria must be processed as a major project. If the project is large enough to require Congressional-line item funding, the process may take five or more years from conception to occupancy.

4.5 Identifying the Need for INS-Owned Space

a. The need for new INS-owned space usually arises because of new or expanding requirements. The need for new space can be accommodated by expanding existing facilities or acquiring separate space. Requirements for INS-owned space should be documented as soon as they are identified. First, however, before entering a request into the FM system, the requester should check the requirement for conformance with the following:

- ◆ *INS policies:* INS Headquarters issues policies on operations and facility management that affect facility requirements.
- ◆ *Regional criteria:* Regions may establish criteria that affect facility requirements.
- ◆ *Master plan:* Facility requests should be consistent with long-term planning.
- ◆ *Facility management plan:* Facility requests should also be consistent with the two- to six-year management plans.

- b. The requester documents the requirement on Form **GXX**, *Facility Project Request*, regardless of the expected funds source. A single form is to be used for all project requests, including requests for more space, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. The requester indicates on the form whether the project is to be accomplished by contract, or with in-house or donated labor. Appendix D is a sample **GXX**.
- c. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement (and the acquisition process, if that is possible), and who will be available to work with the region and with GSA as necessary.
- d. The requester must determine whether the project qualifies as a minor project or whether it must be processed as a major project. The requester may request help on the determination and help in completing the **GXX** from the RFD.

4.5.1 Procedure for Minor Projects

Requests for INS-owned space are usually for small storage facilities or modest expansions to existing storage facilities on a Border Patrol or SPC compound. Such facilities would not normally require OTC funding. HQ and regional requesters and other requesters with delegated FM authority should make a program cost estimate on the **GXX**. The program cost estimate estimates the cost of design and construction, uses a formal estimating guide such as R.S. Means, and is adjusted for geographical cost differences. It is meant to be accurate enough for approval and fund source decisions. Estimates for in-house and donated labor projects include the estimated number and cost of the labor hours required. Program cost estimates are not "desk top" estimates and usually require site visits. They correspond to a level two cost estimate under the Unifomat system published by the GSA. According to regional policy, local offices without delegated FM authority may contact their RFD for help with the program cost estimate and to get help in completing the **GXX** or they may complete the **GXX** and leave the cost and labor hour estimate blocks for the RFD to complete.

4.5.2 Procedure for Major Projects

HQ and regional requesters and other requesters of major projects with delegated FM authority should include a program cost estimate on an *INS Construction Space Action Summary Sheet*, and a high-level lease versus buy analysis. In addition to the site, design, and construction costs, the space action summary sheet includes OTC costs such as the estimated cost of automated data processing and cabling requirements, furniture, moving costs, project-related travel costs, security, and communications requirements. At this stage, some of the OTC blocks will be blank or at best rough estimates, but the exercise is useful to begin focusing early management attention on the probable need for additional OTC funds. Estimates for in-house and donated labor projects include the estimated

number and cost of the labor hours required. A lengthy and detailed cost estimate at this stage is not merited because many space requests do not survive the initial reviews in their original form. Similarly, a detailed lease versus buy analysis would not be practical at this stage. Local field offices without delegated FM authority should contact their RFD for help with the program cost estimate.

4.5.3 Procedures for Acquiring Excess Real Property

- a. A requirement for excess real property may be established at any level i.e., District, Sector, Region or Headquarters.
- b. All requirements for excess real property originating and requested at the field office level shall be forwarded to the appropriate Regional facilities office for action.
- c. Excess real property shall not be acquired without the prior approval of Headquarters, Facilities and Engineering (HQENG). All requirements for excess real property shall be forwarded to HQENG for approval and program coordination prior to acquisition.
- d. All requests for transfer of available excess real property shall include:
 - 1) Description of real property including buildings and other structures.
 - 2) Justification of requirement.
 - 3) All reimbursement costs.
 - 4) CFR Chapter 101, Part 101-47 applies for specific Federal Procedures.

4.6 Submitting a Request for INS-Owned Space

- a. Forms **GXX** originating from the field or region are submitted to the RFD in accordance with regional policy. Sometimes, HQENG originates a project and it will forward copies of Forms **GXX** to the appropriate RFD for action. Submittal of a major project request from the field to the RFD is no guarantee that the request will be forwarded to HQENG. Similarly, submittal of a minor project request is no guarantee that the region will fund it. For example, if the request is for additional space because of an expansion, the RFB may determine that more efficient use of existing space would satisfy the need instead.
- b. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. For example, the project manager would probably reject an expansion of an INS-owned facility that is due to be demolished. The initial screening should also

ensure that the project does not duplicate or conflict with other programmed or ongoing projects.

c. For valid projects, the project manager establishes a project record in the CAFM. From that point on, the project is tracked and referred to by its project number.

4.7 Processing a Request for INS-Owned Space

a. Once the request is officially entered into the FM system, the project manager coordinates it as appropriate. Typical coordinating activities include all affected INS programs, health, safety, security, IRM, and environmental representatives. For projects initiated within a region, the region's project manager coordinates the project at the regional level. However, some projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. *For example*, requests for new space should be coordinated with HQ Field Operations and the Office of Policy and Planning since there may be policy and political implications of which the region is unaware. The Office of Policy and Planning submits the coordinated request to the INS Commissioner for approval.

b. Minor project requests for additional INS-owned space are processed by the region with other minor projects and prepared for RFB approval.

c. Major projects initiated within a region must receive RFB concurrence. Those projects, including ones for additional INS-owned space, are prioritized in a single priority list by the RFB before they are submitted to HQENG. Before the RFD adds a project to the RFB's agenda, the program cost estimate is reviewed and will probably be made into a more accurate estimate including any requirements to be funded from the OTC fund.

d. The RFD adds the validated and estimated routine requests for space to the agenda for the next RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with the other major project requests into a single major project priority list regardless of program. It is important the RFB produce only one coordinated priority list and to use no priority number more than once. In many cases, projects compete with each other for funds from the same funding source. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund or support for external funding. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities. The RFD will coordinate emergency space requests with the RFB members out of cycle and, if approved, they will be inserted into the existing priority list and forwarded immediately to HQENG.

e. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the

regional major project priority list and project documents to HQENG.

f. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out the *INS Construction Space Action Summary Sheet*, lease versus buy analysis, and other project documents. For each project HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.

g. HQENG reviews the requests for additional INS-owned space to confirm that they are valid, are in compliance with the master plan and facility management plans, and do not duplicate or conflict with other projects. HQENG also reviews the cost estimates, lease versus buy analysis, and any other economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn.

h. HQENG must include the estimates for any OTC requirements for outfitting new INS-owned space in its future year OTC budget projections and forward them to the Office of Budget.

i. Requests for INS-owned space for office openings, relocations from one Congressional district or state to another, or closings must be handled by HQ Field Operations for approval by the INS Commissioner.^{1/} HQENG forwards those project packages to HQ Field Operations for concurrence prior to HQ Field Operations' submittal of the package to the INS Commissioner. Information copies of those projects are made available to the FSC. HQ Field Operations coordinates the requests and presents them to the Executive Staff for approval. It notifies HQENG as soon as it concurs with a space request referred to it. For space requests that do not fall within the purview of HQ Field Operations, HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director.

j. During the coordination process, HQENG and HQ Field Operations will emphasize to INS programs and senior management the critical importance that anticipated facility staffing levels have to facility planning. Changes in anticipated facility staffing create costly delays in facility acquisition. In addition, such changes can adversely affect the credibility of the entire INS facility program. It is therefore imperative that during the coordination process for space, HQENG and HQ Field Operations remind INS programs of the long-term implications of their facility staffing estimates, and that INS programs develop staffing estimates that are timely, accurate, and stable.

4.8 Approving a Request for INS-owned Space

4.8.1 Procedures for Minor Projects

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- a. For minor project requests for INS-owned space that require regional approval, the RFD adds the validated and estimated project requests to the agenda for the November RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with other minor projects into a single minor project priority list regardless of program. No priority number is used more than once.
- b. The RFB decides which minor projects, including those for INS-owned space, are to be funded from the region's R&A budget. Those approved projects not receiving R&A funds may be funded from different funds sources. For example, program directors may decide to use program funds to fund a project that is approved by the RFB but not authorized or prioritized high enough to receive R&A funds.
- c. The RFD updates the CAFM with the results, adding priorities and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Projects that are disapproved are returned to the requester by the RFD with an explanation and the project is closed out in the CAFM system. Approved projects that were not funded remain in the CAFM system for later consideration.
- d. The RFD notifies HQENG that the RFB has approved the list of minor projects to be funded, including those for INS-owned space, and that the CAFM system has been updated with the results. From the date of notification, HQENG has fifteen calendar days to extract the list from the CAFM system, review it, and notify the RFD of any line item it objects to. An example of an HQENG objection is a region's failure to abide by INS Headquarters policies or master plan. For instance, the RFB may have prioritized a health and safety new space request too low to be funded even though INS Headquarters had directed that such projects be given priority. HQENG will contact the RFD to discuss any objections it may have. After the fifteen-day review period, projects that have not been objected to by HQENG may be funded.
- e. When local program funds are available for a minor project for INS-owned space, the RFD should expedite the regional approval. If the RFB is not scheduled to meet for thirty days or more, the RFD should coordinate approval of the project with individual RFB members. If members do not object to a project after reviewing the **GXX**, any supporting documentation, the source of funds, and the RFD's comments, the project is approved for local funding.

4.8.2 Procedures for Major Projects

- a. In January, the FSC meets to review major projects, including requests for INS-owned space that do not fall within the purview of HQ Field Operations. (For those requests it has an information copy of the project to preclude conflicts within the Service's facility management program.). After review, the FSC prioritizes the projects it endorses into several priority lists. Requests for INS-

owned space are categorized by the likely funds source for them.

b. The larger projects requiring Congressional line-item funding are prioritized and forwarded to the Executive Staff through the Office of Budget. If endorsed by the Executive Staff, they will be included as line-item requests in the INS construction budget, which is submitted to DOJ at the end of May or beginning of June. Similarly, HQ Field Operations forwards to the Executive Staff those requests that fall within its purview. For those construction projects approved by the Executive Staff, it is imperative that accurate project cost estimates be developed to ensure that the amount of funds requested are enough to contract for the scope of work described. An accurate estimate is achieved by developing the project to the 15 percent design stage during the four months from project approval to budget submittal. That project development is funded from the design fund in the annual base budget, from program funds, or from a combination of both, according to the decision of the FSC. Once funded, project managers initiate the concept designs, which can be done at HQ or the region, in house or by A/E contract. HQENG forwards to the Office of Budget any revision to OTC projections resulting from the concept design.

4.9 Executing an Approved Request for INS-Owned Space

Major and minor projects may be funded for contract, in-house labor, or donated labor. The funds for in-house and donated labor projects are used to purchase supplies and materials, special equipment rental, and supporting service contracts (for example, post construction landscaping), but not the labor hours. Responsibility for in-house and donated labor project execution is usually delegated to the field office concerned.

4.9.1 Procedures for Minor Projects

- a. Unless responsibility for the project has been delegated to a facility manager at a field office, the designated regional project manager will be responsible for the project throughout its design and execution. The designated project manager will update the project's status in the CAFM and will ensure that the A/E provides updated as-builts to the region and HQENG at the conclusion of the project.
- b. The obligation rates of funded projects are agenda items for the FSC and for regional facility boards. Those bodies and the respective FM staffs monitor the obligation rates to identify and resolve any problems that are preventing timely project execution.

4.9.2 Procedures for Major Projects

- a. Congressionally funded major projects for additional INS-owned space are at the 15-percent design stage when funds are appropriated. The completion of the design is managed by HQENG typically through the AERC with the RFD

coordinating customer requirements and interface. A key consideration in the design and construction processes is customer involvement. The HQENG or regional project manager should give the customer every opportunity to participate. In many instances, the customer will not have any relevant facility experience and a lack of communication and involvement will lead to misunderstandings and unfulfilled expectations as the project progresses.

b. At the appropriate time, the region will request any OTC funds approved for outfitting the new facility. In theory, the OTC funds should be available because HQENG has been updating the multi-year OTC budget projections. In practice, however, the OTC fund may not be fully funded, in which case some outfitting requirements may have to be downscoped. Since projects are listed in relative priority, such decisions are made easier. However, for serious OTC funding shortfalls, HQENG may have to consult the FSC members to determine what gets sacrificed.

c. The obligation rates of funded projects, including those for INS-owned space, are agenda items for the FSC and for regional facility boards. Those bodies and the respective FM staffs monitor the obligation rates to identify and resolve any problems that are preventing timely project execution.

4.10 Airport Space

The policy and procedures for acquiring Federal Inspection Services (FIS) facilities at international airports are addressed in AM 2.1.204 and are repeated in this section.

4.10.1 Policy for Acquiring Facilities for Federal Inspection Services at International Airports

It is the policy of the Immigration and Naturalization Service that local, district, and regional INS officers may act as preliminary Service contacts with the airlines, airport authorities, airport designated representatives, or initiating agencies to receive information concerning construction or renovation of FIS facilities at International Airports. *Reference:* AM 2.1.204

4.10.2 Procedures for Airport Facility Requirements

a. Upon being informed by competent authority that new construction or renovation is being considered, the INS representative shall immediately notify Headquarters, Inspections (HQINS), passing this information through official channels by memorandum, with a copy directed to Headquarters Facilities and Engineering (HQENG). Field representatives shall instruct initiating authorities to submit their request of action in writing to the Assistant Commissioner for Inspections, 425 I Street, NW, Washington, DC 20536. Subsequent communications relating to the facility design, construction, and modification of the FIS shall be directed to the Associate Commissioner for Human Resources

and Administration to the attention of the Director Facilities and Engineering. Copies of all Headquarters responses will be addressed to the appropriate Regional and District offices.

b. Upon presentation of a building plan, HQINS and HQENG will consult with Regional and District personnel to establish requirements for the facility. HQINS will determine the processing system to be used. HQENG will provide the expertise for implementing the requirements, amending the drawings and dealing directly with the architects and engineers.

c. No sketches, plans, drawings, or blueprints shall be returned to the submitting authority without first having the approval of Headquarters Facilities. Local, District, and Regional INS officers are not authorized to grant any approval on behalf of Headquarters. As the Division responsible for the operation at the designated facility, Headquarters Inspections shall have the final approval over all submissions.

d. HQINS and HQENG will be promptly advised by INS field representatives concerning the scheduling of airport meetings and design reviews. Headquarters participation will be jointly determined by HQINS and HQENG. Should Headquarters participation not be required or available, a full written report of the meeting shall be prepared by the INS field participants and forwarded, through official channels, to HQINS with a copy to HQENG.

4.11 Ports of Entry

The procedures for acquiring ports of entry facilities are addressed in AM 2.1.205. Spending is limited to \$200,000 or \$400,000 jointly with the U.S. Customs Service. Projects with an estimated cost exceeding \$400,000 are managed by the GSA with INS participation. However, regardless of cost, construction of new POEs requires INS Headquarters approval. Requests for such construction should be documented, submitted, and processed as a major project according to the procedures discussed above.

4.12 Budgeting and Funding

This section summarizes budgeting and funding procedures for new facilities. Chapter 8 covers INS budgeting in detail.

4.12.1 Procedures for Minor Projects

a. The majority of minor projects for INS-owned space are funded from a region's R&A budget in program 3260.005 and they compete for funds with minor maintenance and repair projects. HQENG is responsible for recommending annual budget levels for R&A to the INS Executive Staff. Each April, during preparation of the entire INS budget for the fiscal year that begins 18 months later, HQENG will develop recommended annual budget levels for the R&A program in its entirety and for each region. HQENG will coordinate closely with

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the Regional Facility Directors as it develops its R&A budget recommendations.

b. The INS Executive Staff, the Department of Justice, the Office of Management and Budget, and the Congress must approve the INS budget before funds are actually available. These approvals take place over the 16 months following HQENG action.

c. Each year, funding for R&A projects becomes available for spending after Congress passes and the President signs the annual appropriations act that governs INS, which typically occurs in late September or early October. After the appropriations act becomes law, HQENG will work closely with the INS Office of Budget to release R&A funds to the regions as expeditiously as possible. However, when a fiscal year's Salaries and Expenses appropriation is received, the amount appropriated may be different than the amount requested. In that case, the INS Office of Budget will advise the Executive Staff on how the funds are to be reallocated, including funds for R&A. When the size of the R&A budget has been determined, HQENG will determine the allocation of funds. Most of the R&A funds will be forwarded to the regions for minor project funding, but HQENG may decide to retain a small portion for contingency funds. (HQENG will determine recommended funding levels only, not specific R&A projects.) By the first of November, HQENG will notify the regions of the amount of R&A funds available for expenditure during the fiscal year.

d. Each fiscal year, the amount of R&A funds allocated to each region may vary. HQENG may use one or more of the following factors to budget for and to determine the allocation of R&A funds.

- ◆ The history of Congressional funding levels for INS Salaries and Expenses and how much of those funds are typically reserved for R&A, and any information on expected increases or decreases to those levels.
- ◆ The history and trend of demand for contingency funds.
- ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
- ◆ The master plan and regional facility management plans.
- ◆ The amount of square footage owned by each region.
- ◆ The size of each region's minor project backlog shown in the CAFM.

e. Each RFB may decide to withhold a small amount of contingency funds from the R&A funds allocated to it. At its April meeting, the RFB will decide how much of the unspent contingency funds to release for funding the highest remaining priorities on the unfunded minor project list.

f. Also at the April meeting, the RFB will make any needed adjustments to project funding. Such adjustments may be needed if, for example, a funded project has run into difficulties that preclude its funds being obligated by the end of the fiscal year.

g. The Regional Facility Director shall ensure that R&A funds are spent only on R&A projects. The Regional Facility Director shall report any use of R&A funds for purposes other than for minor projects to the Regional Director and HQENG, who will initiate appropriate corrective actions.

h. Occasionally, INS Headquarters may create a special fund for certain types of minor projects. An example is a fund set aside for security projects. Such funds may have come from the programs or from a special line item request in the Salaries and Expenses budget. The rules governing access to and use of such funds vary. RFDs and their RFBs will review the minor projects for INS-owned space to see if any may qualify for any special funds that may be available.

4.12.2 Procedures for Major Projects

a. INS submits its budget request to DOJ in May or June. In April, the FSC meets to review the 15 percent design cost estimates for major projects that require Congressional line-item funding, including those for additional INS-owned space. The FSC makes any adjustments to its recommended construction budget based on the new information. Those major project requests for additional space that do not get included in the budget request remain in the CAFM for consideration in the following years. The DOJ, OMB, and Congressional staffs review and approve the budget over the next 16 months. In October, almost a year and a half after budget submittal, the budget is released and INS will know which projects have been funded.

b. Smaller projects for INS-owned space that do not require Congressional line-item funding may be approved by the FSC for funding from recurring INS resources (R&A or program funds), when such funding is not prohibited by the \$250,000 legislated ceiling on some categories of INS facilities. Funding could be approved for the current or a future fiscal year.

4.13 Reports

To facilitate the budget planning process, the RFDs must submit a quarterly report on the status of all outstanding space requests. The report is submitted by way of each region's Project Tracking System (PTS). HQENG consolidates the regional reports into a single report that is distributed to the program offices.

4.14 Disposal of Excess and Surplus Real Property

As stated in AM Policy 2.1.203, "It is the policy of INS to review our government-owned property and determine if the property is not needed, under-utilized, or not being put to optimum use, and dispose of the excess in a timely manner." Appendix G sets forth the procedures for executing this policy.

4.15 References

- ◆ AM 2.1.101—*Facility Acquisition: INS Owned and Leased and GSA*

Leased Facility Acquisition

- ◆ AM 2.1.103—*Acquisition of Real Property Excess*
- ◆ AM 2.1.204—*Federal Inspections Service Facilities – International Airports*
- ◆ Office of Budget memo, Subject: Reporting Requirements for Office Openings, Relocations, and Closings, 26 Sep 96.

Footnotes

- 1/ Details for preparing and submitting the Congressional Relocation Report (CRR), are under revision. For information on CRR, contact DeNiele Berman, HQENG, at (202) 616-7579.

Chapter 5 Construction and Alteration

5.1 Purpose

Construction or “new work” requirements range from the installation of a new electrical outlet to the construction of an entire building. This chapter lays out the procedures for accomplishing construction at all levels. Also, the term “construction” in its most generic sense includes alteration and this chapter applies to both.

5.2 General Information

a. Construction is a category of work that is treated separately from maintenance and repair (M&R). Deferred M&R is usually detrimental to the facility or its real property systems. Deferred construction will have no affect on the building but may be detrimental to the organization’s mission. The INS, like most public and private sector organizations, finds it prudent to apply more stringent review and approval standards to construction. Without those standards, funds may be diverted to meet construction requirements at the expense of M&R, which produces a short-term solution and a long-term disaster.

b. Construction requirements occur under a variety of circumstances.

- ◆ Construction of new facilities that are to be INS-owned is common as the Service expands. Procedures for acquiring new INS-owned facilities are covered in Chapter 4 and will not be repeated here.
- ◆ Construction requirements occur in existing INS-owned facilities and may be met with an in-house work force for small requirements or by

contract for large or unusual requirements.

- ◆ Some construction is usually required before INS can move into leased or GSA-assigned space. Some of those requirements are usually beyond what the landlord or GSA is obligated to fund and they must be programmed, approved, and funded by INS. Procedures for acquiring new leased and GSA-assigned facilities are covered in Chapter 3 and will not be repeated here.
- ◆ Finally, construction requirements occur in existing leased or GSA-assigned facilities. Such work is defined as “post occupancy” work and, usually, the INS must program, approve, and fund those requirements.

5.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to obtain the most efficient and effective use of all the space it owns, leases, or has been assigned. Full and effective use of government real property is a fundamental responsibility of every INS manager. INS managers will cooperate with other government departments to ensure that space is used in the best interests of the federal government.

It is also INS policy that office openings, relocations, and closings will be reported to the INS Field Operations Office, OMB, and the Congress regardless of the action’s size, the number of personnel affected, or the activity involved.

When authorized, direct leasing will be undertaken only when INS-owned space cannot be provided and other government-owned space is not available.

Reference: AM 2.1.101.

5.4 Construction and Alteration in Leased and GSA-Assigned Facilities

For construction requirements in GSA-assigned space, the DOJ has delegated to HQENG the authority to deal with GSA directly. With certain restrictions, HQENG has further delegated this authority to the RFDs. Similarly, HQENG has delegated to the RFDs the authority to deal with construction requirements in direct-leased facilities. Although no further delegations may be made, some of the actions to prepare space requests may be handled at the field level.

