National Aeronautics and Space Administration

NASA *Real Estate* Desktop Guide

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1. Introduction

1.1. Purpose of the Desktop Guide

This Desktop Guide has been prepared for NASA personnel to help provide both an overview and a step-by-step description of the processes used in implementing real property actions at NASA. This Desktop Guide is designed to assist in compliance with policy, Federal laws and regulations, and to assist in coordinating with applicable agencies and private sector entities regarding real property. This Desktop Guide is a "how-to" guide that augments but does not replace NASA policy and requirements documents.

Refer to the Technical Capabilities & Real Property Management (TCRPM) Division web site for more information on Real Property polices and guidance.

To help ensure that this Desktop Guide remains relevant and beneficial, please send suggestions and recommendations for improvements or changes to Patricia Jones (patricia.l.jones@nasa.gov) or Joe Flores (jose.flores-1@nasa.gov).

1.2. How to Use the Desktop Guide

The Desktop Guide was designed to be used electronically, but can also be used as a printed document. The documents referenced in this Desktop Guide are linked electronically to the NASA Headquarters TCRPM web site where reference materials are posted. You can also "right click" your cursor on any text that is in blue underline to go directly to the appropriate section in this Desktop Guide or TCRPM web site.

This Desktop Guide describes each real property process at both a concise high-level overview as well as a listing of "Descriptive Steps" to easily execute those processes. Also included are NASA's internal and external reporting and recording requirements. There are links to NASA's Agency-wide Real Property Management System (RPMS), which includes the SAP Flexible Real Estate Management (RE-FX) database (repository for the data), and Business Warehouse (BW) application to produce a variety of standard and adhoc reports. The comprehensive Reference Section includes NASA's real property guides, acronyms, and definitions used in the guide, and Agency Points of Contact.

1.3. Guiding Principles of NASA Real Property

NASA is responsible for the stewardship of real property assets under Agency authority and control. Real property under NASA authority and control is managed in accordance with NASA Policy Directive NPD 8800.14, "Policy for Real Estate Management", and NPR 8800.15, "Real Estate Management Program", as well as the authorities outlined in Section 2.

1.4. Personnel Involved with Real Property

1.4.1. Real Property Accountability Officer (RPAO)

The RPAO is responsible for the management of real property records for all owned and otherwise managed property under the control of the Center. The RPAO maintains detailed inventory records on all Center real property assets in the Agency-wide Real Property

Management System (RPMS). The RPMS was developed to assist and establish uniformity in maintaining the Agency's real property records. The RPAO also maintains original documents in the real property record file.

The Center Director appoints, in writing, the RPAO. Copies of this appointment are furnished to the employee designated, the Center Deputy Chief Financial Officer (DCFO), and NASA Headquarters, Technical Capabilities and Real Property Management (TCRPM) Division. See the NPR 8800.15 for a full list of responsibilities for a Real Property Accountable Officer and the requirements associated with the position.

The RPAO and the DCFO maintain close coordination to ensure that records and accounts remain in agreement. Book values for capitalized real property asset are reconciled by the SAP financial system. There may be a need for coordination between the Center DCFO and the RPAO as required.

1.4.2. Facilities Utilization Officer (FUO)

The FUO is responsible for the management of the Center's facility utilization data. This includes planning and coordinating the assignment of building space, establishing and maintaining an inventory of facilities assignments, and developing utilization reports for management use, specifically the 1400 Report. See the NPR 8800.15 for a full list of responsibilities for a FUO and the requirements associated with the position.

1.4.3. Technical Capabilities & Real Property Management Division, NASA Headquarters

The Technical Capabilities & Real Property Management (TCRPM) Division and the Facilities Engineering Division (FED), formerly the Facilities Engineering and Real Property (FERP) Division, together provide functional leadership for all Agency facility engineering programs and real property management to ensure NASA has the necessary facilities available to meet NASA's mission. In support of NASA real property management, TCRPM provides guidance, consulting, and a wide range of enabling and analysis tools for NASA's real property portfolio management. FED and TCRPM report to the Office of Strategic Infrastructure (OSI). The full suite of NASA Real Estate regulations and guidance may be found at the TCRPM web site.