5.4.1 Identifying Construction Requirements in Leased and GSA-Assigned Facilities

- a. Post-occupancy construction requirements may be identified by the occupant, the region, or INS Headquarters. They may arise from additional security measures, occupant reorganizations, new equipment, and any other needs that could not be foreseen before the facilities were occupied. The new requirement may be a landlord or GSA responsibility, in which case the requester must notify

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the landlord or GSA in accordance with the terms of the lease or memorandum of understanding. For example, new legislation may require better handicap access, which generates the need for a construction project. Occupants may have to contact their RFD for help in interpreting the terms of the lease and the responsibility for the requirement.

b. Construction requirements not the responsibility of the landlord or GSA must be funded by INS and are the subject of the remainder of this chapter. They should be documented as soon as they are identified. First, however, before entering a request into the FM system, the requester should check the requirement for conformance with the following:

- ◆ *INS policies*: INS Headquarters issues policies on operations and facility management that affect facility requirements.
- ◆ *Regional criteria*: Regions may establish criteria that affect facility requirements.
- ◆ *Master plan*: Facility requests should be consistent with long-term planning.
- ◆ *Facility management plan*: Facility requests should also be consistent with the two- to six-year management plans.

c. The requester documents the construction requirement on Form **GXX**, *Facility Project Request*, regardless of the expected funds source. A single form is to be used for all project requests, including requests for more space, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. Appendix D is a sample **GXX**.

d. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement (and the acquisition process, if that is possible), and who will be available to work with the region and with the landlord or GSA as necessary.

e. For post occupancy work on GSA assigned facilities, a field office requester with delegated FM authority or the RFD forwards a GSA Form 2957, *Reimbursable Work Authorization*, together with a copy of the form **GXX**, plans, and specifications to the GSA Buildings Manager to obtain a cost estimate for the work. For post occupancy work on direct leased facilities, a field office with delegated FM authority or the RFD obtains a program cost estimate from the lessor. If the lessor is not interested in doing the work, the field office or RFD obtains the lessor's written approval to proceed with the work using another vendor and develops the program cost estimate. The field office or RFD should check cost estimates obtained from the GSA or lessors for reasonableness. Some regions develop their own program cost estimates independent of the ones from GSA or lessors, to be used in the check for reasonableness.

f. According to regional policy, local offices without delegated FM authority may contact their RFD for help with the program cost estimate and to get help in

completing the **GXX** or they may complete the **GXX** and leave the cost estimate block for the RFD to complete.

5.4.2 Submitting a Request for Construction in Leased and GSA-Assigned Facilities

- a. Forms **GXX** originating from the field or region are submitted to the RFD in accordance with regional policy. Sometimes, HQENG originates a construction project and it will forward copies of Forms **GXX** to the appropriate RFD for action. Post occupancy construction in leased and GSA-assigned facilities rarely costs more than \$500,000 and hence can be handled as a minor project. (Should a larger requirement ever occur, it would be handled as a major project and the requester should contact HQENG to discuss how it would be funded.)
- b. No construction in leased and GSA-assigned facilities may be funded from R&A funds or local O&M funds. The requester must therefore determine the funding source for the work. Options include program funds at the local, regional, or HQ levels and OTC funds. However, requesters should be aware that OTC funds are extremely limited and require a long lead time to secure. Details on the funding source must be added to the Form **GXX**. If OTC funds are requested, the project will be processed as a major project regardless of its estimated cost.
- c. Before submitting a construction request to the RFD, local facility managers or facility coordinators should ensure that the request is fully coordinated at the local level. That coordination may include the program staffs, non-INS building occupants, and staff members with additional duties such as safety representative. Also, depending on regional policy, local requesters may have the authority to create a CAFM record for the project.
- d. Submittal of a request from the field to the RFD is no guarantee that the request will be approved or forwarded to INS Headquarters for approval. For example, a request to reconfigure a facility may be considered by the RFB as imprudent.
- e. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. The initial screening should also ensure that the project does not duplicate or conflict with other programmed or ongoing projects.
- f. For valid projects, if the field office staff have not already done so, the project manager establishes a project record in the CAFM. From that point on, the project is tracked and referred to by its project number.

5.4.3 Processing a Request for Construction in Leased and

GSA-Assigned Facilities

- a. Once the request is officially entered into the FM system, the regional project manager coordinates it as appropriate. Typical coordinating activities include all affected regional programs, health, safety, security, IRM, and environmental representatives. However, some projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. For example, a request for a new underground fuel tank may require environmental coordination. The RFD also reviews the preliminary cost estimate.
- b. The RFD adds the validated and estimated minor project construction project requests to the agenda for the November RFB meeting. When local program funds are available for a minor project construction project and the RFB is not scheduled to meet for thirty days or more, the RFD prepares a project package for out-of-cycle coordination with individual RFB members.
- c. When OTC funding for a post occupancy project has been requested, it is processed as a major project regardless of estimated cost. As with all major projects, it must receive concurrence and be prioritized by the RFB before it is submitted to HQENG. The RFD adds the routine OTC construction requests to the agenda for the next RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with the other major project requests into a single major project priority list regardless of program. It is important the RFB produce only one coordinated priority list and to use no priority number more than once. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund and support. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities. The RFD will coordinate emergency OTC post occupancy construction requests with the RFB members out of cycle and, if approved, they will be inserted into the existing priority list and forwarded immediately to HQENG.
- d. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the regional major project priority list and project documents to HQENG.
- e. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out the project documents. For each project, including requests for OTC construction in leased or GSA-assigned space, HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.
- f. HQENG reviews the requests to confirm that they are valid, are in compliance with master planning and facility management plans, and do not duplicate or

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conflict with other projects. HQENG also reviews the cost estimates and any economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn. Once screened, the projects are added to the FSC agenda.

g. HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director.

5.4.4 Approving a Request for Construction in Leased and GSA-Assigned Facilities

5.4.4.1 Procedures for Minor Projects

- a. The RFB reviews minor project construction requests, rejects those with which it does not concur, and prioritizes the remainder with other minor projects into a single minor project priority list regardless of program. No priority number is used more than once.
- b. The RFD updates the CAFM with the results, adding priorities and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Projects that are disapproved are returned to the requester by the RFD with an explanation and the project is closed out in the CAFM system. Approved projects that were not funded remain in the CAFM system for later consideration.
- c. The RFD notifies HQENG that the RFB has approved the list of minor projects to be funded and that the CAFM system has been updated with the results. From the date of notification, HQENG has fifteen calendar days to extract the list from the CAFM system, review it, and notify the RFD of any line item it objects to. An example of a HQENG objection is a region's failure to abide by INS Headquarters policies or master plan. For instance, the RFB may have prioritized a security project too low to be funded even though INS Headquarters had directed that such projects be given priority. HQENG will contact the RFD to discuss any objections it may have. After the fifteen-day review period, projects that have not been objected to by HQENG may be funded.
- d. When local program funds are available for a minor project construction project on a leased or GSA-assigned facility, the RFD should expedite the regional approval. If the RFB is not scheduled to meet for thirty days or more, the RFD should coordinate approval of the project with individual RFB members. If members do not object to a project after reviewing the **GXX**, any supporting documentation, the source of funds, and the RFD's comments, the project is approved for local funding.

5.4.4.2 Procedures for Major Projects

- a. In January, the FSC meets to review major projects, including requests for OTC funding for post occupancy construction in leased and GSA-assigned facilities. For those projects it approves, the FSC authorizes the estimate for OTC funds to be added to the HQENG OTC budget request.

5.4.5 Executing an Approved Request for Construction in Leased and GSA-Assigned Facilities

- a. When OTC funds are available for a post occupancy project in a leased or GSA-assigned facility, the region coordinates with GSA or the landlord on the design for the project. The region also reviews and approves the RFP for the project. Final designs and RFPs for post occupancy projects in regional headquarters and service centers are submitted to the HQENG for review.
- b. A key consideration in the design and construction processes is customer involvement. The region should establish a design review process that includes the customer. In many instances, the customer will not have any relevant facility experience and a lack of communication and involvement may lead to misunderstandings and unfulfilled expectations as the project progresses.
- c. At the appropriate time, GSA or the landlord will request the funds agreed to for the work. In theory, the OTC funds should be available because HQENG has been updating the multi-year OTC budget projections whenever side-by-side cost estimates are made or refined, and whenever post occupancy projects are approved by the FSC.
- d. If the OTC funds are not available when they are needed, some work may have to be downscoped. Since projects are listed in relative priority, such decisions are made easier. However, for serious OTC funding shortfalls, HQENG may have to consult the FSC members to determine what gets sacrificed.

5.5 Construction and Alteration in INS-Owned Facilities

Construction work in INS-owned space is handled through the minor project or major project facility project process depending on the project's scope. The minor project process is used if the estimated construction cost is below \$500,000. Construction with an estimated cost of \$500,000 or more must be processed as a major project. If the project is large enough to require Congressional-line item funding, the process may take five or more years from conception to completion.

5.5.1 Identifying Construction Requirements in INS-Owned Space

- a. Construction requirements may be identified from several sources including:

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- ◆ *Operational Facility Audits (OFAs)*. The regular OFAs, discussed in Chapter 9, may identify construction work that needs to be done on a facility to bring it up to acceptable standards. For example, the facility may lack a handicap ramp or a security device. After the inspections are done, each facility manager responsible for OFAs should develop a program for accomplishing the work. That work is likely to be done through minor projects.
- ◆ *Customer Requests*. Some of the work requested by customers will be for construction. Examples of such work range from installation of an electrical outlet to the interior reconfiguration of an entire building.
- ◆ *INS Headquarters and Regional Policy Directives*. INS Headquarters or regional policy directives may require construction work to be done in a facility. For example, if a new environmental law is enacted, INS Headquarters will develop the policy on how it is to be implemented at INS. Once that policy is published, facility managers may have to develop construction projects to meet the new requirements.
- ◆ *Local or Regional Facility Management Staffs*. Construction requirements are often identified by facility managers through their normal responsibilities. For example, a facility manager may run a too hot/too cold analysis on a facility's HVAC system and conclude that a larger system is required. The increase in system capacity classifies the work as construction.
 - b. Construction requirements for INS-owned space should be documented in Parts I and II of Form GXX, *Facility Project Request*, as soon as they are identified, regardless of the expected funds source. A single form is to be used for all project requests, including requests for construction, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. The requester indicates on the form whether the project is to be accomplished by contract, or with in-house or donated labor. Appendix D is a sample **GXX**.
 - c. While completing the form and before submitting it, the requester should check the requirement for conformance with the following:
 - ◆ *INS policies*: INS Headquarters issues policies on operations and facility management that affect facility requirements.
 - ◆ *Regional criteria*: Regions may establish criteria that affect facility requirements.
 - ◆ *Master plan*: Facility requests should be consistent with long-term planning.
 - ◆ *Facility management plan*: Facility requests should also be consistent with the two- to six-year management plans. A sample format for a Facility Management Plan is included in Appendix B.
 - d. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement (and the acquisition process, if that is possible), and who will be available to work with the region. The requester may request help in completing the **GXX** from the RFD.

- e. HQ and regional requesters, and other requesters with delegated FM authority should make a program cost estimate on the **GXX**. Among other things, the cost estimate will determine whether the construction request is a minor project or major project. The program cost estimate estimates the cost of design (for larger projects) and construction, uses a formal estimating guide such as R.S. Means, and is adjusted for geographical cost differences. It is meant to be accurate enough for approval and fund source decisions. Estimates for in-house and donated labor projects include the estimated number and cost of the labor hours required. Program cost estimates are not “desk top” estimates and usually require site visits. They correspond to a level two cost estimate under the Unifomat system published by the GSA. According to regional policy, local offices without delegated FM authority may contact their RFD for help with the program cost estimate and to get help in completing the **GXX** or they may complete the **GXX** and leave the cost and labor hour estimate blocks for the RFD to complete.
- f. Requesters should indicate on the **GXX** whether local funds are available for the work. This will expedite the processing.

5.5.2 Submitting a Request for Construction in INS-Owned Space

- a. Forms **GXX** originating from the field or region are submitted to the RFD in accordance with regional policy. Sometimes, HQENG originates a project and it will forward copies of Forms **GXX** to the appropriate RFD for action. Before submitting a construction request to the RFD, local facility managers or facility coordinators should ensure that the request is fully coordinated at the local level. That coordination may include the program staffs, non-INS building occupants, and staff members with additional duties such as safety representative. Also, depending on regional policy, local requesters may have the authority to create a CAFM record for the project. Submittal of a major project request from the field to the RFD is no guarantee that the request will be forwarded to HQENG. Similarly, submittal of a minor project request is no guarantee that the region will fund it. For example, if the construction request is for a poorly justified office reconfiguration, the RFB may prioritize it below the level of projects that get funded in the current fiscal year.
- b. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. The initial screening should also ensure that the project does not duplicate or conflict with other programmed or ongoing projects. Note that the stringency of the screening depends on the size of the project. Larger projects will get a thorough screening that may take several days. Small cost construction requests, such as those for electrical outlets, should get a quick review and be processed immediately.

- c. For valid projects, the project manager establishes a project record in the CAFM. From that point on, the project is tracked and referred to by its project number.

5.5.3 Processing a Request for Construction in INS-Owned Space

- a. Once the construction request is officially entered into the FM system, the project manager coordinates it as appropriate. Typical coordinating activities include all affected INS programs, health, safety, security, IRM, and environmental representatives. For projects initiated within a region, the region's project manager coordinates the project at the regional level. However, some larger projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. For example, a request for a new underground fuel tank may require environmental coordination. The RFD also reviews the preliminary cost estimate.
- b. The RFD adds the validated and estimated minor project construction project requests to the agenda for the November RFB meeting. When local program funds are available for a minor project construction project and the RFB is not scheduled to meet for thirty days or more, the RFD prepares a project package for out-of-cycle coordination with individual RFB members.
- c. Major projects initiated within a region must receive RFB concurrence and be prioritized. Those projects, including ones for construction in INS-owned space, are prioritized in a single priority list by the RFB before they are submitted to HQENG. Before the RFD adds a project to the RFB's agenda, the program cost estimate is reviewed and may be made into a more accurate estimate.
- d. The RFD adds the validated and estimated major project construction project requests to the agenda for the next RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder with the other major project requests into a single major project priority list regardless of program. It is important the RFB produce only one coordinated priority list and use no priority number more than once. In many cases, projects compete with each other for funds from the same funding source. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund or support for external funding. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities. The RFD will coordinate emergency construction requests with the RFB members out of cycle and, if approved, the requests will be inserted into the existing priority list and forwarded immediately to HQENG.
- e. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the regional major project priority list and project documents to HQENG.

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f. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out any project documents. For each major project HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.

g. HQENG reviews the requests for construction in INS-owned space to confirm that they are valid, are in compliance with the master plan and facility management plans, and do not duplicate or conflict with other projects. HQENG also reviews the cost estimates and any other economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn.

h. HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director.

5.5.4 Approving a Request for Construction in INS-owned Space

5.5.4.1 Procedures for Minor Projects

a. The RFB reviews minor project construction requests, rejects those with which it does not concur, and prioritizes the remainder with other minor projects into a single minor project priority list regardless of program. No priority number is used more than once.

b. The RFD updates the CAFM with the results, adding priorities and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Projects that are disapproved are returned to the requester by the RFD with an explanation and the project is closed out in the CAFM system. Approved projects that were not funded remain in the CAFM system for later consideration.

c. The RFD notifies HQENG that the RFB has approved the list of minor projects to be funded, including those for construction in INS-owned space, and that the CAFM system has been updated with the results. From the date of notification, HQENG has fifteen calendar days to extract the list from the CAFM system, review it, and notify the RFD of any line item it objects to. An example of an HQENG objection is a region's failure to abide by INS Headquarters policies or master plan. For instance, the RFB may have prioritized a health and safety new space request too low to be funded even though INS Headquarters had directed that such projects be given priority. HQENG will contact the RFD to discuss any objections it may have. After the fifteen-day review period, projects that have not been objected to by HQENG may be funded.

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d. When local program funds are available for a minor project in INS-owned space, the RFD should expedite the regional approval. If the RFB is not scheduled to meet for thirty days or more, the RFD should coordinate approval of the project with individual RFB members. If members do not object to a project after reviewing the **GXX**, any supporting documentation, the source of funds, and the RFD's comments, the project is approved for local funding.

5.5.4.2 Procedures for major Projects

a. In January, the FSC meets to review major projects, including requests for construction in INS-owned space. After review, the FSC prioritizes the projects it endorses into several priority lists. Requests for construction in INS-owned space are categorized by the likely funds source for them.

b. The larger major projects requiring Congressional line-item funding are prioritized and forwarded to the Executive Staff through the Office of Budget. If endorsed by the Executive Staff, they will be included as line-item requests in the INS construction budget, which is submitted to DOJ at the end of May or beginning of June. For those construction projects approved by the Executive Staff, it is imperative that accurate project cost estimates be developed to ensure that the amount of funds requested are enough to contract for the scope of work described. An accurate estimate is achieved by developing the project to the 15 percent design stage during the four months from project approval in January to budget submittal in May. That project development is funded from the design fund in the annual base budget, from program funds, or from a combination of both, according to the decision of the FSC. Once funded, project managers initiate the concept designs, which can be done at HQ or the region, in house or by A/E contract.

c. Small major projects approved by the FSC may be funded from program funds when such funding is requested by the appropriate program representative on the FSC.

5.5.5 Executing an Approved Request for Construction in INS-Owned Space

a. Project execution should commence soon after funding. The obligation rates of funded projects, including those for construction in INS-owned space, are agenda items for the FSC and for regional facility boards. Those bodies and the respective FM staffs monitor the obligation rates to identify and resolve any problems that are preventing timely project execution.

b. Major and minor construction projects may be funded for contract, in-house labor, or donated labor. The funds for in-house and donated labor projects are used to purchase supplies and materials, special equipment rental, and supporting service contracts (for example, post construction landscaping), but not the labor hours. Responsibility for in-house and donated labor project execution is usually

delegated to the field office concerned.

5.5.5.1 Procedures for Minor Projects

Unless responsibility for minor projects funded by the RFB has been delegated to a facility manager at a field office, the designated regional project manager will be responsible for the project throughout its design and execution. The designated project manager will update the project's status in the CAFM and will ensure that the A/E provides updated as-builts to the region and HQENG at the conclusion of the project.

5.5.5.2 Procedures for major Projects

Congressionally funded major project construction projects are at the 15-percent design stage when funds are appropriated. The completion of the design is managed by HQENG or by the RFD according to mutual agreement. A key consideration in the design and construction processes is customer involvement. The HQENG or regional project manager should give the customer every opportunity to participate. In many instances, the customer will not have any relevant facility experience and a lack of communication and involvement will lead to misunderstandings and unfulfilled expectations as the project progresses.

5.6 Budgeting and Funding for Construction and Alteration

This section summarizes the budget process for INS construction. Chapter 8 covers INS budgeting in detail.

5.6.1 Leased and GSA Assigned Space

- a. The INS uses its OTC fund, sometimes referred to as "The Spending Plan," for post occupancy construction requirements that are beyond the provisions of the direct lease or above the GSA allowance for initial outfitting of the space. INS offices identify the need for OTC funds when they submit requests for construction.
- b. Each fiscal year, the INS Office of Budget recommends to the Executive Staff how much funding to allocate to OTC, which, in turn, determines how much work can be funded. Often, the amount allocated is not enough to fund all of the projects awaiting funds. This becomes serious when commitments have been made to lessors and GSA to fund above standard and above allocation requirements. Some customers may have to downscope their requirements to stay within the OTC funds available.
- c. At the appropriate time, GSA will request the OTC funds agreed to for above allowance work. Similarly for construction in leased space, OTC funds agreed to by the FSC are forwarded to the region when they are allocated.

5.6.2 INS-Owned Space

5.6.2.1 Procedures for Minor Projects

a. The majority of minor project construction projects in INS-owned space are funded from a region's R&A budget in program 3260.005 and they compete for funds with minor project maintenance and repair projects. HQENG is responsible for recommending annual budget levels for R&A to the INS Executive Staff. Each April, during preparation of the entire INS budget for the fiscal year that begins 18 months later, HQENG will develop recommended annual budget levels for the R&A program in its entirety and for each region. HQENG will coordinate closely with the Regional Facility Directors as it develops its R&A budget recommendations.

b. The INS Executive Staff, the Department of Justice, the Office of Management and Budget, and the Congress must approve the INS budget before funds are actually available. These approvals take place over the 16 months following HQENG action.

c. Each year, funding for R&A projects becomes available for spending after Congress passes and the President signs the annual appropriations act that governs INS, which typically occurs in late September or early October. After the appropriations act becomes law, HQENG will work closely with the INS Office of Budget to release R&A funds to the regions as expeditiously as possible. However, when a fiscal year's appropriations are received, the amount appropriated may be different than the amount requested. In that case, the INS Office of Budget will advise the Executive Staff on how the funds are to be reallocated, including funds for R&A. When the size of the R&A budget has been determined, HQENG will determine the allocation of funds. Most of the R&A funds will be forwarded to the regions for minor project funding, but HQENG may decide to retain a small portion for contingency funds. (HQENG will determine recommended funding levels only, not specific R&A projects.) By the first of November, HQENG will notify the regions of the amount of R&A funds available for expenditure during the fiscal year.

d. Each fiscal year, the amount of R&A funds allocated to each region may vary. HQENG may use one or more of the following factors to budget for and to determine the allocation of R&A funds.

- ◆ The history of Congressional funding levels for INS Salaries and Expenses and how much of those funds are typically reserved for R&A, and any information on expected increases or decreases to those levels.
- ◆ The history and trend of demand for contingency funds.
- ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
- ◆ The master plan and regional facility management plans.

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- ◆ The amount of square footage owned by each region.
- ◆ The size of each region's minor project backlog shown in the CAFM.
- e. Each RFB may decide to withhold a small amount of contingency funds from the R&A funds allocated to it. At its April meeting, the RFB will decide how much of the unspent contingency funds to release for funding the highest remaining priorities on the unfunded minor project list.
- f. Also at the April meeting, the RFB will make any needed adjustments to project funding. Such adjustments may be needed if, for example, a funded project has run into difficulties that preclude its funds being obligated by the end of the fiscal year.
- g. The Regional Facility Director shall ensure that R&A funds are spent only on R&A projects. The Regional Facility Director shall report any use of R&A funds for purposes other than for minor projects to the Regional Director and HQENG, who will initiate appropriate corrective actions.
- h. Occasionally, INS Headquarters may create a special fund for certain types of minor projects. An example is a fund set aside for security projects. Such funds may have come from the programs or from a special line item request in the Salaries and Expenses budget. The rules governing access to and use of such funds vary. RFDs and their RFBs will review the minor projects for INS-owned space to see if any may qualify for any special funds that may be available.

5.6.2.2 Procedures for major Projects

- a. INS submits its budget request to DOJ in May or June. In April, the FSC meets to review the 15 percent design cost estimates for major projects that require Congressional line-item funding, including those for construction in INS-owned space. The FSC makes any adjustments to its recommended construction budget based on the new information. Those major project requests for additional space that do not get included in the budget request remain in the CAFM for consideration in the following years. The DOJ, OMB, and Congressional staffs review and approve the budget over the next 16 months. In October, almost a year and a half after budget submittal, the budget is released and INS will know which projects have been funded.
- b. Smaller projects for INS-owned space that do not require Congressional line-item funding may be approved by the FSC for funding from recurring INS resources (R&A or program funds), when such funding is not prohibited by the \$250,000 legislated ceiling on some categories of INS facilities. Funding could be approved for the current or a future fiscal year.

5.7 References

- ◆ AM 2.1.101—*Facility Acquisition: INS Owned and Leased and GSA Leased Facility Acquisition*

Chapter 6

Repair and Alteration

6.1 Purpose

Repair and Alteration (R&A) funds are the major funding source for minor projects. Regions may also occasionally use those funds for O&M work and for major projects. The funds may be used for maintenance, repair, alteration, and construction. This chapter explains how R&A funds are used for each class and category of work.

6.2 General Information

R&A funds may be used to fund contracts or to purchase materials for in-house and donated labor projects. For each level of work, R&A funds are used in the following ways:

- a. For minor projects approved and funded at the regional level.
- b. For minor projects approved at the regional level and funded from any R&A funds held by HQENG for contingencies.
- c. For O&M work at the field level when the field office requests and is granted regional R&A funding for work, even though that work is within local approval authority.
- d. For major projects when a region agrees to use its R&A funds for a project that is approved by the FSC.

6.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) that INS facilities be constructed, altered, and maintained to standards that achieve the facilities' expected lives; provide a safe, secure, and efficient environment for their occupants; and ensure the most cost effective use of government resources.

It is also the policy of the INS that repair and alteration (R&A) funds will not be used for work in leased or GSA assigned facilities. *Reference:* AM 2.1.201.

6.4 Identifying and Requesting Work Requiring R&A Funds

6.4.1 Identifying Requirements

- a. Work that requires R&A funding to execute may be identified from several sources including:
- ◆ *Operational Facility Audits (OFAs)*. The regular OFAs, discussed in Chapter 9, may identify work that needs to be done on a facility to bring it up to acceptable standards. After the inspections are done, each facility manager responsible for OFAs should develop a program for accomplishing the work. That work is likely to be done through minor projects using R&A funds.
 - ◆ *Customer Requests*. Some of the work requested by customers will be of large enough scope to require minor projects, most of which are funded from R&A funds. Examples of such work include a major office reconfiguration, construction of a small storage facility, and a repair of a utility failure. Even when the work is of smaller scope and within local field office approval, R&A funds may still be requested because of a lack of local O&M funds.
 - ◆ *INS Headquarters and Regional Policy Directives*. INS Headquarters or regional policy directives may require work to be done on a facility that requires R&A funds. For example, if a new environmental law is enacted, INS Headquarters will develop the policy on how it is to be implemented at INS. Once that policy is published, facility managers may have to develop minor projects to meet the new requirements.
 - ◆ *Local or Regional Facility Management Staffs*. Minor projects are often identified by facility managers through their normal responsibilities. For example, a facility manager may run failure frequency analysis on a facility's HVAC system and conclude that a complete system replacement would be more economical and customer responsive than frequent repairs. The scope of such a replacement may warrant a minor project.

6.4.2 Documenting Requests

- a. Requirements for minor projects, like other work, should be documented soon after they are identified. Requesters should not wait for an annual "call" for minor projects. The requester documents the requirement in Parts I and II of Form **GXX**, *Facility Project Request*, regardless of the expected funds source. A single form is to be used for all project requests, including requests for construction, because the same basic information is needed: who the requester is, what the requirement is, where the work is to be done, why it is justified, and when it is needed. The requester indicates on the form whether the project is to be accomplished by contract, or with in-house or donated labor. Appendix D is a sample **GXX**.
- b. While completing a project request and before submitting it, however, the requester should check the requirement for conformance with the following:
- ◆ *INS policies*: INS Headquarters issues policies on operations and facility management that affect facility requirements.

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- ◆ *Regional criteria:* Regions may establish criteria that affect facility requirements.
 - ◆ *Master plan:* Facility requests should be consistent with long-term planning.
 - ◆ *Facility management plan:* Facility requests should also be consistent with the two- to six-year management plans.
- c. An important block on the **GXX** is the requester's point of contact. The requesting organization should assign a person who is familiar with the requirement and who will be available to work with the region. The requester may request help in completing the **GXX** from the RFD.
- d. HQ and regional requesters, and other requesters with delegated FM authority should make a program cost estimate on the **GXX**. Among other things, the cost estimate will determine whether the construction request is a minor project or major project. If the project is beyond the scope of a minor project, R&A funds will probably not be used for it. The program cost estimate estimates the cost of design (for larger projects) and construction, uses a formal estimating guide such as R.S. Means, and is adjusted for geographical cost differences. It is meant to be accurate enough for approval and fund source decisions. Estimates for in-house and donated labor projects include the estimated number and cost of the labor hours required. Program cost estimates are not "desk top" estimates and usually require site visits. They correspond to a level two cost estimate under the Uniformat system published by the GSA. According to regional policy, local offices without delegated FM authority may contact their RFD for help with the program cost estimate and to get help in completing the **GXX** or they may complete the **GXX** and leave the cost and labor hour estimate blocks for the RFD to complete.
- e. Field offices with delegated FM authority must conduct a preliminary economic analysis to determine the best avenue of project acquisition and to help define the scope of work. For example, if a border patrol station has a small storage building with a failed roof, an economic analysis will help determine whether the project should replace the roof or demolish the entire building and replace it with a new one.

6.4.3 Submitting Requests

- a. Requests for maintenance and repair work with an estimated cost of \$25,000 or more and all requests for new work (construction and alteration) must be submitted on Forms **GXX** to the RFD for approval by the RFB. This requirement pertains whether or not the local field office has the funds to do the work or whether it is requesting R&A funding from the region. Sometimes, HQENG originates a project and it will forward copies of Forms **GXX** to the appropriate RFD for action.
- b. Before submitting a minor project request for R&A funds to the RFD, local facility managers or facility coordinators should ensure that the request is fully

coordinated at the local level. That coordination may include the program staffs, non-INS building occupants, and staff members with additional duties such as safety representative. Also, depending on regional policy, local requesters may have the authority to create a CAFM record for the project. Submittal of a minor project request for R&A funds is no guarantee that the region will fund it. For example, if the construction request is for a poorly justified office reconfiguration, the RFB may prioritize it below the level of projects that get funded in the current fiscal year.

c. Emergency requests for R&A funds may be made to the region by telephone. The region may give verbal approval for the work, which would normally be funded from the region's contingency funds. If regional contingency funds are not available, the RFD may request funding from HQENG's contingency funds. (HQENG keeps some R&A funds in a reserve for contingencies.) When funds are secured, the requesting activity proceeds with the work and submit Form **GXX** and other project documentation as soon as possible.

6.5 Project Processing And Approval

- a. For each project initiated within a region, the RFD will assign a project manager. The project manager screens the request to ensure it is valid. An important part of the initial screening is to ensure that the project complies with master plans, facility management plans, and regional or HQ facility criteria. The initial screening should also ensure that the project does not duplicate or conflict with other programmed or ongoing projects. Note that the stringency of the screening depends on the size of the project. Larger projects will get a thorough screening that may take several days. Small cost construction requests, such as those for electrical outlets, should get a quick review and be processed immediately.
- b. For valid projects the project manager establishes a project record in the CAFM if one has not already been established by a field office with delegated FM authority. From that point on, the project is tracked and referred to by its project number.
- c. The project manager then coordinates the request as appropriate. Typical coordinating activities include all affected INS programs, health, safety, security, Information Resource Management, and environmental representatives. For projects initiated within a region, the region's project manager coordinates the project at the regional level. However, some larger projects may also require coordination with some INS Headquarters functions at this stage to preclude wasted effort. For example, a request for a new underground fuel tank may require environmental coordination. The RFD also reviews the preliminary cost estimate.
- d. Depending on regional policies, field offices may be allowed to request R&A funds from the region to fund work that has been approved locally. For example,

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A repair of a special processing center's (SPC's) roads, estimated at \$20,000, is within local approval authority but the SPC may not have the O&M funds available to fund the work. The SPC could submit a Form **GXX** requesting R&A funds from the region. The request is then processed at the region with the minor project requests.

6.5.1 Approval and Funding

6.5.1.1 Minor Projects

- a. For projects that require regional approval, the RFD adds the validated and estimated project requests to the agenda for the November RFB meeting. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder into a single minor project priority list regardless of program. No priority number is used more than once.
- b. The RFB also decides which projects are to be funded from the region's R&A budget. Those approved projects not receiving R&A funds may be funded from different funds sources. For example, program directors may decide to use program funds to fund a project that is approved by the RFB but not authorized or prioritized high enough to receive R&A funds. There are several restrictions on how R&A funds may be used:
 - ◆ R&A funds may not be used on leased or GSA assigned facilities.
 - ◆ R&A funds may be used for the installation of automatic data processing or telephone equipment but not for the equipment itself.
 - ◆ R&A funds may not be used to establish an "open-end" account with GSA.
- c. The RFD updates the CAFM with the results, adding priorities and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Projects that are disapproved are returned to the requester by the RFD with an explanation and the project is closed out in the CAFM system. Approved projects that were not prioritized high enough for funding remain in the CAFM system for later consideration.
- d. The RFD notifies HQENG that the RFB has approved the list of minor projects to be funded and that the CAFM system has been updated with the results. From the date of notification, HQENG has fifteen calendar days to extract the list from the CAFM system, review it, and notify the RFD of any line item it objects to. An example of an HQENG objection is a region's failure to abide by INS HEADQUARTERS policies or master plan. For instance, the RFB may have prioritized a health and safety project too low to be funded even though INS HEADQUARTERS had directed that such projects be given priority. HQENG will contact the RFD to discuss any objections it may have. After the fifteen-day review period, projects that have not been objected to by HQENG may be funded.

6.5.1.2 Major Projects

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- a. On rare occasions, a region may wish to fund major projects from its R&A funds. Since most major projects are those estimated at \$500,000 or more, such a use of R&A funds could be a substantial depletion of a region's R&A allocation. However, in other cases, the request could be for new INS-owned space that will cost far less than \$500,000 but will need to be submitted as a major project because it supports the opening, closing, or relocation of an INS office in another state or Congressional district. (See Chapter 3.) Whenever a major project is to be funded from R&A funds, the RFD notifies HQENG, annotates the Form **GXX** that regional R&A funds will be used, and processes the project like any other major project.
- b. Major projects initiated within a region must receive RFB concurrence. Those projects, including ones for regional R&A funding, are prioritized in a single priority list by the RFB before they are submitted to HQENG. Before the RFD adds a project to the RFB's agenda, the program cost estimate is reviewed and will probably be made into a more accurate estimate including any requirements to be funded from the OTC fund.
- c. The RFB reviews the requests, rejects those with which it does not concur, and prioritizes the remainder into a single major project priority list regardless of program. It is important the RFB produce only one coordinated priority list and to use no priority number more than once. In many cases, projects compete with each other for funds from the same funding source. That priority list will greatly aid the INS Headquarters decision makers when they must decide which projects to fund or support for external funding. The list will also improve the likelihood that the projects INS Headquarters supports are those that are the region's highest priorities.
- d. The RFD updates the CAFM with the results of the RFB's actions, adding priorities, and amending project status as appropriate. The RFD will also advise requesters of the results of the RFB's actions. Finally, the RFD forwards the regional major project priority list and project documents to HQENG.
- e. HQENG receives the major project priority lists from the regions. Most of that transaction should be electronic and consist merely of HQENG running CAFM reports that contain the appropriate information and printing out any project documents such as the *INS Construction Space Action Summary Sheet*, and lease versus buy analysis. For each major project, HQENG appoints a HQ project manager to work with the regional project manager. The HQ project manager is responsible for updating the CAFM after each step of HQ processing.
- f. HQENG reviews the requests to confirm that they are valid, are in compliance with the master plan and facility management plans, and do not duplicate or conflict with other projects. HQENG also reviews the cost estimates, lease versus buy analysis, and any other economic analysis included to justify the project or its proposed method of acquisition. If a project does not pass these initial screenings, HQENG contacts the requester to discuss whether the project should be amended, postponed, or withdrawn.

- g. HQENG must include the estimates for any OTC requirements for outfitting new INS-owned space in its future year OTC budget projections and forward them to the Office of Budget.
- h. Requests for INS-owned space for office openings, relocations from one Congressional district or state to another, or closings must be handled by HQ Field Operations. HQENG forwards those project packages to HQ Field Operations for further action. Information copies of those projects are made available to the FSC. HQ Field Operations coordinates the requests and presents them to the executive staff for approval. It notifies HQENG as soon as it concurs with a space request referred to it. For space requests that do not fall within the purview of HQ Field Operations, HQENG ensures coordination with those at INS Headquarters responsible for health, safety, environmental, IRM, and security issues, and with the appropriate program director.
- i. For project that will provide additional space for increased staffing, it is important to size the facility properly. During the coordination process, HQENG and HQ Field Operations will emphasize to INS programs and senior management the critical importance that anticipated facility staffing levels have to facility planning. Changes in anticipated facility staffing create costly delays in facility acquisition. In addition, such changes can adversely affect the credibility of the entire INS facility program. It is therefore imperative that during the coordination process for space, HQENG and HQ Field Operations remind INS programs of the long-term implications of their facility staffing estimates, and that INS programs develop staffing estimates that are timely, accurate, and stable.
- j. In January, the FSC meets to review major projects, including requests to be funded from regional R&A funds. When approved, such requests are not prioritized with other major projects since funding is no longer an issue. HQENG notifies the region and updates the CAFM. The region is then authorized to fund the project with its R&A funds.

6.5.2 Executing a Project with R&A Funds

- a. Project execution should commence soon after funding. The obligation rates of funded projects, including those for construction in INS-owned space, are agenda items for the FSC and for regional facility boards. Those bodies and the respective FM staffs monitor the obligation rates to identify and resolve any problems that are preventing timely project execution.
- b. Minor project and major projects may be funded from R&A funds for contract, in-house labor, or donated labor. The funds for in-house and donated labor projects are used to purchase supplies and materials, special equipment rental, and supporting service contracts (for example, post construction landscaping), but not the labor hours. Responsibility for in-house and donated labor project execution is usually delegated to the field office concerned.

c. Unless responsibility for projects funded by the RFB has been delegated to a facility manager at a field office, the designated regional project manager will be responsible for the project throughout its design and execution. The designated project manager will update the project's status in the CAFM and will ensure that the A/E provides updated as-builts to the region and HQENG at the conclusion of the project.

6.6 Budgeting and Funding Projects for R&A Funds

This section summarizes the budget process for INS construction. Chapter 8 covers INS budgeting in detail.

a. The majority of minor projects are funded from a region's R&A budget in program 3260.005. HQENG is responsible for recommending annual budget levels for R&A to the Executive Staff. Each April, during preparation of the entire INS budget for the fiscal year that begins 18 months later, HQENG will develop recommended annual budget levels for the R&A program in its entirety and for each region. HQENG will coordinate closely with the Regional Facility Directors as it develops its R&A budget recommendations.

b. The INS Executive Staff, the Department of Justice, the Office of Management and Budget, and the Congress must approve the INS budget before funds are actually available. These approvals take place over the 16 months following HQENG action.

c. Each year, funding for R&A projects becomes available for spending after Congress passes and the President signs the annual appropriations act that governs INS, which typically occurs in late September or early October. After the appropriations act becomes law, HQENG will work closely with the INS Office of Budget to release R&A funds to the regions as expeditiously as possible. However, when a fiscal year's appropriations are received, the amount appropriated may be different than the amount requested. In that case, the INS Office of Budget will advise the Executive Staff on how the funds are to be reallocated, including funds for R&A. When the size of the R&A budget has been determined, HQENG will determine the allocation of funds. Most of the R&A funds will be forwarded to the regions for minor project funding, but HQENG may decide to retain a small portion for contingency funds. (HQENG will determine recommended funding levels only, not specific R&A projects.) By the first of November, HQENG will notify the regions of the amount of R&A funds available for expenditure during the fiscal year.

d. Each fiscal year, the amount of R&A funds allocated to each region may vary. HQENG may use one or more of the following factors to budget for and to determine the allocation of R&A funds.

- ◆ The history of Congressional funding levels for INS Salaries and

Expenses and how much of those funds are typically reserved for R&A, and any information on expected increases or decreases to those levels.

- ◆ The history and trend of demand for contingency funds.
 - ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
 - ◆ The master plan and regional facility management plans.
 - ◆ The amount of square footage owned by each region.
 - ◆ The size of each region's minor project backlog shown in the CAFM.
- e. Each RFB may decide to withhold a small amount of contingency funds from the R&A funds allocated to it. At its April meeting, the RFB will decide how much of the unspent contingency funds to release for funding the highest remaining priorities on the unfunded minor project list.
- f. Also at the April meeting, the RFB will make any needed adjustments to project funding. Such adjustments may be needed if, for example, a funded project has run into difficulties that preclude its funds being obligated by the end of the fiscal year.
- g. The Regional Facility Director shall ensure that R&A funds are spent only on R&A projects. The Regional Facility Director shall report any use of R&A funds for purposes other than for minor projects to the Regional Director and HQENG, who will initiate appropriate corrective actions.
- h. Occasionally, INS Headquarters may create a special fund for certain types of minor projects. An example is a fund set aside for security projects. Such funds may have come from the programs or from a special line item request in the Salaries and Expenses budget. The rules governing access to and use of such funds vary. RFDs and their RFBs will review the minor projects to see if any may qualify for any special funds that may be available.

6.7 Reference

- ◆ AM 2.1.201—*Repair and Alteration*

Chapter 7 Operations and Maintenance

7.1 Purpose

A comprehensive maintenance program promotes effective and efficient use of resources by preserving physical assets in a safe, operable, and dependable condition. This chapter explains INS policy on facility maintenance, how to

establish a preventive maintenance plan, how to perform maintenance work at INS facilities, and provides information on special circumstances relating to facility maintenance.

7.2 General Information

- a. Facilities with successful maintenance programs are more efficient, reliable and have lower operational costs. Properly implemented maintenance programs will also extend the useful life of most facility equipment.
- b. A successful preventive maintenance program is based on two fundamental principles: establishing an effective maintenance plan and consistently performing the work. An effective maintenance plan optimizes the use of available resources without performing either too much or too little work. Not allocating enough resources to maintenance will result in a deterioration of the facility while too many resources will be wasteful and will not provide a worthwhile return or improvement over the facility life-cycle.
- c. A preventive maintenance program is used to maintain a facility in a systematic manner and at a specified level of performance, to project workload requirements for both the maintenance staff and contractors, and to develop facility maintenance and repair budgets.
- d. Several different strategies may be used for performing the maintenance work identified in a maintenance plan for a facility. Work may be performed by in-house staff or contracted out using various contracting mechanisms. The key is to consistently perform quality maintenance work, regardless of who actually does the work.

7.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to provide adequate funding to operate and maintain facilities, utility systems, grounds, border roads, fences, and lights.

It is also the policy of the INS to support the Service's mission by maintaining its facilities at the most efficient and effective level of performance. All building components and systems at INS facilities should be maintained at an acceptable level of performance and appearance.

It is also the policy of the INS to collect detailed performance information on facility systems and components. Design, materials and construction methods greatly influence facility maintenance. Therefore, information obtained from facility audits (see AM 2.1.206, Facility Audits, for more information on audits) and from performing preventive and breakdown maintenance should be reviewed by Facility staff responsible for design and construction.

It is also the policy of the INS to take the most cost effective approach for

maintaining the facility and its components, based on life-cycle costing. This cost analysis should include the effects of maintenance on operations within the respective facility. For instance, equipment failure or a temporary shutdown may lead to a significant decrease in productivity in INS operations.

It is also the policy of the INS to develop preventive maintenance plans for all INS facilities and property, including border fences, lights, and roads, and utility systems. The plan should be developed prior to beneficial occupancy so that the appropriate resources can be allocated to the work.

It is also the policy of the INS to provide facility managers with information on how to handle equipment or system failures, requiring breakdown maintenance, in both leased and owned facilities. *Reference:* AM 2.1.202.

7.4 Procedures

There are two types of maintenance requirements that an O&M program must address: preventive and breakdown.

7.4.1 Preventive Maintenance

7.4.1.1 The Facility Maintenance Plan

a. Every facility, including INS owned, INS direct-leased, GSA-leased and GSA-assigned, should have a maintenance plan. Plans developed for owned facilities are useful for determining maintenance staffing levels and budgets. Maintenance plans should be developed for all non-owned facilities in order to provide a basis for a maintenance contract and to verify that all necessary work is being performed correctly and in a timely fashion.

7.4.1.1.1 Development of the Facility Maintenance Plan

a. The facility manager develops the maintenance plan for an INS facility in several steps and use's form **YYY 1/**. These steps are:

(1) Identify and compile an inventory of all equipment, systems and finishes found in the facility. This inventory will serve as the basis for establishing maintenance requirements and workload. Each item in the inventory shall include the following data:

- ◆ Type of equipment, system or finish, location and brief description.
- ◆ Manufacturer's name, the model number, and serial number
- ◆ Specific information (such as controls, amperage, voltage, and tonnage)
- ◆ Maintenance specifications

(2) Identify whether preventive maintenance or run-to-failure philosophy is applicable to each equipment, system or finish using life-cycle cost analysis. If run-to-failure is the preferred option, make note and briefly explain the decision.

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- (3) Select the appropriate maintenance standard using the applicable O&M manuals, INS Preventive Maintenance Program Guidelines, or industry standards, to develop the work activity schedule and resource (labor, materials, and equipment) requirements for all equipment, systems, and finishes. (See section 7.6.1.1.2 below)
 - (4) Develop an operating schedule for the specific equipment based on seasonal changes, building occupancy, and any other special conditions.
 - (5) Determine the required resource schedule for a fiscal year and for peak requirements by applying the maintenance standards to the equipment inventory.
 - (6) Determine whether the work will be performed in-house or outsourced.
- b. Sector headquarters, district offices, and SPCs will compile the maintenance plans, for facilities under their supervision, using INS form YY1 2/, to identify appropriate type and timing of resources required to maintain the facilities. This information is used to develop the maintenance budget and staffing requirement.
 - c. Once established, the facility maintenance plan needs only to be changed if the equipment, systems or finishes change or if it is determined that a standard is not appropriate for the facility. Prior to making any changes, possible causes of maintenance problems should be investigated. For instance, air filters having to be changed more frequently than the standard may be the result of inadequate custodial cleaning, excessive use of the facility, or simply facility location.

7.4.1.1.2 Preventive Maintenance Standards

- a. HQENG has identified resources which contain preventive maintenance standards to use in developing a facility maintenance plan. These resources include operation and maintenance manuals (O&M manuals), INS Preventive Maintenance Program Guidelines, and industry standards. These are minimum maintenance requirements and should serve as a basis for the maintenance plan. However, actual maintenance requirements may be more demanding and require more frequent or thorough maintenance work.
- b. A description and general guideline for using each of the preventive maintenance standards follows.
 - ◆ *O&M Manuals* - These manuals are compiled by the contractor, A-E or construction manager and turned over to INS at the completion of a project. The manuals include all information necessary to operate and maintain the different systems, equipment and finishes in a facility. Failure to maintain equipment or systems per the manufacturer's instructions can often void the warranty. Therefore, these manuals should serve as the default for a facility maintenance plan on all newly constructed facilities. If existing facilities have these manuals, they should be used to develop a maintenance plan.
 - ◆ *INS Preventive Maintenance Program Guidelines* - HQENG has produced a detailed guidebook for maintaining different types of

equipment commonly found at INS facilities. These standards should serve as a basis for a facility maintenance plan if O&M manuals are not available.