1.4.4. Office of Strategic Infrastructure, NASA Headquarters

The Office of Strategic Infrastructure (OSI) provides executive leadership, policy, technical expertise, and oversight of Agency infrastructure. The Assistant Administrator OSI represents the Agency, in the area of real property, to external entities such as the Office of Management and Budget and Congress and serves as the Agency's Senior Real Property Officer as required by Executive Order (EO) 13327—Federal Real Property Asset Management.

1.4.5. NASA Center Director

The Center Director is considered to be the "owner" of all real property associated with the Center and develops and manages his/her institution to meet the needs of the many and various programs assigned to that Center. The Center Director is responsible for sorting out resources and matching them to Agency priorities, and is accountable for all Center real property management operations in support of program and mission goals. The Center Director ensures that day-to-day real property management and operations are conducted in accordance with NASA policies.

- **The Designee of the Center Director.** The Center Director may designate two senior managers to sign real estate documents and letters related to in-grants and out-grants permits, easements, and licenses. Designation of signing authority is to be made by the Center Director in writing to NASA Headquarters.

1.4.6. Relevant Headquarters Organizations

TCRPM will coordinate real estate actions for review and approval with the following Headquarters offices. The corresponding Center offices need to have reviewed the action before it is sent to TCRPM for review and approval. Real property transactions should be coordinated with the Center's environmental management office, safety office, security office, and Office of Chief Counsel before submitting to TCRPM.

- **The Mission Support Directorate (MSD)** provides institutional support to enable the Agency to successfully accomplish its missions. It focuses on reducing institutional risk to NASA's current and future missions by improving processes, stimulating efficiency, and providing consistency and uniformity across institutional capabilities and services. Many real property actions require MSD review and concurrence. The abstracts required for many real property actions are sent to MSD for review and coordination.

- **The Environmental Management Division (EMD)** ensures all potential environmental impacts associated with real property actions are documented in compliance with the National Environmental Policy Act (NEPA). Center environmental management offices need to be included in real property actions.

- **The Office of Protective Services** ensures that all real property is incorporated into NASA's security plan and policy.

- **The Office of Safety and Mission Assurance** ensures that all safety and health hazards, issues and concerns have been addressed.

- **The Office of the General Counsel** reviews agreements for legal sufficiency in coordination with the Center's efforts to ensure the same.

2. NASA Authorities, Regulations and Policies

2.1. Space Act Authority

The Space Act is NASA's authorizing legislation that authorizes NASA to conduct a number of activities, many of which are related to real property, to help support and carry out NASA's missions. The Act covers the acquisition, ownership, legal agreements and disposition of real property and personal property assets. Sections 20113, 20117 and 21045 specifically cover the authority and activities related to real property acquisition, disposition and out-grants. These three sections are generally outlined below.

2.1.1. Space Act Section 20113 (c), Powers of the Administration in Performance of Functions

Section 20113 authorizes NASA to acquire real property for the performance of its mission by purchase, construction, or by gift as well as by lease and other means less than fee purchase. The Space Act also authorizes NASA to out-grant real property under NASA's control to others. These activities are further described in the associated Code of Federal Regulations (CFR) which are discussed later in this Desktop Guide and include direction on authorities and consideration received for out-leases. The Space Act also allows licenses, use permits, Memoranda of Agreement (MOA) and Memoranda of Understanding (MOU).

The consideration for NASA property that is out-granted is not to be less than "fair value of money". Cash payments received for out-grants of NASA real property are delivered to the U.S. Treasury as miscellaneous receipts. There is a special exception for cash rent received under the authority of Enhanced Use Leasing (EUL) which provides that net cash proceeds are deposited in a NASA capital asset account. Out-grants under the authority of the Space Act provide NASA with the right to terminate the agreement for convenience and at no cost. Centers may request a waiver to this stipulation.

2.1.2. Space Act Section 20117, Disposal of Excess Land

Section 20117 provides direction for NASA's disposition of excess land with a value greater than $50,000. The Space Act requires NASA to report the land as excess to the appropriate Congressional committees and to provide information on the proposed disposal action. Following receipt of the NASA's report to the Congressional committees and after a period of 30 days, and if there are no objections from the committees, NASA may report the land as excess to GSA for disposition.