- ◆ *Industry Standards* - There are several organizations that produce and publish minimum maintenance standards for various building elements. These publications should be referenced for generating the facility maintenance plan if O&M manuals are not available and if a system or piece of equipment is not covered by the INS minimum recommended standards.
- c. It may be more cost effective not to perform preventive maintenance on certain facility equipment or systems. Typically, these facility elements are relatively inexpensive to replace. In this situation, the run-to-failure concept is often used. However, there are operational consequences, due to the functional failure that must be considered as well.

7.4.1.3 Assigning the Work

- a. There are several options for performing preventive maintenance work at INS facilities. Those options fall into two categories: in-house staff and outsourcing. Options may be used by themselves or combined to take advantage of the best aspects of several options.
- b. The decision to perform the work in-house or through a contract should be based on several factors.
- ◆ *Location* - If the facility is in a remote location, it may be best to outsource the maintenance work, especially emergency repairs. However, it may be more beneficial to perform preventive maintenance at remote facilities using INS traveling maintenance teams.
 - ◆ *Cost* - In some locations, it may be less expensive to outsource the work. In other locations, the reverse may be true and the work should be performed in-house. The facility manager should perform a life-cycle cost analysis to aid the decision.
 - ◆ *Response time* - Response time can be an important factor especially in performing emergency facility maintenance. Contracting work out may work as well or better than performing it in-house when a quick response is required, as long as the response time is clearly defined in the contract.
 - ◆ *Complexity of the work* - Some INS facilities involve complex communications systems and other special equipment. Depending on the equipment sensitivity and frequency of maintenance, it may be best to perform this work using in-house staff.
 - ◆ *Technical skills* - If workers in-house staff or contractors are relatively inexperienced, difficult work should be performed by others until they gain the necessary experience.
 - ◆ *Workload* - The workload of the maintenance staff will fluctuate over

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time. Contractors help the facility manager to meet peak load requirements without the facility manager having to hire additional part-time staff or pay for excessive overtime.

7.4.1.3.1 Work Performed by In-house Staff

- a. Maintenance work center (MWC) - Typically, MWC facility responsibility follows the same alignment as the programs (Each BPSH will be responsible for BPSs, checkpoints, and other BP facilities in its sector). However, cross-program maintenance work is recommended when it is the most economical method of performing the work (For example, a BPSH performing work for a POE or an SPC performing work on a checkpoint). A formal letter of agreement should be drafted clearly outlining the services to be provided as well as any charges that may apply.
- b. Traveling maintenance teams - Traveling teams consist of a mix of maintenance staff and provide services to outlying facilities or facilities that are unique or complex in nature. The teams work out of a central location, but spend much of their time traveling to and maintaining facilities. Traveling teams should typically be used for scheduled maintenance work. FMs interested in using this option for facility maintenance should contact the Regional Facility Director.

7.4.1.3.2 Work Performed by Contract or Agreement

- a. Contractors - Using private sector firms to perform maintenance work at INS facilities is another option. These firms should be selected based on cost and experience in maintaining facilities similar to those at INS. The scope of the service contract may vary from complete maintenance services to only emergency maintenance work. The contract should also clearly identify response times, level of service, costs, hourly rates or other pertinent issues relating to the work. Whenever possible, contracts for maintenance services at multiple facilities should be incorporated into a single contract that typically reduces overall costs.
- b. Other government agencies - Other government agencies, such as the Federal Bureau of Prisons, General Service Administration, Department of Defense, Customs, National Park Service and Forestry Service, have facilities near INS facilities often with maintenance plans, staffing, and contract agreements in place. INS should develop agreements with these agencies to maintain nearby INS facilities. This involves building a working relationship and should make better use of existing facility resources across the government. The agreement should clearly identify what is to be performed and on what frequency, to ensure that the INS facilities get the appropriate attention.

7.4.1.4 Performing Preventive Maintenance

7.4.1.4.1 General

- a. To reduce wasted resources, preventive maintenance work must be coordinated with the master plan and annual work plan.

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- b. Actual time spent maintaining each piece of equipment, system or element within a facility should be compared with the maintenance plan (Form **YYY**) to identify any significant variances. If it is determined that the maintenance plan does not accurately reflect the resource requirements for an individual maintenance activity, the maintenance plan should be adjusted accordingly.
- c. Any maintenance work involving special access or system and equipment shutdowns must be carefully coordinated. The facility coordinator should be notified of the need to perform the work as early as possible to schedule the work.

7.4.1.4.2 Work Performed by In-house Staff

The maintenance shop supervisor is responsible for managing the day to day scheduling and production of the in-house maintenance staff to accomplish the work identified in the maintenance plan. This includes

- ◆ developing and clearly defining assignments at least one week in advance,
- ◆ ordering the appropriate materials and scheduling delivery prior to performance of the work,
- ◆ scheduling maintenance activities at outlying or distant facilities so as to minimize travel time.

7.4.1.4.3 Work Performed by Contract or Agreement

Responsibility for performing preventive maintenance must be clearly defined in the maintenance contract. The contract should include

- ◆ scope of work to be performed
- ◆ level of performance
- ◆ timing and frequency of maintenance activities
- ◆ pricing structure to be used.

7.4.2 Breakdown Maintenance

7.4.2.1 Planning for Breakdown Maintenance

- a. The maintenance plan at each INS facility should include procedures for handling a facility emergency or unscheduled maintenance requirement. Procedures will vary from facility to facility depending on the factors listed under section 7.6.1.3.b.
- b. To reduce wasted resources, breakdown maintenance work must be coordinated with the master plan and annual work plan.
- c. Actual time spent maintaining each piece of equipment, system or element within a facility should be compared with the maintenance plan (Form **YYY**) to identify any significant variances. If it is determined that the maintenance plan does not accurately reflect the resource requirements for an individual maintenance activity, the maintenance plan should be adjusted accordingly at the

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end of the fiscal year.

d. Any maintenance work involving special access or system and equipment shutdowns must be carefully coordinated. The facility coordinator should be notified of the need to perform the work as early as possible to schedule the work.

e. The following is a breakdown of the work classifications for breakdown maintenance.

- ◆ *Emergency* - The work directly impacts the immediate life, health or safety of the occupants of the facility. This work should typically be addressed within one hour. Example: A furnace in a building breaks down during winter.
- ◆ *Urgent* - The work is of significant importance and should be addressed within one day. Example: A floor tile has come loose and is a tripping hazard.
- ◆ *Routine* - The work involves typical maintenance work and should be performed within three days. Example: A door knob on an interior door has come loose and needs to be re-secured.
- ◆ *Deferred* - This type of work is not a threat to the safety or well being of the building occupants and does not affect operations. Delaying the work would have no impact on the condition of the facility in the long term and would not pose a threat to the occupants. Example: A wall has been scuffed and needs to be touched up.

7.4.2.2 Assigning the Work

a. The decision to perform breakdown maintenance in-house or by contract should be based on the factors outlined in section 7.6.1.3.

b. Whether the work is to be performed in-house or through a contract or other formal agreement, the facility manager must have detailed instructions, including phone numbers and points of contact, in the event of an emergency.

7.4.2.2.1 Work Performed by In-house Staff

a. The maintenance shop supervisor is responsible for managing the day to day scheduling and production of the in-house maintenance staff to accomplish the both breakdown and preventive maintenance work identified in the maintenance plan. This includes

- ◆ scheduling and breakdown maintenance as it arises and coordinating the work with preventive maintenance assignments.
- ◆ ordering the appropriate materials and scheduling delivery.

7.4.2.2.2 Work Performed by Contract or Agreement

a. Responsibility for performing preventive maintenance must be clearly defined in the maintenance contract. The contract should include:

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- ◆ scope of the contract services
- ◆ response times
- ◆ phone numbers and contacts for day, evening and night shifts
- ◆ hourly rates, if applicable

7.4.2.3 Identifying and Requesting Maintenance Work

7.4.2.3.1 Work Performed by In-house Staff

a. The following is the process for identifying and requesting breakdown maintenance work for INS facilities using in-house staff.

(1) Field operations or maintenance staff identifies need and completes a work request form **XX**¹³ or notifies the maintenance work center (MWC) directly. The form **XX** is mailed or faxed to the MWC, based on the urgency of the work.

(2) The MWC validates the need and initial scope of the request by contacting the customer directly.

(3) The MWC assesses the scope of any ongoing or scheduled maintenance, repair and construction projects that may be related to the requested work. The scope of the work should be changed based on need and impact of any related projects. For instance, if the scope of a work request includes repairing a sump pump that will be torn out in 6 months during a major alteration project, the work should still be performed and the pump repaired since a malfunctioning pump could result in damage to the facility or equipment. However, if a wall, that is to be torn down in a month, is to be touched up in the work order, it should be eliminated from the scope of the work request.

(4) The MWC then evaluates the work request and assigns one of the following priorities and work proceeds according to the assigned priority level.

(a) Emergency (Respond within one hour)

- ◆ The MWC immediately calls the maintenance shop supervisor and releases the maintenance staff and materials as needed.
- ◆ The MWC coordinates the work as needed with the maintenance shop, any specialty subcontractors, customer or other party involved.
- ◆ The MWC reschedules the ongoing workload being performed by the maintenance staff to accommodate the emergency work. The emergency work must continue at least until it can be downgraded to a lower priority. If the remaining work is uncomplicated or close to completion, it should be completed. If it is complex or requires special materials, the remaining work is rescheduled.
- ◆ *The MWC enters the work request data into the CAFM system (Once the CAFM maintenance module is operational).*

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- ◆ The MWC prepares labor and material cost estimates.
- ◆ The MWC forwards a hard copy of the work request to the maintenance shop supervisor.
- ◆ The maintenance shop supervisor verifies the scope and orders materials if not in stock.
- ◆ The shop performs and completes the work.
- ◆ The shop completes the labor and material coding for the project on the work request. Labor hours should be broken down by trade, as well as regular or overtime, and material data should indicate quantities used.
- ◆ The maintenance shop supervisor signs off on the completed work request and sends it to the MWC and customer.

(b) Urgent (Respond within 1 day)

- ◆ *The MWC enters the work request data into the CAFM system (Once the CAFM maintenance module is operational).*
- ◆ The MWC prepares labor and material cost estimates.
- ◆ The MWC coordinates the work as needed with the maintenance shop, specialty subcontractor, customer or other party involved.
- ◆ The MWC contacts the maintenance shop supervisor, if necessary.
- ◆ The MWC schedules the work to be performed.
- ◆ The MWC reschedules any work of lower priority to be performed the next day.
- ◆ The MWC forwards a hard copy of the work request to the shop supervisor immediately.
- ◆ The maintenance shop supervisor verifies the scope and orders materials if not in stock.
- ◆ The shop performs and completes the work.
- ◆ The shop completes the labor and material coding for the project on the work request. Labor hours should be broken down by trade, as well as regular or overtime, and material data should indicate quantities used.
- ◆ The shop supervisor signs off on the completed work request and sends it to the MWC and customer.

(c) Routine (Respond within 3 days)

- ◆ The MWC enters the work request data into the CAFM system (Once the CAFM maintenance module is operational).
- ◆ The MWC schedules the work to be performed within the three day time period.
- ◆ The MWC reschedules the work to be performed over the next three days, based on priority of each work request.

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- ◆ The MWC forwards a hard copy of the work request to the shop supervisor one to two days prior to the scheduled start date.
- ◆ The MWC coordinates the work as needed with the maintenance shop, contractor, customer or other party involved.
- ◆ The shop supervisor verifies the scope and orders materials if not in stock.
- ◆ The shop performs and completes the work.
- ◆ The shop completes the labor and material coding for the project on the work request. Labor hours should be broken down by trade, as well as regular or overtime, and material data should indicate quantities used.
- ◆ The shop supervisor signs off on the completed work request and sends it to the MWC and customer.

(d) Deferred

- ◆ Deferred work is performed in a similar manner as routine work but as workload and funding permit.

(5) If necessary, the MWC reorders any materials taken from stock.

(6) The MWC follows up with and obtains feedback from the customer through a phone call or a formal survey.

(7) The MWC analyzes the customer feedback and, if warranted, incorporates customer comments into the process or system.

7.4.2.3.2 Work Performed by Contract or Agreement

- a. Procedures for performing breakdown maintenance through contract or formal agreement will vary depending on the service provider and the equipment being maintained.
- b. The contract should clearly define breakdown maintenance procedures including who to call for service at all times of the day.

7.4.3 Approval Authorities and Budgeting

7.4.3.1 Approval Authorities

- a. The following is a breakdown of the approval authorities for performing maintenance work or O&M projects.
 - ◆ Field office - up to \$25,000 per project.
 - ◆ District office and sector headquarters - up to \$25,000 per project.
- b. O&M work exceeding these thresholds must be submitted as a minor project, in accordance with Chapter 6.

7.4.3.2 Budgeting for Maintenance Activities

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- a. Detailed procedures for budgeting for maintenance activities are found in Chapter 8 of this Guidebook.
- b. HQENG will develop recommended funding levels for the program of O&M projects for the fiscal year two years hence.
- c. INS's Construction appropriation account will be the primary source of O&M program funds. When O&M program funds are not available, other funding sources, such as program funds and INS fee collections, may pay for O&M projects.
- d. The amount of O&M funds allocated to each region may vary from year to year. HQENG may use one or more of the following factors to budget for and to determine the allocation of O&M funds.
 - ◆ The history and trend of demand for contingency funds.
 - ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
 - ◆ The master plan and regional facility management plans.
 - ◆ The amount of square footage owned by each region.
 - ◆ The backlog of O&M work for each region.

INS Headquarters will allocate O&M funds for O&M work to the regional offices. The regional offices will allocate these funds to districts, Border Patrol sectors, and SPCs. Districts, Border Patrol sector headquarters, and SPCs are responsible for allocating O&M funds to O&M work.

7.4.4 Computer-Aided Facility Management (CAFM)

The CAFM software package has a module for scheduling and tracking maintenance work. This section will be developed as the CAFM system requirements are further developed.

7.5 Special considerations

7.5.1 Energy Conservation

- a. A successfully implemented building maintenance program improves overall energy efficiency and reduces energy consumption. All buildings, facilities, and vehicles under the control of the INS, shall be maintained at a specified level of performance in order to reduce energy consumption.
- b. INS is required to comply with all federal laws and regulations regarding energy use and conservation. A list of applicable laws and orders can be found in Section 7.9, References, at the end of this chapter.

7.5.2 Hazardous Materials

- a. INS facilities may contain a variety of hazardous materials and conditions. Facility maintenance staff and contractors must take every precaution when performing maintenance so as not to expose themselves or building occupants to these potentially hazardous materials or conditions.
- b. Employees and contractors must be trained to work with and around hazardous materials including, asbestos, lead pipes and paint, chemicals, fuels, and solvents. They should be able to identify and understand the dangers of these materials. Warning signs should be posted.

7.5.3 Residential Management

- a. It is INS policy to provide living quarters and related facilities to its employees only where it is determined by the Commissioner, or designee, that necessary service or protection cannot otherwise be rendered; or that inadequate housing exists in the surrounding community. *Reference: AM 2.1.208*
- b. Responsibility for performing maintenance in employee-occupied residences is defined in the form titled “*U.S. Immigration and Naturalization Service and U.S. Customs Agreement for Occupancy and Use of Government-Owned/Controlled Residence.*”
- c. United States Code Title 8 *Aliens and Nationality*, Chapter 12 *Immigration and Nationality*, Subchapter II *Immigration*, Part V *Deportation; Adjustment of Status* states:

Where no Federal buildings are available or buildings adapted or suitably located for the purpose are available for rental, the Attorney General is authorized, notwithstanding section 5 of title 41 or section 278a of title 40 to expend, from the appropriation provided for the administration and enforcement of the immigration laws, such amounts as may be necessary for the acquisition of land and the erection, acquisition, maintenance, operation, remodeling, or repair of buildings, sheds, and office quarters (including living quarters for officers where none are otherwise available), and adjunct facilities, necessary for the detention of aliens.

- d. Reference INS Policy AM 2.1.208 on the operation, maintenance, and general management of Government-provided living quarters available to INS employees. The detailed procedures for implementing this policy are contained in Appendix H.
- e. Additional information on residential management can be found in OMB Circular A-45, *Rental and Construction of Government Quarters.*

7.5.4 INS-Customs Agreements

- a. INS and Customs jointly occupy facilities that are owned by one of the two

agencies. Responsibility for performing maintenance on joint INS-Customs border stations and related official residences is established in a joint INS-Customs agreement.

b. The joint INS-Customs agreement states that maintenance and repair of fire protection equipment will be the responsibility of the custodial agency or the agency occupying or using the facility. In addition, maintenance, repairs, painting, minor improvements and alterations not exceeding \$5,000 will be the responsibility of the custodial agency. However, any repairs, painting, major improvements and alterations exceeding \$5,000 will be managed by the holding agency, or the agency that has ownership of the property, and the costs will be split equally between the custodial agency and the holding agency. Other items, including grounds maintenance and semiannual bacteriological testing of the water supply, are the responsibility of the custodial agency.

c. Section 3056, *Customs-Immigration and Naturalization Agreement*, of the Administrative Manual includes detailed procedures for establishing operation and maintenance responsibility for joint INS-Customs border stations and residences.

7.6 References

- ◆ Executive Order 12845, Requiring Agencies to Purchase Energy Efficient Computer Equipment
- ◆ Executive Order 12902, Energy Efficiency and Water Conservation at Federal Facilities
- ◆ Title 10, CFR 435, Energy Conservation Voluntary Performance Standards for New Buildings
- ◆ Title 10, CFR 436, Federal Energy Management and Planning Programs
- ◆ Title 41, CFR 101-20.107, *Energy Conservation*
- ◆ United States Code Title 8 Aliens and Nationality, Chapter 12 Immigration and Nationality, Subchapter II Immigration, Part V Deportation; Adjustment of Status
- ◆ United States Code Title 42, The Public Health and Welfare, Chapter 77 Energy Conservation
- ◆ United States Code Title 42 The Public Health and Welfare, Chapter 91 National Energy Conservation Policy
- ◆ Administrative Manual, 2.1.202, *Operations and Maintenance*
- ◆ Administrative Manual, 2.1.208, *Residential Management*
- ◆ OMB Circular A-45, *Rental and Construction of Government Quarters*
- ◆ OMB Circular A-94, Discount Rates for to be Used in Evaluating Time-Distributed Costs and Benefits.

Footnotes

- 1/ Form YYY has not been developed.
- 2/ Form YY1 has not been developed.

Chapter 8

Budgeting and Funding

8.1 Purpose

This chapter explains how INS develops and executes budgets to meet facility requirements. To gain a full understanding of INS facility policies and practices, readers should also consult previous chapters that describe how INS acquires space (Chapter 3), provides for construction (Chapter 5) and for repair and alteration (Chapter 6), and carries out facility operations and maintenance (Chapter 7).

8.2 General Information

- a. The timing of the INS's budget process is determined by the budget process for the entire federal government. One of the defining characteristics of the federal budget process is its length. INS must complete its budget request about 18 months before the beginning of the budget year.^{1/} During this 18 month period that follows completion, the Department of Justice (DOJ), the Office of Management and Budget (OMB) in the Executive Office of the President, and the Congress review INS's budget request.
- b. Given the long lead time of the budget process, INS is working budgets for three different years at any one time:
 - ◆ Current fiscal year: INS is executing its budget for the current fiscal year. This budget was passed by the Congress and signed into law by the President during the previous October or September.^{2/}
 - ◆ Next fiscal year: INS is developing more detailed plans for executing the next fiscal year's budget. During the spring and summer, INS also provides information to the Congress as it considers the budget request for the next fiscal year.
 - ◆ Two fiscal years hence: INS is developing its budget request for two fiscal years in the future. This is the budget request that the President will send to the Congress the next January.

8.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to request funding for all facility-related efforts in the budget for two fiscal years hence.^{3/}

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Long-term planning and budgeting are essential because of the long lead times in the federal budget process.

It is also the policy of the INS to minimize the need to fund facility requirements that have not been recognized two years in advance and, therefore, have not been adequately incorporated into appropriate budgets. The INS and federal budget processes are not geared to meeting funding requests that arrive during the budget year without advanced notice.

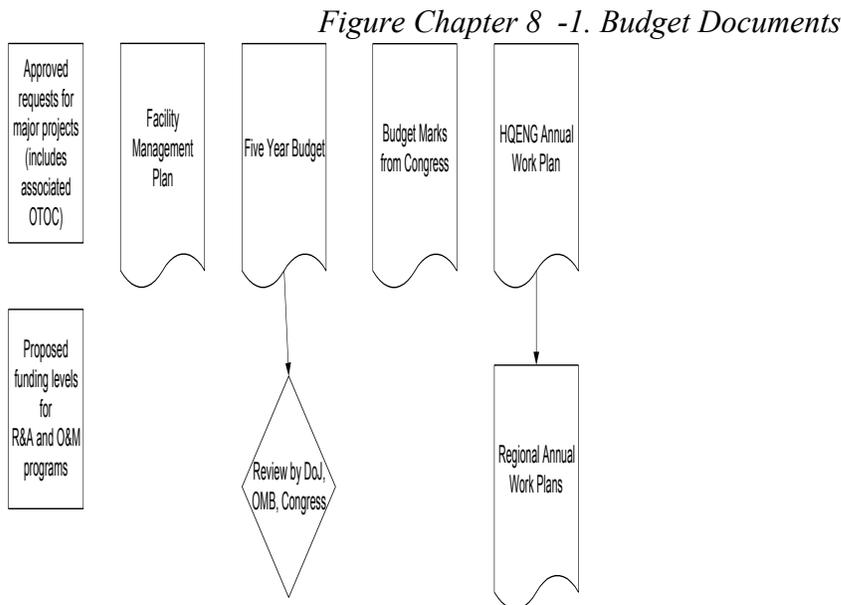
It is also the policy of the INS to ensure effective coordination among budgets, annual work plans (which cover the next year), facility management plans (which cover the next five years), facility master plans (which cover the next 20 years), and INS-wide strategic plans. wide strategic plans. *Reference:* AM 2.1.210.

8.4 Timetable

Table 8-1 summarizes key milestones in the INS budget process.

8.5 Budget Documents

This section describes the key documents used in the budget process (see Figure 8-1).



8.5.1 Five Year Facility Management Plan

HQENG is responsible for maintaining a Five Year Facility Management Plan (FMP). The FMP addresses facility work and budgets for the upcoming fiscal year and the four that follow. (For example, the FMP prepared in Spring 1998 included projections for 1999 through 2003.) HQENG works closely with other offices in Headquarters and the Regions/Administrative Centers as it prepares the

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FMP.

The FMP identifies funding required for major projects on a project-by-project basis for the upcoming fiscal year and the two that follow. The FMP identifies funding for the entire program of major projects (i.e., not on a project-by-project basis) in the fourth and fifth years of the FMP. Funding for R&A projects and O&M work in all years is also reported at the program level, i.e., not project-by-project. HQENG is responsible for updating the FMP.