2.1.3. Space Act Section 20145, Lease of Non-Excess Property

Section 20145 provides authority to NASA to out-lease any non-excess property for fair market value. This is also known as EUL. Funds collected from the out-lease are deposited into a capital asset account. No lease-back or other like contracts are authorized and a certification is to be made that the out-grant will not have a negative impact on a Center's mission. As of 2011, EUL authority is set to expire on December 26, 2017. There are specific guidelines as to the allocation of the funds collected and the use of such funds. These funds can then be used for capital improvements of any NASA real property. Thirty-five percent of the funds can be used

at the respective Center on which the property is located. Sixty-five percent of the funds are available for use on any NASA real property at any Center.

2.2. Space Act Agreements (SAA)

The Space Act establishes the authority of NASA to enter into agreements which provide for certain authorized actions to take place with other people or entities. The authorized actions are those that support NASA's mission and programs and provide benefit to NASA and to the other party. The payment or consideration for these agreements is based on the type of agreement. Agreement types are explained below. These agreements are referred to as Space Act Agreements (SAA). The authority to enter into Space Act Agreements as provided under the Space Act is further defined by NASA Policy Directive NPD 1050.1, "Authority to Enter into Space Act Agreements". SAA involving the use of land and facilities owned by NASA require the review and approval of TCRPM.

NASA Advisory Implementing Instructions NAII 1050.1B, Space Act Agreement Guide (SAAG), advises NASA real property personnel in implementing an SAA for a real or personal property asset. The SAAG provides a checklist of items to ensure that all SAA's are appropriately executed to ensure compliance with the Space Act. Each type of SAA provided under the Space Act is summarized in the paragraphs below.

Agreements authorized under the Space Act are Reimbursable Space Act Agreements (RSAA), Non-Reimbursable Space Act Agreements (NRSAA), Enhanced Use Leasing (EUL) agreements, and Concessionaire Agreements, as well as licenses, use permits, Memoranda of Agreement (MOA) and Memoranda of Understanding (MOU). In accordance with the Space Act, out-grants cannot provide for less than "fair value of money" (14 CFR 1204.504) consideration for the use of a real property asset. All amounts exceeding fair value of money are delivered to the U.S. Treasury as miscellaneous receipts, except amounts collected under the authority of EUL which provides that net cash proceeds are deposited in a capital asset account. Out-grants under the authority of the Space Act provide NASA with the right to terminate the agreement for convenience and at no cost. Centers may request a waiver to this stipulation. NASA Advisory Implementing Instructions NAII 1050.1B, Space Act Agreement Guide (SAAG), advises NASA real property personnel in implementing an SAA for a real or personal property asset. The SAAG provides a checklist of items to ensure that all SAA's are appropriately executed to ensure compliance with the Space Act. Each type of SAA provided under the Space Act is summarized in the paragraphs below.

2.2.1. Reimbursable Space Act Agreement (RSAA). RSAAs may include Out-grants of real property. Under an RSAA Out-grant, NASA's costs associated with a tenant activity are reimbursed by the tenant to NASA. An RSAA permits the tenant to use NASA facilities, land, personnel, expertise, or equipment. RSAAs meet one of three conditions to be permitted: (1) sustain or enhance facilities and lower operational costs for current and future needs of NASA's missions; (2) sustain or enhance skills that are expected to be needed to support NASA's missions; or, (3) sustain or enhance a functional area not adequately funded by NASA programs but required for current or future support of NASA's missions.

2.2.2. Non Reimbursable Space Act Agreement (NRSAA). NRSAAs involve NASA and one or more partners in a mutually beneficial activity that further NASA's mission, where each

party bears the cost of its participation and no exchange of funds between the parties occurs (no charges). NRSAAs permit NASA to offer time and effort of personnel, support services, equipment, expertise, information, or facilities for a collaborative activity where the end result is in the interest of both parties. Use of real property is non-possessory and non-exclusive, making significant investment in infrastructure unlikely by a tenant. Essentially, a Center and a tenant partition the cost of participating in a project by making tangible and non-tangible assets of both parties available to each other to accomplish a mission that has an overarching goal in support of the mission of NASA.