8.5.2 Five Year Budget

HQENG prepares the Five Year Budget, which projects the funding required for all facility-related work, including OTC funds. INS submits the Five Year Budget for review by the Department of Justice and the Office of Management and Budget. This document is a tool for developing and justifying facilities budgets for the fiscal year two years hence. As such, it concentrates on that fiscal year. (For example, the Five Year Budget that is developed in Spring 1998 concentrates on the budget for the year 2000.) This budget also includes projections for the three years following the budget year. (For example, the Five Year Budget prepared in Spring 1998 projects funding for 1999 through 2003).

Table Chapter 8 -1. Key milestones in the INS budget process

Event	Month(s)	Number of months before or after beginning of budget year
<i>Regional Facility Boards meet to prioritize requests for major projects</i>	<i>November</i>	<i>23 months before</i>
<i>Headquarters, Region/Administrative Center, and field organizations begin to prepare budget estimates</i>	<i>January to March</i>	<i>21 to 19 months before</i>
<i>Budget reviews at INS Headquarters by Executive Staff</i>	<i>April to May</i>	<i>18 to 17 months before</i>
<i>INS Commissioner approves budget request</i>	<i>June</i>	<i>16 months before</i>
<i>Department of Justice reviews INS budget request</i>	<i>July to August</i>	<i>15 to 14 months before</i>
<i>Office of Management and Budget reviews INS budget request</i>	<i>September to January</i>	<i>13 to 9 months before</i>
<i>President submits budget request to Congress</i>	<i>January</i>	<i>9 months before</i>
<i>Congress reviews President's budget request</i>	<i>February to September</i>	<i>8 to 1 months before</i>
<i>Congress passes bills to fund INS</i>	<i>September or October</i>	<i>beginning of fiscal year</i>
<i>President signs bills into law</i>	<i>September or October</i>	<i>beginning of fiscal year</i>
<i>INS Headquarters distributes funds to activities</i>	<i>October to September</i>	<i>0 to 12 months after</i>

8.5.3 Congressional Committee Marks

In the months prior to the beginning of the fiscal year, the Congressional committees that are responsible for appropriating funds to the INS produce documents called budget marks.

In the House of Representatives, the Appropriations Committee's Subcommittee

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on Commerce, Justice, State, and the Judiciary issues a budget mark. Shortly thereafter, the full House Appropriations Committee completes a budget mark.

Likewise in the Senate, the Appropriations Committee's Subcommittee on Commerce, Justice, State, and the Judiciary issues a budget mark, followed by a budget mark from the full Senate Appropriations Committee.

A conference committee then issues a budget mark that negotiates any differences between the House and Senate appropriations bills. The conference committee's budget mark reflects final congressional action on the amount of money that will be available to INS in the coming fiscal year. As such, it is a critical input to the Annual Work Plan.

8.5.4 Annual Work Plan

HQENG prepares an Annual Work Plan (AWP), which specifies in detail the facilities work and associated costs, including OTC costs, for the current fiscal year. HQENG begins drafting the AWP several months before the beginning of the fiscal year, and refines it as the beginning of the fiscal year approaches. The AWP is refined again after the levels of fiscal year funding are known with certainty. The AWP is a comprehensive list of all facilities related work to be accomplished. It includes costs for major projects on a project-by-project level. It includes costs for the entire R&A and O&M programs by region, i.e., not on a project by project basis. (The Regions will determine which R&A projects to fund after HQENG completes the AWP at the beginning of the fiscal year.) HQENG will update the AWP periodically over the course of each fiscal year to ensure that it is current and reflects an accurate assessment of facility work and spending.

Each region also prepares an AWP. Each region begins to draft its AWP in the months before the beginning of the fiscal year. After the region's facilities funding is determined at the beginning of the fiscal year, the AWP is updated. Each region's AWP includes project-by-project detail for major projects and R&A projects.

8.6 Budgeting Processes

8.6.1 Major Projects

Chapter 1 provides a complete definition of major projects. In general, a major project is a facility project on one or more facilities for maintenance, repair, construction or alteration with an estimated cost of more than \$500,000, or a project that will result in additional space or a change of facility use, regardless of cost.

8.6.1.1 GSA Assigned Space

As stated in AM 2.1.210, INS must budget two years in advance for all costs

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associated with the acquisition of GSA-assigned space. All requests for GSA-assigned space are considered major projects.

8.6.1.1.1 Prospectus Level

- a. Requests for GSA-assigned space with an estimated first-year lease and standard fit-out costs above a certain threshold are termed prospectus level projects. The threshold is legislated each year and is currently in excess of \$1.7 million.
- b. HQENG determines if requests for GSA-assigned space that originate at INS Headquarters meet the prospectus level. Regions determine if requests for GSA-assigned space that originate at the regions, Border Patrol sector headquarters, districts, or field offices meet the prospectus level threshold.
- c. Chapter 3 provides an introduction to prospectus level projects. Briefly, these projects require a prospectus development study, which is a detailed justification and request for Congressional line-item approval. The GSA Public Buildings Service's *Prospectus Development Study Guide* and AM 2.1.101, *Facility Acquisition: INS Owned and Leased and GSA Leased*, explain how to conduct a prospectus development study.
- d. The RFBs, the FSC, and the Executive Staff must approve all requests for prospectus level projects. For a typical request for a prospectus level project:
 - ◆ INS offices submit requests via the CAFM,
 - ◆ the RFBs consider them in November (23 months before the beginning of the relevant fiscal year),
 - ◆ the FSC considers them in January (21 months before the fiscal year begins), and again in April, 18 months before the fiscal year begins) and
 - ◆ the Executive Staff considers them in May (17 months before the fiscal year begins).
- e. Requests for prospectus level projects will not be approved unless adequate OTC funds have been requested.
- f. Upon Executive Staff approval, HQENG prepares a Congressional notification for each prospectus level project. The prospectus development study is passed on to the GSA for its budgeting process, which includes OMB review before it is submitted to the Congress. The GSA, not INS, requests Congressional line-item funding for prospectus level projects. In September or October, a year and a half after Executive Staff approval, the Congress passes and the President signs the law that provides funding to GSA. At that time, GSA will notify the regions that projects have been funded.

8.6.1.1.2 Below Prospectus Level

- a. The RFBs, FSC, and Executive Staff must also approve projects for additional

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space or change of use for GSA assigned facilities with a value above \$500,000, but below the prospectus level. Requests for projects below prospectus level will not be approved unless adequate OTC funds have been requested. They do so through the same budget processes described above for prospectus level projects. Chapter 3 describes how INS offices request below threshold level projects in GSA-assigned space.

b. GSA provides funding for below threshold projects primarily from its Federal Buildings Fund. GSA notifies INS of below prospectus level projects that it has funded.

8.6.1.1.3 Costs for “Above-Allocation” Alterations

a. GSA’s regular charges to federal agencies cover the costs of acquiring space suitable for standard occupancy. INS frequently requires alterations that will bring space “above-allocation,” i.e., above standard occupancy. Such alterations might include the installation of detention space and upgraded communication and security systems. INS must pay GSA for the costs of above standard alterations. INS may arrange with GSA to amortize these costs over the life of the lease, or may use OTC funds to pay for these costs. OTC funds are drawn primarily from INS’s Salaries and Expenses appropriation account.

b. OTC funds shall be identified when INS offices submit their request for GSA-assigned space or changes in GSA-assigned space.

c. Identifying required OTC funds early in the process will help ensure that the funds are indeed available when they are required. Each fiscal year, the INS Office of Budget recommends to the Executive Staff how much funding to allocate to OTC, which, in turn, determines how much work can be funded. Often, the amount allocated is not enough to fund all of the projects awaiting funds. This becomes serious when commitments have been made to GSA to fund above allocation requirements. Some customers may have to downscope their requirements to stay within the OTC funds available.

d. At the appropriate time, GSA will request from INS Headquarters the OTC funds agreed to for above allowance work.

8.6.1.2 Direct Leases

a. Budgeting for direct leases is similar to budgeting for GSA-assigned space. In general, INS offices must budget two years in advance to ensure that direct lease costs are incorporated into the budget for two years hence. All requests for new direct leased space are considered major projects.

b. INS offices develop requests for direct leases and enter information into the CAFM. RFBs consider these requests in November, 23 months before the beginning of the fiscal year when direct lease costs would first be incurred. In January, 21 months before the beginning of the relevant fiscal year, the FSC considers requests approved by the RFBs. The Executive Staff considers requests

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in May, 17 months before the beginning of the fiscal year. Funding for direct leases is drawn primarily from INS's Salaries and Expenses appropriation account. The DOJ, OMB, and Congress review the requests from May until the budget year begins. INS provides funds to enter into direct leases after the Congress passes and the President signs the annual law that provides funding to INS.

c. The INS has never had a direct-lease prospectus level project, although such a project is possible. If, in the future, the Service requires a direct-leased facility that will exceed the prospectus threshold, HQENG will notify the region to perform the prospectus development study. Upon Executive Staff approval, HQENG would prepare a Congressional notification for the prospectus level project. The prospectus development study would be submitted to DOJ as part of the budget submission.

d. As with GSA-assigned space, the INS uses its OTC fund for requirements that are beyond the lessor's responsibility to fund and not amortized over the life of the lease. Also, as with GSA-assigned space, some customers may have to downscope their requirements to stay within the OTC funds available. Requests for direct leases will not be approved unless adequate OTC funds have been requested.

8.6.1.3 New Construction

a. INS offices request new construction projects through the CAFM system. The process for requesting new construction projects is explained in detail in Chapter 5 .

b. In general, RFBs consider new construction projects in November, 23 months before the beginning of the fiscal year during which the project would commence. The FSC considers new constructions projects in January, 21 months before the relevant fiscal year. At its January meeting, the FSC allocates funds for developing designs to 15 percent completion level for major new construction projects that require line-item funding from the Congress. In April, the FSC meets again to review completed 15 percent designs and their cost estimates. The FSC makes any adjustments to its recommended construction budget based on the new information. Requests for new construction projects will not be approved unless adequate OTC funds have been requested. The Executive Staff considers requests for new construction projects in May. Funds for new construction projects are drawn from INS's Construction appropriation account.

c. Those major project requests for additional space that do not get approved in the INS budget request in June remain in the CAFM for consideration in the following years.

d. The DOJ, OMB, and Congressional staffs review and approve the budget over the next 16 months. In October, almost a year and a half after budget submittal,

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Congress passes and the President signs the law that provides funds to INS. The law will indicate which projects have been funded.

e. The law will sometimes include funds for a new construction project that the INS did not include in its budget request. HQENG works with the Office of Budget, the Office of the Executive Associate Commissioner for Field Operations, and program offices to plan, design, and execute such projects.

8.6.1.4 Major Construction and Repair and Alteration

a. INS offices request funding for major construction and repair and alteration projects (those that exceed \$500,000) through the CAFM system.

b. In general, RFBs consider major construction and R&A projects in November, 23 months before the beginning of the fiscal year during which the project would commence. The FSC considers these projects in January, 21 months before the relevant fiscal year. In April, the FSC makes any adjustments to its recommended budget for major construction and R&A in light of any new information. Requests for minor construction and R&A projects will not be approved unless adequate OTC funds have been requested. The Executive Staff considers requests for all major projects in May. Funds for major construction and repair and alterations projects are drawn primarily from INS's Construction appropriations account.

c. Those major construction and R&A projects that do not get approved in the INS budget request in June remain in the CAFM for consideration in the following years.

d. The DOJ, OMB, and Congressional staffs review and approve the budget over the next 16 months. In October, almost a year and a half after budget submittal, Congress passes and the President signs the law that provides funds to INS. At that point, HQENG, working with the Office of Budget, will allocate available funds to approved major construction and R&A projects.

8.6.2 Minor Projects

8.6.2.1 Program Levels

a. HQENG develops recommended funding levels for the program of minor projects for the fiscal year two years hence. The minor project program consists of repair, alteration, and minor construction projects under \$500,000. Estimating minor project budgets two fiscal years in advance will improve facility management. Providing offices at INS Headquarters, regions, and the field with realistic expectations of the size of future minor project budgets is one of the key benefits of budgeting R&A program levels in advance.

b. It is INS intent to fund as much minor project spending as possible in the regions' R&A budget, program 3260.005. Other sources, such as program funds

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and INS fee collections, may also pay for minor projects when funds in program 3260.005 are not available. In prior years, funds for most minor projects have been drawn from INS's Salaries and Expenses appropriation account. Beginning in FY98, INS's Construction appropriation account will be the primary source of minor project funds.

c. Each April, during preparation of the entire INS budget for the fiscal year that begins 18 months later, HQENG will develop recommendations to the Executive Staff for annual budget levels for the minor project program in its entirety and for each region. HQENG will coordinate closely with the Regional Facility Directors as it develops its minor project budget recommendations.

d. Each fiscal year, the amount of minor project funds allocated to each region may vary. HQENG may use one or more of the following factors to budget for and to determine the allocation of minor project funds.

- ◆ The history of Congressional funding levels and how much of those funds are typically reserved for minor projects, and any information on expected increases or decreases to those levels.
- ◆ The history and trend of demand for contingency funds.
- ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
- ◆ The master plan and regional facility management plans.
- ◆ The amount of square footage owned by each region.
- ◆ The backlog of minor project work for each region shown in the CAFM.

e. Funding in the INS Construction budget account pays for the minor project program. The Executive Staff, the DOJ, the OMB, and the Congress must approve the INS budget before minor project funds become available. These approvals take place over the 18 months following HQENG's recommendations.

8.6.2.2 Project Funding

a. INS offices request funding for minor projects through the CAFM. As the process described below indicates, regions are responsible for allocating minor project funds, principally R&A funds, to individual projects.

b. Each year, funding for minor projects becomes available for spending after Congress passes and the President signs the annual appropriations act that governs INS, which typically occurs in late September or early October. In some fiscal years, the amount appropriated differs from the amount INS requested. In that case, the INS Office of Budget will advise the Executive Staff on how the funds are to be reallocated, including funds for minor projects. When the size of the minor project budget has been determined, HQENG will determine the allocation of funds.

c. Most of the R&A funds will be forwarded to the regions for minor project

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funding, but HQENG may decide to retain a small portion for contingency funds. (HQENG will determine recommended funding levels only, not specific R&A projects.) By the first of November, HQENG will notify the regions of the amount of R&A funds available for expenditure during the fiscal year. HQENG will work closely with the INS Office of Budget to release R&A and other minor project funds to the regions as quickly as possible.

d. Each November, RFBs meet to allocate the current fiscal year's funds to the minor projects that INS offices have entered into the CAFM. RFB's allocations for minor projects will be made in accordance with policies and other guidance issued by INS Headquarters. RFDs notify HQENG once the RFB has completed its allocation process. From the date of notification, HQENG has fifteen calendar days to extract the list from the CAFM system, review it, and notify the RFD of any line item it objects to. An example of an HQENG objection is a region's failure to abide by INS Headquarters policies or master plan. For instance, the RFB may have prioritized a health and safety new space request too low to be funded even though INS Headquarters had directed that such projects be given priority. HQENG will contact the RFD to discuss any objections it may have. After the fifteen-day review period, projects that have not been objected to by HQENG may be funded. RFDs will ensure that funds for minor projects are executed expeditiously and in accordance with the RFBs decisions.

e. Each RFB may decide to withhold a small amount of contingency funds from the R&A funds allocated to it.

f. RFBs meet again in April to review obligations for the current year and to decide how much of the unspent contingency funds to release for funding the highest remaining priorities on the unfunded minor project list. Also at the April meeting, the RFB will make any needed adjustments to project funding. Such adjustments may be needed if, for example, a funded project has run into difficulties that preclude its funds being obligated by the end of the fiscal year.

g. Occasionally, INS Headquarters may create a special fund for certain types of minor projects. An example is a fund set aside for security projects. Such funds may have come from the programs or from a special line item request in the Salaries and Expenses budget account. The rules governing access to and use of such funds vary. RFDs and their RFBs will review the minor projects for INS-owned space to see if any may qualify for any special funds that may be available.

8.6.3 O&M Work

O&M work is defined as facility operations, repair, and maintenance work with a cost at or below \$25,000.

8.6.3.1 Program Levels

a. HQENG will develop recommended funding levels for the program of O&M

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projects for the fiscal year two years hence. The O&M program consists primarily of maintenance and repair projects. Estimating O&M budgets two fiscal years in advance will improve facilities management. Providing offices at INS Headquarters, regions, and the field with realistic expectations of the size of future O&M budgets is one of the key benefits of budgeting R&A program levels in advance.

b. O&M funds for facility operation and maintenance should be provided to the maximum extent practicable from O&M program budgets. INS seeks to establish a separate O&M budget account. To date, creation of this account has not been approved. In the absence of a separate O&M account, INS will fund O&M work with R&A funds. Other sources, such as program funds and INS fee collections, may pay for O&M projects when R&A or O&M program funds are not available.

c. Each April, during preparation of the entire INS budget for the fiscal year that begins 18 months later, HQENG will develop recommendations to the Executive Staff for annual budget levels for the O&M program in its entirety and for each region. HQENG will coordinate closely with the Regional Facility Directors as it develops its O&M budget recommendations. It is INS policy to provide O&M funding that will be adequate to maintain and repair buildings, utility systems, security systems, grounds and roads at INS sites, and border roads, fences, and lights.

d. Each fiscal year, the amount of O&M funds allocated to each region may vary. HQENG may use one or more of the following factors to budget for and to determine the allocation of O&M funds.

- ◆ The history of Congressional funding levels for INS Construction account and how much of those funds are typically reserved for O&M, and any information on expected increases or decreases to those levels.
- ◆ The history and trend of demand for contingency funds.
- ◆ Policy guidance from senior INS management that affects the level of project funding or the allocation of project funds among regions.
- ◆ The master plan and regional facility management plans.
- ◆ The amount of square footage owned by each region.
- ◆ The backlog of O&M work for each region shown in the CAFM.

e. Funding in the INS Construction budget account pays for the O&M program. The Executive Staff, the DOJ, the OMB, and the Congress must approve the INS budget before O&M funds are actually available. These approvals take place over the 18 months following HQENG's recommendations.

8.6.3.2 Project Funding

INS Headquarters will provide O&M funds through regions to districts, Border Patrol sectors, and field offices. Districts, Border Patrol sector headquarters and field offices are responsible for allocating O&M funds to O&M work.

8.6 Obligating

- a. An obligation is created when the government makes a formal commitment to provide funds in exchange for goods or services. In general, obligations for purchased goods and services are created and recorded when contracts are signed. Only those duly authorized, such as contracting officers with warrants, may create obligations on behalf of the government.
- b. INS requires its facility funds to be obligated in a timely manner. INS seeks to avoid carrying large unobligated balances because they may be interpreted by some as an indication that INS is not able to execute its programs in a timely manner or that the Service is overfunded.
- c. Accordingly, INS offices will match their requests for facility funds to the fiscal year during which they intend to obligate the funds.

8.7 Accountability

While all those involved in facilities work are accountable for the appropriate use of facility funds, accountability is especially important in several key positions. These positions bear primary responsibility for ensuring that facility funds are used for their intended purposes and in accordance with all relevant laws, regulations, policies, and procedures. The key positions are:

- ◆ At INS Headquarters, the Executive Associate Commissioner for Management, the Assistant Commissioner for Administration, the Assistant Commissioner for Budget, and the Director of Facilities and Engineering
- ◆ At regions, the Regional Directors and Regional Facility Directors (RFDs)
- ◆ District Directors
- ◆ Officers in Charge, suboffices and service processing centers
- ◆ Patrol Agents in Charge, Border Patrol sector headquarters
- ◆ Patrol Agents in Charge, Border Patrol stations
- ◆ Port of Entry Directors

8.8 Record Keeping

- a. INS offices maintain adequate records of their budget requests by making their budget requests through the CAFM. The CAFM will retain all information required for record keeping.
- b. INS offices maintain adequate records of budgets and funding for major and minor facility projects by keeping current information in the CAFM. The CAFM will retain all information required for record keeping.
- c. INS offices maintain adequate records of the availability, obligation, and outlay of funds through the Service's financial management and accounting systems. INS will develop procedures for linking and reconciling financial

information in the CAFM with the Service's financial management and accounting systems.

8.9 Reference

- ◆ AM 2.1.210—*Facilities Budgeting and Funding*

Footnotes

- 1/ Federal fiscal (or budget) years begin on October 1 and end on September 30.
- 2/ Occasionally, funding laws are delayed past September or October.
- 3/ The requirement for budgeting two years in advance applies to all actions required to complete facility projects. For example, project requests must include adequate resources for design, construction, leasing, or assignment in GSA space, communication and cabling, and moving and other costs paid with OTOC funds.

Chapter 9 Facility Audits

9.1 Purpose

- a. Facility condition and use impacts the quality of life and productivity of INS employees and reflects the image of INS. The primary purpose of conducting a facility audit is to identify substandard or inadequate building conditions.
- b. In addition, in accordance with Executive Order 12512, Section 2, building audits are used to identify buildings which are underutilized. INS policies and procedures for performing these audits are prescribed in AM 2.1.206.
- c. This chapter explains the process for conducting facility audits to assess facility condition.

9.2 General Information

- a. Facility audits address long- and short-term maintenance and repair work. Findings from facility audits are incorporated into the construction, repair and alteration, and maintenance processes to improve facility conditions.
- b. The facility audit is also used to assess the functional performance of the facility. The information obtained from the audit serves as formal feedback to the planning, design, and construction processes for improving the use of new

facilities.

- c. The facility audit should also identify whether a facility is being utilized properly as originally programmed and designed. If it is determined that a facility is underutilized, appropriate action should be taken to dispose of the space. If the space is over-utilized, appropriate action should be taken to replace, renovate or alter the existing facility.
- d. Whenever possible, the building survey, outlined in the Administrative Manual, should be conducted simultaneously with the facility audit in order to reduce the overall costs of performing this work.

9.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to perform an audit on each facility every one to three years. Facilities which are relatively complex in nature or require continuous operation, such as Service Processing Centers, are inspected more frequently, typically on an annual basis. Facilities which are not subject to constant use are audited less frequently, typically every three years. Facility audits are to be performed on all INS occupied facilities including INS owned, INS direct leased, GSA leased, and GSA-assigned facilities. The audits will identify performance and condition of these facilities. *Reference: AM 2.1.206.*

9.4 responsibilities and authorities

9.4.1 Headquarters

- a. The INS Facility Management staff at Headquarters is responsible for establishing general policies and procedures for performing Facility audits.
- b. Headquarters is also responsible for establishing the format and template to be used on each audit.
- c. An historical record of all facility deficiencies identified through facility audits, categorized by type of facility and system, is maintained by Headquarters to identify patterns and trends.
- d. Headquarters is also responsible for incorporating facility audit feedback into the design standards and guidelines as well as disseminating any design changes to the Regions, Districts and Sector Headquarters, as outlined in Chapter 10, Design Standards and Guidelines.

9.4.2 Regional Offices

- a. Regions are responsible for conducting or overseeing Facility audits.
- b. Each Region will prepare a schedule of audits to be performed each fiscal

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year.

- c. Regions are also responsible for assisting Districts, Sectors and field offices with correcting identified deficiencies.
- d. This authority may be delegated to offices with delegated FM authority. This authority may not be delegated below the District offices, with the exception of Service Processing Centers, or Sector Headquarters, without the approval of the Region.

9.4.3 District Offices

- a. District Office responsibilities include assisting the Region in accomplishing the facility audit including on-site coordination.
- b. District Office responsibilities also include working with the Region to correct any identified deficiencies.

9.4.4 Border Patrol Sector Headquarters

- a. Sector Headquarters responsibilities include assisting the Region in accomplishing the facility audit including on-site coordination.
- b. Sector Headquarters responsibilities also include working with the Region to correct any identified deficiencies.

9.4.5 Field Offices

Field Offices are responsible for coordinating on-site access and providing input into the facility audit, as required.

9.5 Audits

9.5.1 Facility Audit

The facility audit is a periodic assessment of an existing facility to evaluate the performance and effectiveness of the facility and to identify deficiencies, to assess effectiveness of current maintenance programs, to help prepare maintenance and capital improvement budgets, and to identify underutilized space. There are two types of facility audits, each used for slightly different purposes: post-occupancy facility audits and operational facility audits.

9.5.1.1 Post-Occupancy Facility Audit (PFA)

The purpose of a post-occupancy facility audit is to thoroughly analyze newly occupied facilities for efficiency, effectiveness and performance from a functional perspective. PFAs address both qualitative and quantitative issues and ultimately

provide feedback that is incorporated into the planning, design, and construction programs. The goal of a PFA program is to improve performance, efficiency, and functionality with each building delivery cycle.

9.5.1.2 Operational Facility Audit (OFA)

Operational facility audits are used to identify facility deficiencies, assess effectiveness of current maintenance programs, help prepare future maintenance and capital improvement budgets, and to assess the functional performance of the facility. Another goal of the OFA is to identify underutilized or inappropriately used space. Underutilized space should be disposed of within the guidelines established in this manual.

9.6 Performing the Facility Audit

Substandard conditions and facility deficiencies decrease staff productivity either by directly impeding work flow or by a reduction in morale. It is therefore important to identify and correct facility deficiencies in all INS-occupied facilities, including both owned and leased facilities.

9.6.1 Timing

- a. The **post-occupancy facility audit** is performed one year following the beneficial occupancy date of a new facility. This duration covers all seasonal changes that may influence the facility performance and allows the customer ample time to assess the effectiveness and efficiency of the space.
- b. Each Regional Office is responsible for establishing the frequency of performing the subsequent **operational facility audits** at each facility. Subsequent audits are scheduled every one to three years, depending on the facility use and complexity.

9.6.2 Audit Team

- a. The facility audit is performed by in-house facility maintenance and management staff or contracted to facility management professionals familiar with the type of building systems used in the existing facility. The initial audit should include members of the original design team.
- b. It is best not to rely exclusively on the maintenance staff to perform the facility audit since the outcome of the audit may be unintentionally biased.

9.6.3 Collecting Data

- a. Audit data is gathered primarily through completion of an on site inspection checklist. However, informal interviews and customer surveys are used to supplement the information obtained from the inspection and to provide a clear

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understanding of how the facility is used.

b. Facility audits vary in format and content, depending on the type of facility being assessed. Complex facilities require a more in depth systems analysis. All facility audit teams will use the standard facility audit format established by Headquarters (Form XX 1/).

c. The standard facility audit format includes a checklist of building components and common problems organized by major system. This checklist is completed in detail for all applicable systems and components based on the UNIFORMAT element breakdown as follows.

- ◆ 01 Foundations
- ◆ 02 Substructure
- ◆ 03 Superstructure
- ◆ 04 Exterior Closure
- ◆ 05 Roofing
- ◆ 06 Interior Construction
- ◆ 07 Conveying Systems
- ◆ 08 Mechanical
- ◆ 09 Electrical
- ◆ (10 Not applicable)
- ◆ 11 Equipment
- ◆ 12 Site Work

9.6.4 Procedures

a. Prior to the start of the fiscal year, each Regional office develops a schedule, consistent with the Annual Work Plan, for all upcoming facility audits. Once developed, the schedule is distributed to Headquarters, District Offices and Sector Headquarters.

b. A minimum of one month prior to a facility audit, the responsible District Office or Sector Headquarters begins coordinating the site visit.

c. On the scheduled date, the facility audit team travels to the site and conducts the audit. The actual time required for the audit will depend largely on the size and use of the facility.

d. The completed facility audit is distributed as follows: one copy to the point of contact at the facility being audited, one copy to the Sector Headquarters District, one copy to the Regional Office, one copy to Headquarters Facility Engineering.

e. Within one month of the facility audit, the Regional Office and the Sector Headquarters District will jointly review the audit and identify any necessary corrective action. Deficiencies and repairs will be corrected in accordance with the applicable processes identified in Chapter 5, New Construction, Chapter 6,

Repairs and Alterations or Chapter 7, Operations and Maintenance.

9.7 References

- ◆ Executive Order 12512, Federal Real Property Management
- ◆ United States Code Title 40 Public Buildings, Property and Works, Chapter 10, Section 486, Management and Disposal of Government Property: Policies, regulations and delegations
- ◆ AM 2.1.206—*Facility Audits*

Footnotes

1/ Form XX has not been developed.

Chapter 10 Compliance Items

10.1 Purpose

This chapter provides an overview of how INS complies with laws, regulations, and policies that govern environmental assessments, historic preservation, architectural barriers, and physical security. Because each of these topics is complex and requirements change frequently, this guidebook provides a general overview only. To ensure full compliance with current requirements, INS employees with direct responsibility for environment assessments, historic preservation, and architectural barriers should coordinate their actions with HQENG. INS employees with direct responsibility for physical security should consult with the Office of Security and HQENG.

10.2 General Information

A wide variety of federal, state, and local laws, regulations, and policies govern how INS locates, designs, builds, leases, acquires, alters, and maintains facilities. The different levels of government have established these requirements to safeguard the environment, preserve our heritage, ensure accessibility, protect health, and promote safety.

10.3 Policy

It is the policy of the Immigration and Naturalization Service (INS) to comply fully with the laws, regulations, and policies that govern the environment, historic preservation, architectural barriers, and physical security.

Environmental impacts and historic preservation issues will be considered by INS officials who participate in the decision making process associated with the leasing, purchase, design, construction, alteration, and maintenance of new and existing INS facilities.

It is also the policy of the INS to provide adequate and efficient facilities for the physically disabled, commensurate with potential use, justification, and effectiveness for existing as well as for planned facilities. The potential use of a facility by physically disabled persons shall not be used as a sole basis for providing accessibility features for the disabled in facilities in remote areas, or in special purpose structures. The need for each structure to provide accessibility will be evaluated separately.

Physical security requirements will be incorporated into the design and operation of new facilities. INS facilities shall comply with the physical security standards established by law, Executive Order, and directives from DOJ or the Office of Security, INS Headquarters (see AM 5.2.106, Physical Security Program).*Reference:* AM 2.1.205

10.4 Environment

10.4.1 Responsible Official

The Director of the Facilities and Engineering Branch, Administrative Division, INS Headquarters, has overall responsibility for monitoring and implementing the INS's environmental program for construction of INS facilities. The duties associated with this responsibility are specified in Title 28 CFR, Part 61, Appendix C, Paragraph 4. The Director, HQENG signs all Findings of No Significant Environmental Impact (FONSI). The Commissioner, INS signs all Records of Decision (ROD).

10.4.2 Policy Overview

a. Each agency has its own regulations for compliance with the National Environmental Protection Act (NEPA). To ensure that environmental consequences of such actions are adequately taken into account, the Council on Environmental Quality (CEQ) in the Executive Office of the President, was created and serves to advise the President on environmental matters. The Department of Justice, Immigration and Naturalization Service procedures for implementing and supplementing NEPA are codified in 28 Code of Federal Regulations Part 61, Appendix C.

b. NEPA is the Federal law governing major Federal actions affecting the environment. NEPA establishes national policies and goals for the protection of the environment. This process is intended to assist public officials in making decisions based on a full understanding of the environmental consequences of proposed actions and to take subsequent action that will "protect, restore, and

enhance the environment.” Although NEPA requires each agency to consider all alternatives, it does not require the agency to select the alternative with the least environmental impact.

c. NEPA also requires an early and open process for determining the scope of issues to be addressed and for identifying significant issues related to a proposed action. This process is known as “scoping.”

d. Other related legislation should also be addressed during the NEPA process, if appropriate, for example, Section 106 of the National Historic Preservation Act; Section 404 of the Clean Water Act; the Resource Conservation and Recovery Act; and Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

10.4.3 Classes of Action

a. There are three classes of action.

b. Class I actions are those which are categorically excluded from the requirement to prepare two specific documents: environmental assessments and environmental impact statements. The following actions are normally classified as Class I:

- ◆ Ministerial activities routinely conducted by the INS at the national, regional, district, and field levels to support its statutory mission, and which do not lead directly to origination of a facility;
- ◆ Purchase, transfer, or lease of occupiable space where type of use remains the same; occupancy level and the number of motor vehicles at the facility has minimal change; lease renewals, extensions, and succeeding leases
- ◆ Increase or decrease in population of a facility within its physical capacity resulting from adjustments in the number of occupants, employees, and aliens under custody
- ◆ Property enhancement through landscaping, routine groundskeeping and facility maintenance, installation of ornamental fencing and signs, improvement of paved areas and traffic marking
- ◆ Repair or replacement-in-kind of equipment systems and utilities such as heating/ventilation/air conditioning (HVAC), plumbing, and electrical distribution systems
- ◆ Minor interior construction of non-historic facilities for improving their life safety features such as seismic structural reinforcing, means of egress, fire alarm, automatic sprinklers, fire and smoke barriers, and HVAC systems corrections
- ◆ Weatherization and interior alteration of non-historic facilities
- ◆ Repair and alteration of historic facilities already reviewed under INS’s historic preservation review process and found to be in compliance

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c. Class II actions are those that normally require an environmental assessment (EA). The actions include:

- ◆ Those that are categorically excluded but because are repeated, added, or integrated in the same project produce a cumulative effect that substantially affects the quality of the human environment
- ◆ Those that are categorically excluded but are judged to have potential for environmental controversy
- ◆ Those which a lesser form of environmental review determines that an EA is required
- ◆ Closing of INS facilities
- ◆ Proposed construction of a new addition or expansion that may affect the physical capacity and design and which would have a significant effect on the environment
- ◆ Proposed construction of facilities that will not have a significant effect on the quality of the human environment
- ◆ Proposed purchase, lease, or transfer of occupiable space where type or change of use, occupancy level, or number of motor vehicles at the facility substantially affects the quality of the human environment
- ◆ Where proposed land use does not conform to present official zoning
- ◆ Where proposed construction is located on or near ecological critical areas such as a geological fault, unique geological features, or hazardous or radioactive waste disposal site.

d. Class III actions are those that normally require an environmental impact statement (EIS). Class III actions include:

- ◆ Proposed construction of facilities when the corresponding EA determines the need for an EIS
- ◆ Those which are judged to have significant potential for environmental controversy.

10.4.4 Environmental Resources Inventories (ERI)

a. This document serves as the baseline description of the ecology against which the effects of proposed actions are judged. HQENG and the appropriate field installation retain copies of ERIs on file for future reference. The categories that

b. ERIs consider and include, but are not limited to:

- ◆ Air quality
- ◆ Water quality
- ◆ Waste generation, treatment, transportation, disposal, and storage
- ◆ Noise, sonic boom, and vibration;
- ◆ Toxic substances
- ◆ Radioactive materials and non-ionizing radiation
- ◆ Biotic resources
- ◆ Loss of fish and wildlife resources and endangered species
- ◆ Historical, archeological, and recreational resources

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- ◆ Easements and encroachments
 - ◆ Deed restrictions
 - ◆ Land use zoning
 - ◆ Activity area utility systems availability and local capacity
 - ◆ Transportation systems
 - ◆ Geological stability
 - ◆ Proximity to community services.
- c. ERI's summary should not exceed 15 pages and should conform to the following standard format:

- ◆ Cover sheet: showing the title of proposed projects, location, date of issue, and name and address of a point of contact for inquiries.
- ◆ Table of contents: containing at least the section and subsection titles, page numbers, and having enough detail so that searching is not necessary.
- ◆ Description of Action: an explicit, but brief, description of the project's location along with photographs and/or drawings to indicate unique features.
- ◆ Environmental, geopolitical, and services data checklists shall be appended.
- ◆ Findings: brief comments and conclusions.
- ◆ Appendices: list of agencies and individuals consulted; identification of the particular issue of concern; definitions, abbreviations, and conversion factors.

10.4.5 Environmental Assessments

- a. An Environmental Assessment (EA) is a concise public document which serves to provide briefly sufficient information for determining whether to prepare an EIS or FONSI. Each EA should include brief discussions of the need for the proposal, alternatives, environmental impacts of the proposal and the alternative and the listing of persons and agencies consulted.
- b. The EA should consider the following:
- ◆ Brief description of the proposed projects and the need for it.
 - ◆ Evaluation of the evidence of significant effects in the environment and controversial environmental issues.
 - ◆ Brief discussion of reasonable alternative proposals (including no action) that will minimize adverse impacts on both the long-and short-range implications to humans, their physical and social surroundings and to nature.
 - ◆ Rationale for selecting the favored proposal.
 - ◆ Determination of whether the favored proposal requires an EIS.
 - ◆ If a determination is made that no EIS is required, then a FONSI; and
 - ◆ Commencing the scoping process if an EIS is required, and in compliance with 40 CFR Part 1501.7.
- c. EA's summary should normally not exceed 25 pages and should conform to

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the following standard format:

- ◆ Cover sheet: showing the title of proposed projects, locations, date of issue, and name and address of a contact for inquiries.
 - ◆ Table of contents: containing at least the section and subsection titles, page numbers, and having enough detail so that searching is not necessary.
 - ◆ Summary and decision
 - ◆ FONSI or a Notice of Intent to Prepare an EIS, as appropriate
 - FONSI should be prepared according to 40 CFR Part 1508.13 and signed by the Director, HQENG. Copies are submitted to federal and state resource agencies. Notice of availability is given to the public. Supporting information should be readily available upon request.
 - If an EIS is required, notices of intent should be prepared according to 40 CFR Part 1508.22, and published in a newspaper in the locality of the proposed action and in the Federal Register.
 - ◆ Appendices include list of agencies and individuals consulted, identification of the particular issue of concern, definitions, and abbreviations.
- d. The following steps should be taken when preparing an EA:

- ◆ Determine lead agency.
- ◆ Contractor prepares EA.
- ◆ Draft is reviewed by environmental officer (EO).
- ◆ The EA is circulated by the Contractor for 30 days to Federal, state, and county and municipal agencies and officials, public interest groups, and members of the public, as applicable, for comment.
- ◆ Comments are reviewed by the EO and the contractor.
- ◆ The EO, contractor, and Director, HQENG, will determine if a FONSI or EIS is required based on a review of the EA and comments.
- ◆ If after reviewing the EA, and upon recommendations from the EO and the Director, HQENG, concludes that the proposed action will have no significant environmental impacts, then a FONSI is issued.
- ◆ A FONSI is drafted by the contractor and reviewed by the EO and signed by the Director, HQENG.
- ◆ The Notice of Availability of the FONSI is placed in the Federal Register by the Contractor.
- ◆ The Agency proceeds with the proposed action.
- ◆ If the proposed action will have a significant environmental impact, an Environmental Impact Statement shall be prepared.

10.4.6 Environmental Impact Statements

- a. Actions known a priori of having a significant effect upon the quality of the human environment, or found as such by an EA, shall require an EIS. The EIS preparation and its standard format should conform to CEQ Regulations, 40 CFR Part 1502 in its entirety. Also, 40 CFR Parts 1500.4, 1501.7, 1506.3, 1506.5,

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1506.8, and 1508.11 are applicable.

b. The EIS must set forth sufficient information for the public to make an informed evaluation and for the decision maker to consider fully the environmental factors involved and make a reasonable decision after balancing the risks of harm to the environment against the proposed action's benefit. NEPA procedures must ensure that environmental information is available to agencies and the public before decisions are made. In order to be adequate, an EIS must show the agency made a good faith effort to consider environmental values, provide environmental full disclosure to the public, and ensure the integrity of the decision making process by exposing problems and criticism.

c. An EIS's primary purpose is to serve as an action forcing device to ensure implementation of NEPA's policies. EISs must be clear, concise, and to the point and be supported by evidence, analytic rather than scientific, with impacts discussed in proportion to their significance. AN EIS must serve as the means of assessing the impacts of proposed agency actions, rather than justifying decisions already made.

d. Early public information is critical to the success of the project. Informational meetings may be conducted as needed, before the EIS process is initiated and may continue, as needed, throughout the process. These meetings may be formal or informal and can be scheduled initially with the local officials, community leaders, i.e., the Chamber of Commerce, the media, and the general public. The purpose of meetings is to provide information to the community concerning the INS and the proposed project. Representatives from citizens groups, local business, and civic associations, economic development authorities, as well as education, health, and local law enforcement agencies in particular, are encouraged to participate. Participants are briefed on a wide range of topics, including the history of the INS, immigrant demographics, security measures, and the need for the proposed facility. A question and answer segment will generally follow.

e. The following actions normally require an environmental impact statement:

- ◆ Construction of a new INS facility which would have a significant impact upon the environment.
- ◆ Construction of a new addition to an existing INS facility which would significantly affect the physical capacity and which would have a significant impact upon the environment.
- ◆ Those projects which are judged to have a significant potential for environmental controversy.

10.4.6.1 Scoping

a. Scoping is the process of determining the range of actions, alternatives, and

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impacts to be considered in an EIS. Following a decision from the Director, HQENG, to prepare an EIS, a scoping meeting, which officially begins the EIS process, is held. The EO prepares a Notice of Intent (NOI) for the Office of Policy Directives and Instruction to publish in the Federal Register. Notice is also given to the community advising them of the proposal and scoping meeting.

b. The NOI must contain the following information:

- ◆ A description of the proposed action and alternatives
- ◆ A description of the agency's proposed scoping process, including any scoping meetings
- ◆ The name and address of persons within the INS to contact about the EIS.

c. The scoping meeting and certified court reporter is arranged by the Contractor. A transcript of the scoping meeting taken by a court reporter is incorporated into the Draft EIS. The scoping meeting is conducted by the EO with the Contractor and other INS staff participating. Members of the audience are given the opportunity to make a statement or express a concern regarding the proposed project, or to raise additional questions. The scoping meeting differs from the public information meetings in that questions raised by members of the audience, if relevant, will be incorporated into the Draft EIS.

d. As part of the scoping process, the INS shall endeavor to accomplish the following tasks:

- ◆ Invite participation of affected Federal, state, and local agencies; Native American tribes; and other interested persons.
- ◆ Determine the scope and the significant issues to be analyzed
- ◆ Identify and eliminate any issues that are not significant
- ◆ Allocate assignments for EIS preparation among the INS and cooperating agencies
- ◆ Indicate any related EAs that are being prepared
- ◆ Identify other environmental review and consultation requirements that may be integrated into the EIS preparation process
- ◆ Adopt procedures to combine the EA process with the scoping for the project.

10.4.6.2 Preparation of the Draft EIS

a. INS has primary responsibility for the scope and content of the EIS. However, the preparation of the report may be delegated to other parties in some circumstances. It may be prepared by Federal agencies, delegated to applicants, contractors, or to state and local agencies.

b. A preliminary Draft EIS is prepared by the Contractor in which a copy is forwarded to the EO for review and comment. The Contractor shall prepare and

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distribute the Draft EIS, followed by a 45 day comment period. The public, interested parties, and state and Federal agencies are invited to make written comments regarding environmental issues.

c. The Draft EIS includes a wide range of information and analysis of the site, the proposal, the community, and its resources. The Draft EIS also includes information on the alternatives considered and the impact the development of the project would have on the environment.

d. A formal public hearing arranged and conducted by the EO with the Contractor present, will be scheduled between the 15th and 45th day following publication of the Draft EIS in the Federal Register. A transcript of the public hearing regarding the Draft EIS will be taken by a certified court reporter.

e. After thoroughly reviewing and responding to significant comments received during the 45 day comment period, a preliminary Final EIS shall be prepared by the Contractor with a copy forwarded to the EO for comment.

f. The INS or its contractor must file the Draft EIS with the Environmental Protection Agency, Office of Federal Activities. A request for comments must also be sent to the following organizations:

- ◆ Other Federal agencies with jurisdiction over the project or expertise with respect to the impacts of the project
- ◆ State and local environmental agencies
- ◆ Native American tribes affected by a proposal
- ◆ Any agency that has requested to be notified
- ◆ The project applicant.

g. Diligent efforts must be made to involve the public in preparing and EIA. This effort must include the following:

- ◆ Provide public notice of hearings under NEPA
- ◆ Mail notice to interested national organizations
- ◆ Publication in the Federal Register

h. Comments received on the Draft EIS must be responded by one of the following means:

- ◆ Modifying the proposed action or alternatives
- ◆ Developing and evaluating new alternatives
- ◆ Supplementing, improving, or modifying its analysis
- ◆ Making factual corrections
- ◆ Explaining why the comments do not warrant further response.

10.4.6.3 Preparation of the Final EIS

a. A final EIS will be prepared and distributed by the Contractor after the 45 day Draft EIS comment period. A NOA is placed in the Federal Register inviting comments for a period of 30 days on the Final EIS. The community, including all

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of those referenced above are again invited to send written comments regarding the contents of the Final EIS. No public hearing is required for the Final EIS.

b. The entire Draft and Final EIS must be circulated before making a decision on the proposal. Circulation must be made to the following entities:

- ◆ Federal agencies with jurisdiction over or expertise in the impacts relating to the proposal
- ◆ The project applicant
- ◆ Any person requesting the EIS
- ◆ Persons or organizations who submitted comments.

c. A supplemental to a Draft or Final EIS or EA must be filed when either of the following occur:

- ◆ The agency makes substantial changes in the proposed actions that are relevant to the environmental effects.
- ◆ There are significant new circumstances or information relevant to the environmental concerns.

d. A supplemental EIS or EA must be prepared, circulated, and filed in the same fashion, exclusive of scoping, as the original EIS or EA.

10.4.6.4 Record of Decision

a. After the 30 day comment period concludes, the Final EIS and all comments received are reviewed and carefully considered by the EO and Director, HQENG. A draft Record of Decision (ROD) is prepared by the Contractor and reviewed by the EO and Director, HQENG. The ROD must include the following information:

- ◆ A statement explaining the decision.
- ◆ An explanation of all alternatives that were considered and, which were environmentally preferable.
- ◆ The factors which were considered by the agency in making its decision.
- ◆ An explanation of which mitigation measures, if any, were adopted, and if mitigation measures were not adopted, an explanation of why they were rejected.
- ◆ A monitoring and enforcement program for any adopted mitigation measures.

b. Until a ROD is issued, no action concerning the proposal shall be taken which would have an adverse environmental effect or limit the choice of reasonable alternatives. However, this does not preclude development of plans or designs or performance of other work necessary to support an application for Federal, State or local permits or assistance.

10.4.6.5 Taking Implications

Taking Implications are documents prepared by the agency that affirms that the

implications of the project was taken into consideration and that the agency is aware of the impacts of its decision. The Taking Implications are not part of the ROD, however, they can be prepared in conjunction with the ROD and signed by the Commissioner, INS. The EO shall draft a cover memorandum for the signature by the Assistant Commissioner for Administration. The memorandum and the ROD, along with the Taking Implications, and any comments received, are forwarded to the Commissioner. It is during this review that the Commissioner makes the agency's decision.

10.4.7 Document Preparation

INS offices shall prepare required documents using letter size (8½-inch by 11-inch) white bond paper. Narrative sections shall be concise and analytical. Summaries shall normally be less than 25 pages. The documents shall make appropriate use of maps, graphs, and photographs. Each document should stand by itself: relevant materials such as forms and copies of regulations should be appended.

10.4.8 List of Selected Laws, Regulations, and Procedures

- ◆ The Council on Environmental Quality Regulations, Title 40 of the Code of Federal Regulations, parts 1500-1508: Regulations for Implementing the National Environmental Policy Act
- ◆ Title 28 of the Code of Federal Regulations, Part 61, Department of Justice Procedures for Implementing the National Environmental Policy Act
- ◆ EPA, 10 CFR 40, 1.23, 1-4, 1-16: Procedures for Implementing the Clean Air Act and the Federal Water Pollution Control Act
- ◆ EPA, 40 CFR 50: National Primary and Secondary Ambient Air Quality Standards
- ◆ EPA, 40 CFR 60: New Source Performance Standards
- ◆ EPA, 40 CFR 82: Protection of Stratospheric Ozone
- ◆ EPA, 40 CFR 260-299: Solid Waste
- ◆ EPA, 40 CFR, 300-399: Superfund, Emergency Planning and Community Right-to-Know Programs
- ◆ EPA, 40 CFR 401-403: Effluent Guidelines and Standards

10.5 Historic Preservation

10.5.1 Responsible Official

The INS Federal Preservation Officer (FPO) is responsible for enforcing the provisions of the Historic Preservation Act. The Director, HQENG is responsible to make sure that the regions, districts, and sectors comply with historic preservation guidelines.

10.5.2 Policy Overview

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a. INS must take into full account the effects of any undertaking on properties that INS owns or occupies that are 40 years and older, whether listed on the National Register of Historic Places or not. INS must ensure that construction, alteration, maintenance, and repair of INS facilities complies with relevant laws, such as Sections 106 and 110 of the National Historic Preservation Act of 1966, regulations, and policies regarding historic preservation. The INS FPO within HQENG is the INS point of contact for issues regarding historic preservation. All planning and/or construction work involving such structures must be reviewed for compliance by the FPO, or his/her designated official, before the plan, drawings and/or specifications are approved and before bids are solicited.

10.5.3 List of Selected Laws, Regulations, and Procedures

- ◆ The National Historic Preservation Act of 1966, as amended
- ◆ Antiquities Act of 1906
- ◆ Historic Sites Act of 1935
- ◆ National Environmental Policy Act
- ◆ Executive Order 11593, Protection and Enhancement of the Cultural Environment
- ◆ Architectural and Historic Preservation Act of 1974
- ◆ Public Buildings Cooperative Act of 1976
- ◆ American Indian Religious Freedom Act of 1978
- ◆ Archaeological Resources Protection Act of 1979
- ◆ Native American Graves Protection and Repatriation Act of 1990
- ◆ Abandoned Shipwreck Act of 1987
- ◆ Religious Freedom Restoration Act of 1993

10.6 Architectural Barriers

10.6.1 Responsible Official

The Director, Facilities and Engineering at INS Headquarters is responsible for complying with requirements for architectural barriers.

10.6.2 Procedures

- a. Information about dimensions and anthropometrics applicable to the accommodation of the disabled are found in the following standards:
- ◆ Title 46, CFR, Chapter 101, “Uniform Federal Accessibility Standards”
 - ◆ The American National Standards Institute (ANSI) Inc., A117.1, latest publication, “Specification for Making Buildings and Facilities Accessible to and Usable by the Disabled”
 - ◆ The Architectural and Transportation Barriers Compliance Board, “Minimum Guidelines and Requirements for Accessible Design,” 36 CFR 1190.
- b. As projects are developed, HQENG shall:

- ◆ Evaluate the potential use of the proposed facility by disabled persons in coordination with the facility users, the Headquarters Safety and Occupational Health Programs Manager, and other INS offices, as applicable.
 - ◆ Determine whether the facility will or will not be equipped to accommodate disabled persons.
 - ◆ Ensure that the project's document files contain a statement explaining that the facility project has been evaluated, and a determination made that the facility will or will not be equipped to accommodate the disabled.
 - ◆ Ensure that when a facility has been approved for construction or alteration to accommodate disabled persons, its design will follow the standards reference above.
 - ◆ Maintain records on INS facilities that have been equipped to accommodate disabled persons.
 - ◆ Maintain records on approved facility projects containing statements of determination that a facility will or will not be equipped to accommodate disabled persons.
 - ◆ Prepare the annual report for submittal to the General Services Administration using GSA Form 2974.
- c. In making determinations, HQENG, or an INS office designated by HQENG, will:

- ◆ Coordinate project definitions and designs with other INS offices to determine the potential use of the facility by disabled employees, or if the facility will be frequently used by the general public.
- ◆ Record determinations on the HQENG form entitled "Building Intended Use Evaluation Form".
- ◆ Provide copies of this form for inclusion in design criteria documents and to those implementing the project in order to indicate that the facility project was evaluated and that accommodations for disabled persons will or will not be provided

10.6.3 List of Selected Laws, Regulations, and Procedures

- ◆ Uniform Federal Accessibility Standards, Federal Standard 795
- ◆ Americans with Disabilities Act of 1990
- ◆ The Architectural Barrier Act of 1968
- ◆ The Department of Justice Rules, 28 CFR 1, Part 39

10.7 Physical Security

Physical security consists of using certain types of builders' hardware (such as locks, some hinges, and lock/latch protection plates); systems (such as automated access control, video surveillance, intrusion and distress alarms, x-ray, metal detector, explosives detection, gate operator, and parking gates); barriers (such as walls, special doors, fencing, and ballistic- and attack-resistant glazings and related components); miscellaneous buildings and grounds features (such as building siting, landscaping, driveway and walkway locations, interior and

exterior lighting, and anti-graffiti coatings); guards, receptionists, police patrols, and administrative measures (such as key control, identification badges, property tracking systems and removal passes, and sign-in registers) to protect personnel and real property against threats such as assault, theft, vandalism, sabotage, and unauthorized access to sensitive information.

10.7.1 Responsible Official

The Director, Office of Security, is responsible for establishing, implementing, and complying with requirements for physical security.

10.7.2 Procedures

- a. Ensuring the physical security of INS employees, the general public, those in INS custody, and all other persons in INS facilities is of paramount importance. Effective physical security is also required to protect buildings, vehicles, and other government property.
- b. The Office of Security:
 - ◆ Provides baseline physical security standards input to working groups, committees, and consultants developing construction and design guides and handbooks.
 - ◆ Interprets and determines the need to comply with security construction criteria, security systems requirements, and other facility protection promulgated by DOJ, the Executive Office of the President, and inter-agency committees.
 - ◆ Provides guidance to the managers of security staffs at regions.
 - ◆ Furnishes a staff member to serve as the INS security consultant for facility projects at INS Headquarters, or for which Headquarters or the DOJ Management Division is project coordinator.
 - ◆ Provides technical and other support to security consultants at regions, Border Patrol sectors, districts, and field offices.
 - ◆ Ensures that regions', Border Patrol sectors', districts', and other field organizations' full-time and collateral-duty security officers have the guidance and technical support they need to assist with the physical security aspects of facility projects undertaken by their organizations.
 - ◆ Per DOJ direction, ensures that INS security specialists, facility and other field managers, regional program offices, and other INS organization's security officers participate in facility planning and the decision making process, with particular attention to product substitutions and installation alternatives during construction.
 - ◆ Supports field operations, including those overseas, that report to INS Headquarters directly.
 - ◆ Provides training or identifies sources for training on facility security measures.
 - ◆ Furnishes designers, managers, INS tenants, and others with technical

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and layman's fact sheets and bulletins explaining physical security measures.

c. Facilities must comply with INS codes, standards and directives regarding physical security. *Reference* AM 5.2.106, *Physical Security Program*. These include, but are not limited to:

- ◆ INS Security Officer's Handbook
- ◆ 41 CFR 101.20.101
- ◆ Draft INS Baseline Physical Security Standards
- ◆ INS Hold Room Design Standards
- ◆ Draft INS Firearms Policy
- ◆ INS Security Protection of Tower Sites
- ◆ Draft INS Armory Design Standard
- ◆ INS Design Guide for Border Patrol Facilities
- ◆ Facility Standards for the Public Building Service

Appendix A

National Facilities Map

(Not Available on INSERTS))

Appendix B

Sample Facility Management Plan

The Facility Management Plan

Part I: Statement of INS Goals and Objectives - Identify and list all INS Facility Management Goals and Objectives. This section may include objectives to replace or upgrade all condition code three facilities by 2000 to support the INS quality of life improvement goal or to expand POE vehicle lanes to support INS goal of reducing border waiting time to twenty minutes by 1999.

Part II: INS Special Facility Management Programs - This section will discuss in detail any INS-wide, special programs such as the Physical Security Enhancement Program, the Leaking Underground Storage Tank Program, or the development and testing of a standard design for effective border fencing.

Part III: Major Project List and Schedule by Fiscal Year - This section will include a listing of all major projects identified by fiscal year. The information should also include estimated project cost, project status, Region and District or Sector.

Part IV: Minor Project List and Schedule by Fiscal Year (Regions only) - This section will include a listing of all minor projects identified by fiscal year. The information should also include estimated project cost, project status, Region and District or Sector.

Appendix C

Annual Work Plan Sample Format

The Annual Work Plan

Part I: INS Special Facility Management Programs - This section will discuss in detail any INS-wide, special programs such as the Physical Security Enhancement Program, the Leaking Underground Storage Tank Program or the development and testing of a standard design for effective border fencing.

Part II: Major Project List and Schedule - This section will include a prioritized listing of all major projects, identified by District or Sector, for the coming fiscal year. The AWP should include detailed project information, including project cost, estimated start and completion dates, and project status.

Part III: Minor Project List and Schedule - This section will include a prioritized listing of all minor projects, identified by District or Sector, for the coming fiscal year. The AWP should include detailed project information, including project cost, estimated start and completion dates, and project status.

Appendix D

Form GXX Sample Facility Project Request

For Windows 95/98

Page 1 & 2 of 2

For Windows 3.1

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Appendix E

Lease Acquisition of Space

Procedures

The following procedures apply to leasing real property and implement AM 2.1.104.

Federal Property and Administrative Services Act of 1950

- a. The statutory authority to enter into leases for real property and to manage leased space is vested in the Administrator of General Services by the Federal Property and Administrative Services Act of 1949, 63 Statute 377 (as amended) Sections 1 and 2 of Reorganization Plan No. 18 of 1950, 40 U.S.C. 490, Note. Section 210 (h) (1) of the Act of 1949 (as amended) authorizes the Administrator to enter into leases for buildings and improvements for periods not to exceed twenty (20) years. This authority is applicable to the leasing of land when it has been improved with a structure such as for motor pools of a dispatch office. However, unimproved or vacant land may be leased only on a fiscal year basis.
- b. In accordance with FPMR Chapter 101-18.105 and Section 7(a) of the Public Buildings Act of 1959 (as amended – [40 U.S.C. 606] agencies must submit a prospectus to the Administrator of General Services for leases involving an average annual rental in excess of \$1,760,000, excluding services and utilities, for submission and approval by the OMB and Congress. The amount may be changed by the Administrator of the General Services Administration to reflect a percentage increase or decrease in construction costs during the preceding

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calendar year as determined by the composite index of construction costs of the Department of Commerce.

c. The Administrator may delegate this leasing authority to other Federal agencies.

Federal Property Management Regulations (FPMR)

101-18.104 delegates the following authority:

a. Subject to the limitations stated in FPMR-101-18.105, agencies are hereby authorized to perform for themselves all functions with respect to acquisition of space by lease in buildings and land incidental thereto when the following conditions are met:

- ◆ The space may be leased for no rental, or for a nominal consideration of \$1.00 per annum; or
- ◆ When authority has been requested by an executive agency and a specific delegation has been granted by the Administrator of General Services; or
- ◆ The space is found by the Administrator of General Services to be wholly or predominantly utilized for the special purposes of the agency to have custody thereof and is not generally suitable for the use of other agencies; or
- ◆ Prior approval of GSA has been obtained before an agency initiates a leasing action which involves 2,500 or more square feet of special purpose space.

b. Federal Property Management Regulation 101.18.104-3(h)(2) qualifies Border Patrol Stations as wholly or predominantly utilized for special purposes as required in Federal Property Management Regulation 101-18-105. Lease Terms, including all options are limited to five years.

c. The Immigration and Naturalization Service is delegated, under FPMR 101 18.104-2, Categorical Space leasing authority. They are:

- ◆ FPMR 101-18.104-2(a). Space to house antennas, repeaters, transmission equipment. Maximum term of the lease is 20 years including all options.
- ◆ FPMR 101-18.104-2(c). Docks, piers, and mooring facilities, including closed storage space required in combination with such facilities. Maximum term of the lease is 20 years including all options.
- ◆ FPMR 101-18.104-2(d). Hanger and other airport operating facilities

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including but not limited to flight preparation space, aircraft storage areas, and repair shops. Maximum term of the lease is 20 years including all options.

d. The above delegations are subject to the limitations set forth in Federal Property Management Regulation 101-18.105.

Section 242 [8 U.S.C. 1252] Paragraph (c) of the Immigration and Nationality Act (as of September 1, 1980)

“The Attorney General is hereby authorized and directed to arrange for appropriate places of detention for those aliens whom he shall take in to custody and detain under this section. Where no Federal Buildings are available or buildings adapted or suitably located for the purpose are available for rental, the Attorney General is hereby authorized, notwithstanding Section 3709 of the Revised Statutes (as amended [41 U.S.C. 5]), or Section 322 of the Act of June 30, 1932, (as amended [40 U.S.C. 278a]) to expend, from the appropriation provided for the administration and enforcement of the Immigration Laws, such amounts as may be necessary for the acquisition of land and the erection, acquisition, maintenance, operation, remodeling, or repair of buildings, sheds and office quarters/including living quarters for officers (where none are otherwise available) and adjunct facilities, necessary for the detention of aliens.”

Justice Property Management Regulations (JPMR)

Subpart 128 makes the following delegations:

- a. 128-1.605-1 “General Delegation of Authority” -- To the extent such authority is vested in the Attorney General by law or regulation, and to the extent such authority has not been reserved by the Attorney General, the heads of Bureaus are hereby delegated the following general authorities within their respective areas of responsibility:
- b. 128-1.605-2(b) delegates “the authority to lease building space, and any incidental land, to the extent authorized in Federal Property Management Regulation 101-18.104.”

Application to INS

- a. Applies to INS and shall be complied with when performing leasing actions.
- b. All leasing authority delegated to the Head of the Bureau for the Immigration and Naturalization Service is re- delegated to the Assistant Commissioner, Administration, and further re-delegated to the Director of Facilities and Engineering. It is further delegated to Qualified Lease Contracting Officers in each region and Headquarters. A Qualified Lease Contracting Officer is an INS employee issued a warrant by Headquarters for the leasing of real property. The officer must meet the requirements for experience and training set forth by Facilities in AM 2.1.105.

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- c. The Immigration and Naturalization Service is delegated additional leasing authority under FPMR 101-18.104-2. See FPMR 101-18.104-2. for these delegations.
- d. Requests for delegations referenced in AM 2.1.105 for specific Delegations of Lease Acquisition Authority from General Services Administration (GSA) shall be submitted in writing to the Director, Facilities and Engineering Headquarters (HQENG). The Director, HQENG, shall review the information and submit the request for delegation to GSA.
- ◆ All requests for Delegations of Lease Acquisition Authority shall include the following information: proposed location; square footage required; lease term; occupancy date required; program that will occupy the space; program information and its relationship to the bureau mission; justification for the acquisition; congressional district; funding certification; operating or capitol lease designation; and the name of Warranted Lease Contracting Officer, Reference AM 2.1.105, who will perform the leasing action.
 - ◆ General Services Administration Delegations of Lease Acquisition Authority are location-specific and authorized for a five-year term. A longer term must be specifically requested.
 - ◆ Exceptions are the renewal of leases for space not occupied by INS employees, i.e., repeater sites, fencing, hanger space, boat docks, etc. Authority to lease real property shall be requested prior to issuing a Solicitation for Offers. The information required in AM 2.1.103 shall be required for all requests for real property leasing authority.
 - ◆ Field offices requiring leased real property shall forward a request to the appropriate regional facilities office including the information required in paragraph III, C. 1 above. For INS there are three regions; ERO, SRO, WRO and Headquarters. Headquarters Facilities and Engineering shall be responsible for the leasing of real property for Headquarters functions.

Regional Offices

- a. Regional facilities offices shall evaluate the request for:
- ◆ Compliance with GSA and INS space standards utilizing effective space management.
 - ◆ Coordinate with the program offices effected to ensure approval of the requirement and funding.
- b. Regional offices shall forward the request to lease real property to Headquarters, Facilities and Engineering for approval.

c. Approval of a lease action shall be forwarded to the appropriate region for assignment to a Warranted Lease Contracting Officer. It is the responsibility of the Warranted Lease Contract Officer to ensure that all applicable General Service Administration Regulations (GSAR), Justice Acquisition Regulations (JARS), Justice Property Management Regulations (JPMR), Federal Acquisition Regulations (FAR), and the Immigration and Naturalization Service Administrative Manual (AM) are complied with when performing approved leasing actions.

Responsibility

The Administrator of the General Services Administration (GSA) has the authority to lease real property and has delegated that leasing authority to the DOJ. The DOJ delegated that authority to the Director of Facilities and Engineering who delegates that authority to the Regional Offices. The Regional Warranted Lease Contract Offices, with approval of Headquarters Facilities and Engineering.

Cancellation, Revision, Etc.

These Procedures supersede and cancel any previous guidance, instructions, and bulletins that address the INS LEASE ACQUISITION OF SPACE Program.

Effectivity

This procedure is effective for all INS employees on the date of signature, and shall be reviewed in April 2000 to determine if it should be updated or canceled.

Information

Questions or inquiries concerning this Procedure should be directed to the Headquarters Facilities and Engineering, telephone (202) 514-4448.

Appendix F

Site Acquisition – Real Property Procedures

Procedures

The following procedures that implement AM 2.1.101 apply to acquisitions of real property and shall be performed in the order listed:

a. The program requiring the real property shall notify Headquarters, Facilities and Engineering of their requirements. The notice shall include the quantity of land required, a description of building requirements including square feet and

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special requirements, a delineated area in which real property shall be located, and the source of funding and amount. The funding source should include either what appropriation it is currently available from or if it should be included in a budget request. Any other information the program officer feels is pertinent shall be included. If there is excess federally owned property available that will satisfy your requirements include it in your request. The request for real property shall come either directly from a Headquarters program or from the Director, Administrative Center at the regional level. Requests shall not come directly from field offices or regional program offices to Headquarters, Facilities and Engineering.

b. Facilities and Engineering, Headquarters, after evaluation of the request for real property, shall notify the requesting program of approval and/or disapproval. Evaluation will include coordination with all concerned programs. Approval shall be subject to availability of appropriated funds. Approval shall not indicate that further action can be performed on this acquisition until the ensuing paragraph is complied with.

c. Facilities and Engineering at Headquarters, hereafter called HQENG, shall determine if there is excess federally-owned real property available. Federal agencies are currently required to reimburse the federal agency releasing the real property at fair market value.

- ◆ There are methods available to request that reimbursements be waived. HQENG shall be responsible for submission to GSA of all requests for transfer of excess real property. HQENG shall notify the program of all pertinent information concerning the property to be requested for transfer.

d. Once a determination is made that no excess Federal real property is available, the acquisition by purchase process shall begin. HQENG shall advise the Director, Administrative Center that the acquisition process shall begin and/or that the acquisition shall be performed exclusively by HQENG. Acquisition by other than transfer of excess property or purchase shall be performed by HQENG on a case-by-case basis.

e. Acquisition by purchase requires advertisement to ensure competition. Advertisement includes, but is not limited to, the Commerce Business Daily, local and regional newspaper, etc. The period of advertisement shall be for a minimum of one (1) week, including Saturday and Sunday, in the case of newspapers. Offerors shall be given at least thirty (30) days to respond. The advertisement shall include the delineated area, quantity of land required, square footage of usable building space required and any information pertinent to INS requirements. Pertinent information includes availability of utilities, egress and ingress, and existing rights of way and easements. A statement shall be included, when a building(s) is required, that it shall be existing and not constructed specifically for our needs and/or to meet the requirements of our advertisement. All offerors shall

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be required to include a price for the real property when they submit their offers. The advertisement shall state that all prices are subject to appraisal by an appraiser approved by the U.S. Government; specifically the Department of Justice, Lands Division.

f. All offers shall be forwarded to HQENG. They shall be noted as acceptable or unacceptable. Unacceptable offers shall have specific justification for their determination. Acceptable offers shall be ranked. A uniform method of determination shall be used to determine rankings. Factors to be included are location, suitability for the type of operation, etc. Specific justification shall be given when ranking each offer.

g. HQENG shall review the offers. Through coordination with management at the regional level and the requesting program at the regional and Headquarters levels, a site shall be recommended for acquisition by HQENG.

h. HQENG, after site selection, shall direct that the following actions take place:

- ◆ Procedure Surveys and Maps - A plan on one sheet should be prepared showing the following:
 - (a) Exterior boundaries of the real property to be acquired and the parcels therein.
 - (b) The general location of major improvements and structures.
 - (c) The location of proposed Government construction. This map should show the general outlines of the construction areas approximately identified (runways, barracks, administrative areas, housing areas, etc).
 - (d) The location of existing right-of-way for roads, highways, railways, utilities, etc.
 - (e) The proposed route of relocation of any of the right-of-way mentioned above.
 - (f) The approximate location and direction of flow of natural water courses.
 - (g) A small scale location insert showing the general location of real property.
 - (h) Any other pertinent information having a bearing on plans for the acquisition of the real property.
 - (i) Since any map is merely for intragovernmental use, is not expressive of the final project, and cannot be relied on by land owners

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to indicate enhancement they may expect or special damage they may suffer, e.g., from proximity to a possibly harmful feature. All maps should be marked “This map is illustrative only. It does not, of itself, define the final approved project.”

- ◆ Procurement of Title Evidence:

- (a) The Service should obtain all necessary title data for use in negotiations for purchase and later, if necessary, for use in condemnation proceedings.

- (b) Title evidence obtained should conform to “Standards for the Preparation of Title Evidence in Land Acquisition by the United States,” issued by the Department of Justice, since the Attorney General must (with certain exceptions) approve titles and conduct condemnation proceedings, unless authority to do so has been delegated to the interested party or agency pursuant to Publication L. 91-393, approved September 1, 1980, 84 Statute 835.

- ◆ Contracting for Title Evidence:

- (a) Contracts for title evidence should be let as soon as property needed is identified.

- (b) To assure the prompt delivery of the final continued abstract or final title certificate or title insurance policy, provisions should be made for withholding a portion of the contract price until the actual delivery of the final form of the title evidence.

- ◆ Procurement of Appraisals:

- (a) Appraisals should be prepared in compliance with the “Uniform Appraisal Standards for Federal Land Acquisition Conference (1972).

- (b) In any land acquisition, the Service should obtain at least two appraisal reports by appraisers acceptable to the United States Attorney.

- ◆ Appraisal Reports: The appraisal reports should be carefully reviewed with consideration given to these matters:

- (a) The appraiser’s qualifications.

- (b) The factual data on which the appraisal report is based to ensure that:

- (1) an accurate plot of the property is included;

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(2) the appraiser's evaluation is in accordance with and current to the correct valuation date and includes any pertinent market data occurring after any previous appraisal data;

(3) any necessary revisions have been made to reflect changes in project plans occurring up to the valuation date.

(c) Whether the appraiser has been given proper consideration in his report to the effect, if any, on market value of all easements, right-of-way or other encumbrances on the land being purchased; or of present zoning requirements or possible future changes therein.

(d) The appraiser's determination of highest and best use, including:

(1) The basis for the determination and whether it can be supported by a showing of demand in the market for the property at that use.

(2) A showing, if possible, of lack of market demand or lack of economic feasibility, of any other possible uses.

(e) Market value should be arrived at exclusive of enhancement due to the Governmental project. Benefits from the governmental project must be excluded.

(f) The appraisal techniques used should be clearly explained and supported in the report.

i. Evaluation Of Appraisal Evidence

◆ Prior Sales Method – Since the fair market value of the property at the time it is required is the measure of the just compensation to be paid for it, prior sales of property being acquired, reasonably recent and not forced, are the best evidence of value.

◆ Comparable Sales – With market value being the measure of just compensation, absent transactions involving the property itself, “sales at arms length of similar property are the best evidence of market value.” Consideration should be given to why and how the sales used are more nearly comparable to be more or less valuable than the subject property, including what adjustments were made.

A concise statement should accompany each sale showing the appraiser's reasons for considering it as a comparable, the degree of comparability, and adjustments (plus or minus) in the comparison to subject property.

◆ Capitalization of Income – Where the sales data is not adequate and

the property is income produced, capitalization of income produced by the property may be considered. It is essential in using this approach that the income and expenses be verified and that the capitalization rate be established by the market.

j. Negotiation Procedures and Contracts with Landowners

- ◆ Negotiation Procedures and Contracts with Landowners shall be in accordance with the following requirements of Section 301 of Publication L. 91-646, approved January 2, 1971, 84 Statue 1894, 1904. Before the initiation of negotiations for real property, the representative of the Service must establish an amount which he believes to be just compensation; and make a prompt offer to acquire the property for the full amount so established.

In no event shall such amount be less than the agency's approved appraisal of the fair market value of such property. The representative of the Service must provide the owner of the real property to be acquired with a written statement of, and summary of the basis for, the amount to be established as just compensation.

- ◆ A environmental impact study will be performed, if necessary, at the direction of HQENG.
- ◆ The negotiation must be very explicit in detailing the expenses to be incurred by the property owner in effecting a settlement, such as the requirement that all delinquent taxes which are liens in the land must be paid in accordance with the requirements in the local taxing authorities.
- ◆ If agreement for direct purchase is reached, the negotiator should secure execution of an enforceable contract. The suggested form for a sales contract is Form G-530, Contract to Sell Real Property.

k. Closing a Direct Purchase Acquisition – The transaction should comply with the following:

- ◆ Enclosed the purchase assembly (including the title evidence); contract of sale; copy of the preliminary opinion; draft of deed and related papers; and unless an exchange or donation, a Treasurer's check for the full amount of the purchase price set forth in the contract.
- ◆ Make a reference to and identify the enclosed check.
- ◆ Respond to the request for waivers as to outstanding oil, gas, or mineral interests or easements if it is determined that such rights will not interfere with the contemplated use of the property, and respond to the request for specific information necessary for use at closing.

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- ◆ Advise the name and address of the field representative who is to assist the closing attorney, at or before the closing, to arrange for the payment of the cost for the recordation of the deed to the United States if the Government is to pay such costs. Also, state who is to take possession of the property on behalf of the Service.

I. Action Required for Closing

- ◆ Inspection of Property Immediately Prior to Closing – Immediately prior to closing the property being acquired should be inspected by either the closing attorney, his assistant, or an authorized employee of the Service for the purpose of ascertaining the rights or the claims of persons in possession, and any unrecorded mechanics liens for work or labor performed or materials furnished within the statutory period. The result of this inspection should be evidenced by the execution of the Certificate of Inspection and Possession (Refer to Form 4, Appendix B, A Procedural Guide for the Acquisition of Real Property by Government Agencies).

- ◆ Preparation of Closing Statement

(a) A closing statement (Refer to Form 6, Appendix B, A Procedural Guide for the Acquisition of Real Property by Government Agencies) should be prepared covering, in detail, all charges to be deducted from the purchase price check, including all taxes and assessments constituting liens against the property, regardless of whether the amount of such taxes and assessments have been determined; outstanding judgments, both State and Federal; mortgages or deeds of trust; Internal Revenue stamps; amounts reserved under any performance or other bond for title requirements affecting the property; and all liens statutory or otherwise.

(b) If the amount of taxes and assessments are determined, then a certified or cashier's check payable to the proper taxing authority should be held. If such amount is not determinable at the closing, an estimate thereof should be made after consultation with the proper taxing authority, and a certified check obtained from the vendor for a sum not less than the amount of the taxes or assessments on the property for the preceding year, plus twenty percent (20%) thereof, payable to the proper taxing authority.

(c) The receipted tax bill, together with advice that any refund has been made, should be forwarded to the Service for inclusion in the purchase assembly.

- ◆ Preparation and Execution of Deed to the United States – When all objections to the title and all requirements noted in the preliminary

title opinion have been satisfied, and any subsequently discovered adverse claim has been disposed of, the deed of conveyance to the United States prepared in compliance with the requirements set out in “Standards for the Preparation of Title Evidence in Land Acquisition by the United States” (prepared by the Land and Natural Resources Division) should be executed, sealed and attested (where locally required), and acknowledged by the grantor and his spouse as should be the case of the private transfer under local law.

- ◆ Documentary and Other Tax Stamps – Prior to the recordation of the deed to the United States, there should be affixed thereto all documentary stamps required in the state in which the property is located.
- ◆ Recording Deed to the United States
 - (a) If the cost for such recording is not otherwise provided for, the recording fee is to be paid by the Government, in either of the following ways:
 - (1) If the acquiring agency has a field representative attending the closing, the representative will arrange for the payment of such cost.
 - (2) Otherwise, the closing attorney should request the recorder of deeds to execute a voucher on forms S-1034 and forward the same to the Service for payment.
 - (b) The required form and the name and address of the acquiring agency for payment.
- ◆ Release of Mortgages, Deeds of Trust, and Judgments
 - (a) The purchase money check or the balance thereof in a cashier’s or certified check payable to the vendor may be delivered to him after:
 - (1) All objections to the title and requirements contained in the preliminary title opinion have been eliminated, and instructions releasing all liens or encumbrances on the property and the executed deed to the United States have been recorded.
 - (2) The closing attorney has been advised by the abstractor or the title company, as the case may be, that the records have been rechecked to a date subsequent to the recordation of the deed to the United States, and the continuation evidence will show title to the property vested of record in the United States of America, subject only to those objections which have been administratively determined to be acceptable to the

Government and have been waived as indicated in the closing instructions, and he has ascertained in the event the title evidence is to be a title certificate or a title insurance policy.

m. Final Title Assembly Required for a Final Title Opinion by Attorney General

- ◆ Upon receipt of the recorded deed to the United States or a true copy thereof in the event the time required for its re-coordination unduly delays the transmittal of the purchase Assembly, and the final title evidence showing title vested in the United States, such documents should be reviewed by the closing attorney. If found satisfactory, the completed purchase assembly, consisting of the following items, should then be forwarded to the Land and Natural Resources Division:
 - (a) All data constituting the contract of sale donation or exchange, together with the plat or map of the property if available.
 - (b) Final title evidence, including the original of any certificate or policy; abstracts; etc;
 - (c) Original or true copy of the deed of conveyance to the United States;
 - (d) Certificate of Inspection and Possession extended to the date of closing and accompanying executed disclaims, if any;
 - (e) Vendor's receipt for the purchase money; itemized closing statement; and the vendor's commitment or performance bond, if any, assuring the clearance of the site;
 - (f) Miscellaneous and related documents, such as affidavits, copy of a pertinent portion of articles of incorporation, resolutions authorizing sale, certifications as to corporate standing, and all other related data obtained to show the elimination of the objections and the meeting of the requirements contained in the preliminary title opinion;
 - (g) Either the transmittal letter or an accompanying statement should explain how each objection or requirement set out in the preliminary title opinion, or subsequently disclosed by a continuation search has been met;
 - (h) If the original deed is not forwarded with these papers, it should be submitted as early as possible.
- ◆ A final opinion rendered by the Attorney General is delivered to the Service with all data and title evidence.

Appendix G

Disposal of Excess and Surplus Real Property

Purpose

The purpose of these procedures is to implement the policy statement AM 2.1.203, Disposal of Excess and Surplus Real Property, within the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands.

Definitions

Disposal Agency

This is the executive agency designated by the Administrator of General Services to dispose of surplus real property.

Excess Property

This is any property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the Head of the Agency.

Executive Agency

This is any executive department or independent establishment in the executive branch of the Government including any wholly owned Government corporation.

Holding Agency

This is defined as the Federal agency which has custody and accountability for the property involved.

Real Property

This is defined as any interest in land together with the improvements and structures and fixtures located thereon, and appurtenances thereto under to control of any Federal agency. There are several exceptions to the definition that are outlined in Paragraph 101-47.103-12 of the FPMR's. Such exclusions include the public domain, lands reserved or dedicated for national forests or national park purposes, minerals in lands or portions of lands withdrawn or reserved from the public domain, and lands withdrawn or reserved from the public domain, but not including lands or portions so withdrawn or reserved which the Secretary of the Interior with the concurrence of the Administrator of General Services determines are not suitable for return to the public domain for disposition under the general public land laws. Also excluded are crops when designated by such agency for disposition by severance and removal from the land. Real property also includes improvements of any kind, structures and fixtures under the control of any

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Federal agency, and standing timber and imbedded gravel, sand and stone under the control of any Federal agency. With regard to improvements and standing timber, such items can be reserved for disposal separately by the holding agency depending upon the circumstances.

Related Personal Property

This is any personal property which is an integral part of real property or is related to, designed for, or especially adapted to the functional or productive capacity of the real property and removal of this personal property would significantly diminish the economic value of the real property. Further, the Administrator of General Services can establish what is “determined” to be related personal property including such things as office furniture, supplies, utensils, which are not normally included as related personal property. Related personal property would include such common things as venetian blinds, installed electric fans, air conditioners, etc.

Surplus Property

This is any real property and related personal property reported excess which has been screened for needs of Federal agencies or waived from such screening by GSA and has not been designated by GSA for utilization by another Federal agency.

Procedures

- a. If the property is determined to be not needed, it should be reported to the appropriate Regional Facilities Office which will review the report, and, if appropriate, submit it to Headquarters, Facilities and Engineering (HQENG), who, in turn, will review and ascertain if there is no need for the property within INS, then submit the report to the General Service Administration. No real property shall be declared excess to GSA without HQENG approval.
- b. Identification of Unneeded Federal Real Property - Each executive agency is required to make an annual review of its real property holdings, using the standards set forth in 41 CFR 101-47-801 in identifying property that is not utilized, is under-utilize, or is not being put to its optimum use.
- c. Reporting Excess Property - Real property determined to be excess is reported on the Standard Form 118 series and is forwarded to the Regional Office of INS for the region in which the excess property is located. The Regional Facilities Officer shall determine if the property is excess, and if it is determined to be excess the Regional Facilities Officer shall forward the documents to Headquarters, Facilities and Engineering.

Responsibility

It is the responsibility of the Director of the Facilities and Engineering to review annually all INS real property to determine if it is being utilized properly or under-utilized. If the property is not needed then it is reported to the General

Services Administration as excess real property for disposal.

Appendix H

Residential Management

Definitions

The following definitions apply to AM 2.1.208, Residential Management.

Agency

As defined in Pub. L. 88-459, 78 Stat. 557 (1964), the term “agency” means (1) each executive department of the Government; (2) each agency or independent establishment in the Executive Branch of the Government; (3) each corporation owned or controlled by the Government, except the Tennessee Valley Authority; and (4) the General Accounting Office.

Air Conditioning

The process of cooling air either through evaporation of water (evaporative cooling) or refrigeration (mechanical or absorption), and the distribution of such air.

Base Rental Rate

The base rental rate is the rental value of the quarters, established in accordance with the provisions of Office of Management and Budget (OMB) Circular A-45, before applying any administrative adjustments or charges for related facilities.

Comparable Housing

Comparable housing is housing in the private sector that is generally equivalent in size to the rental quarters, with the same number of bedrooms, and with generally equivalent amenities and related facilities. Such housing is housing available on a landlord-tenant basis, with rental rates reflecting the fair market value of the accommodations. This is distinguished from housing rented on an “employer-employee” basis or between friends and relatives for which other considerations may have influenced the rental rates. In addition, other Government rental housing (Federal, State, or local) and housing provided by churches or religious societies are excluded from this definition of comparable housing.

Construction

“Construction” includes conversions of structures for dwelling purposes.

Established Community

An established community is ordinarily the nearest population center (Metropolitan Statistical Area or an incorporated or unincorporated city or town)

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having a year-round population of 1,500 or more (5,000 or more in Alaska), provided that it has minimum essential medical facilities (i.e., at least one physician and one dentist) available to all housing available to the general public. Population determinations will be based upon the most recently published decennial census of the United States.

Net Area

For purposes of construction of quarters, the net area of a dwelling is the space inside exterior or party walls, excluding only attic, garage, and basement (or service and storage space in lieu of basement).

Reasonable Value

Reasonable value for rental quarters is to be measured by the test of equivalence, i.e., what the employee would pay for comparable housing in the open market. Rental rates, rates for comparable private housing located in the same general area, after taking into account those factors that reduce or increase the value of the housing to the tenant.

Related Facilities

Related facilities are equipment, supplies and services made available in connection with the occupancy of quarters including, but not limited to, household furniture and equipment, garage space, utilities, subsistence, and trash and laundry services.

Rental Quarters

Except as specifically excluded herein or by statute, the term “rental quarters” includes: all furnished and unfurnished quarters supplies under specific government authority to Government employees, contractors, contractor employees, and other persons to whom housing is provided as an incidental service in support of Government programs. It includes, but is not limited to, Government-owned or -leased dwellings, apartments, bunkhouses, dormitories, trailer pads, cabins, guard stations and lookouts, mobile homes, house trailers, and housekeeping as well as non-housekeeping units. The term excludes tents, containers, housing which due to extreme deterioration is unsuitable for occupancy except in exigent circumstances, and “public quarters” designated for occupancy by members of the uniformed services with loss of allowances, but it includes quarters occupied by such personnel on a rental basis under 37 U.S.C. § 403(e), 42 U.S.C. §§ 1594a(f) and 1594b, and other authorities.

Residential Management

The term “Residential Management” refers to the policies and procedures under which the INS provides housing to employees of the INS and other Government agencies.

Room

A room is a living space such as a living room, bedroom, kitchen, finished attic or basement, or other suitable living space. A half room is a small space used for

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living purposes, such as a dinette, breakfast nook, dressing room, or reception room. No count is made of bathrooms, strip or pullman kitchens, halls or foyers, alcoves, pantries, laundries, storage or utility rooms, or unfinished attics and basements.

Procedures

The following procedures implement AM 2.1.208, Residential Management.

Charges for Rental Quarters and Related Facilities

- a. Basic rental rates shall be established in accordance with surveys performed and rates set by DOI. New DOI surveys are performed every 3-5 years. During years in which a survey is not performed, DOI will set its base rental rate according to the most recent survey adjusted by the Consumer Price Index (CPI).
- b. Since this Service does not have a staff of professional appraisers, procedures have been devised whereby DOI will utilize its established community surveys to determine rental rates for neighboring INS rental quarters.
- c. One DOI Form 1875, Government Quarters Inventory Form, shall be completed and forwarded, through channels, for each rental structure provided by the Service to the servicing Administrative Center, Attention: Regional Housing Officer. The inventory form data will be entered into the Administrative Center's computerized housing inventory and then forwarded on diskette to HQENG. The HQENG will forward the diskette to DOI. These forms will be entered into DOI's database.
- d. The DOI provides rental rates and includes in its computation the following:
 - ◆ Base rental rates
 - ◆ Isolation factors
 - ◆ Appliance adjustments
 - ◆ Non-metered water, sewage, trash collection, and lawn care
 - ◆ Amenities adjustments
 - ◆ CPI adjustments
 - ◆ Tables for electricity costs
- e. The DOI computation does not include:
 - ◆ Utility costs (electricity, fuel oil, gas, etc.)**
 - ◆ Excessive or inadequate size adjustments

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- ◆ Excessive or inadequate quality of units adjustments
- ◆ Excessive heating/cooling cost adjustments

**Utility costs shall not be added to the tenant's rental rate if the tenant pays the electricity, heat fuel, gas, etc., costs directly to the service provider. Only in instances when the government pays for the utilities will the costs be added to the employee rental rate.

NOTE: The Service will not use employee committees to determine rental charges in the private market or to recommend rates for INS rental quarters and other facilities.

Implementation of New or Revised Rental Rates

a. New Quarters

- ◆ No housing may be used as quarters without prior approval of the Commissioner, or his designee. Justification for quarters shall be submitted on Justification for New or Replacement Quarters.
- ◆ Where additional quarters are approved for use as employee housing, the monthly rental charge for the quarters, utilities, furnishings, and related services are to be established prior to assignment of such quarters.

b. Existing Quarters

- ◆ The revised monthly rental charges for quarters, furnishings, utilities, and related services, when and as applicable, shall be in effect subject to an annual adjustment to the rental rate based on the Consumer Price Index (CPI). The DOI will issue updated information to the Service, normally in November of each year. The information will include the CPI adjustments and computer disks which will provide monthly and biweekly rental charges (called NETRENT). The NETRENT will not include any charges for electricity and heat fuel. Those costs, if not paid for directly by the tenant, must be added to the rent paid by the tenant. Form G-864 is used to calculate any addition to the NETRENT.
- ◆ The adjusted NETRENT shall become effective at the beginning of the first full pay period which starts on or after March 1 of each year.

c. Where revised rental charges are to be implemented, whether due to resurveyed, appraisal, or CPI adjustment actions, the monthly rental charges (biweekly payroll charge) shall not be implemented until 30 days after the tenant shall have received notification in writing of the basis and the amount of the additional charge. Tenant notification shall be accomplished through use of the

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Notice of Rental Rate Adjustment, Form DI 1882. The Agreement for Occupancy includes a provision for automatic implementation of revised rates without need for execution of a new assignment agreement.

Allowable Deductions

Application of standard deductions will be the responsibility of DOI. These deductions are fully defined in OMB Circular A-45, Section 7b-d. All applicable deductions will have been included (on the basis of information provided on DOI Form 1875) when the DOI provides the basic rental rate. Additional administrative deductions, items listed under 4.a.4)(b)-(d) of this Section may be applied to the base rental rate by the Director, Administrative Center, when appropriate. Administrative deductions applied to the DOI-provided rate will be reported by the Director, Administrative Center, to HQENG on Form G-864, Amendment to Rental Rate Established by DOI. All standard and administrative deductions must be in compliance with OMB Circular A-45.

Employees on Leave

Employees on leave shall continue to be charged for quarters and related facilities unless permission to vacate the quarters and make them available for reassignment is granted in advance of leave.

Employee Appeals From Determination of Rents and Other Charges

- a. Any employee of this Service, who has reason to believe the rent charged him/her pursuant to AM 2.1.208 is in error, may submit a written appeal to the Director, Administrative Center. The Director, Administrative Center, will review the appeal and inform the employee of his decision. Any questions regarding the rental rate set by DOI may be resolved at the regional level, if possible. Those questions not resolved within the region may be forwarded to HQENG by the Director, Administrative Center, for settlement.
- b. When an employee appeals an increase prior to the initial deduction from his pay, no deduction for the increase will be made until a ruling has been obtained on the appeal. When an appeal is made after the initial deduction for the increase, the additional rent charge will continue to be deducted until a ruling is made. In both instances, the rental charge established by the ruling will be retroactive to the date the initial deduction was made or would have been made.

Required Occupancy

- a. 5 U.S.C. § 5911(e) provides: “The head of an agency may not require an employee or member of a uniformed service to occupy quarters on a rental basis, unless the agency head determines that necessary service cannot be rendered, or that property of the Government cannot adequately be protected otherwise.”
- b. In keeping with the principle of comparability, this Service assumes those responsibilities which private lessors customarily bear. Similarly, tenants who

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occupy rental quarters assume those responsibilities customarily born by tenants of privately-owned housing, not inconsistent with law.

Reporting Requirements

In order to minimize regional reporting requirements, HQENG will forward to Headquarters Finance, General Services Administration, and other requesting agencies any required information regarding housing. The Regions, however, have two reporting requirements. If any of the following information is applicable, forms must be completed by the Director, Administrative Center, at the end of the reporting period and forwarded to HQENG.

- ◆ Whenever one or more of the items listed in Paragraph 4.a.(4)(a)-(d) of this Section is applied to the DOI-provided base rental rate, it must be reported to HQENG on Form G-864. Also, if an established rent is paid by payroll deduction, it must be indicated on this same form.
- ◆ Any vacancies must be reported to HQENG on Form G-865, Report of Vacancies in Regional Housing. Unless otherwise informed, HQENG will assume that all regional residences are occupied and are being charged the DOI-established rental rate.
- ◆ Regional submission of CADM 501 is hereby rescinded.
- ◆ Forms G-864 and/or G-865, if applicable, are due to HQENG no later than October 15 of each year.

Changes/Renovations in Rental Houses

If any major changes or extensive renovation are made to a rental house, a new Form DI 1875, Government Quarters Inventory Form, must be prepared and entered into the housing inventory maintained by the Regional Housing Officer, with a copy of the change(s) on a diskette forwarded to HQENG. The Regional Housing Officer will establish and implement a new rental rate, if appropriate. HQENG will forward the updated information to DOI to update DOI's inventory database.

¹³ Form XX has not been developed.