2.2.3. Enhanced Use Leasing (EUL). EUL can be used for non-excess, underutilized Agency real property. EULs executed after December 31, 2008, are for cash consideration only (no in-kind consideration, such as the renovation or construction of buildings). The cash consideration is to be based on fair market value. Receipts are used to cover the full costs to NASA in connection with the leases. The remaining net cash proceeds are deposited into a capital asset account and may be used for maintenance, capital revitalization and/or improvements to any NASA real property assets including collateral equipment, and related personal property. EUL authority cannot be used for property that the Agency has declared excess. Excess property is reported to the General Services Administration (GSA) for disposal.

2.2.4. Concessionaire Agreements. Concessionaire Agreements provide for the construction, maintenance, and operation of all manner of facilities and equipment for visitors to NASA Centers. Concessionaires may charge admission fees and use the collected fees to operate, maintain, and improve the facilities. The concessionaire may also be paid from the collected fees.

2.3. Other Authorities and Agreement Types

NASA's authority related to real and personal property assets is not only provided under the Space Act. Other authorities exist which authorize NASA to enter into agreements with other people or entities for specific activities and real property types. A description of those other authorities is provided below.

2.3.1. National Historic Preservation Act (NHPA) permits NASA to out-grant historic property and retain the proceeds for up to two fiscal years to defray the cost of administration, maintenance, repair, and related expenses incurred by NASA with respect to the property. The NHPA allows NASA to retain revenue to maintain and preserve a Center's historic infrastructure. It also allows for a tenant to make improvements at the tenant's expense. See the NHPA for a complete list of requirements. This type of out-grant requires close coordination with the State Historic Preservation Officer (SHPO).

2.3.2. The Economy Act provides authorization for Federal agencies to request and perform reimbursable work for other Federal agencies. Out-grants entered under the authority of the Economy Act, also referred to as interagency agreements, and are used to document the utilization of NASA real property and services by another Federal agency. These interagency agreements are based on the condition that there is NASA real property available for use, and the use of the real property by the other Agency is in the best interest of the U.S. Government. The Federal tenant is required to pay their proportionate share of the costs of operating the asset and for any special services requested or capabilities used.

2.3.3. Commercial Space Launch Act (49 USC 701) governs contracts for the sale of launch services at a Center with such capabilities to a non-NASA entity at the direct cost of those services. The charge for launch services or reentry services also includes the base pay of Government civilian and contractor personnel involved in providing such services. The contract is for the service provided and no rent is charged for the Out-grant. Rates are similar to those charged under an SAA and are to cover NASA's cost for providing the service.

2.4. NASA Policy Directives

NASA has a number of policy directives related to real property to provide guidance and establish principles for the Agency to follow.

2.4.1. NPD 8800.14 - Policy for Real Property Management

NPD 8800.14 is applicable to real property owned, leased, or otherwise managed by NASA. The purpose is to ensure that NASA is utilizing its real property assets in an efficient and economical manner. This includes ensuring that real property assets are appropriate to missions in size and type as well as being environmentally sound and affordable.

2.4.2. NPR 8800.15 - Real Estate Management Program

NPR 8800.15 provides procedural requirements for acquiring and managing real property assets. NPR 8800.15 provides NASA real property managers with a common set of requirements and uniform, orderly processes for meeting NASA's real property requirements. Each chapter has a focus on a specific core process, including required documentation for the process.

2.4.3. NPR 9090.1 - Reimbursable Agreements

NPR 9090.1 provides the financial management requirements for Reimbursable Agreements. Chapter 5 specifically addresses EULs.

2.4.4. NPR 9250.1 - Property, Plant, and Equipment and Operating Materials and Supplies

NPR 9250.1 provides the financial management requirements for the identification, valuation, capitalization, and reporting of NASA Property, Plant, and Equipment (PP&E) including real property and collateral equipment.

2.5. Federal Management Regulations (FMR) Subchapter C, Real Property

Federal real property policies are contained in GSA's Federal Management Regulations (FMR), Subchapter C and Parts 102-72 through 102-82 of the chapter apply to Federal agencies, including GSA's Public Buildings Service (PBS), operating under, or subject to, the authorities of the Administrator of General Services. These policies cover the acquisition, management, utilization, and disposal of real property by Federal agencies that initiate and have decision-making authority over actions for real property services.

2.6. Code of Federal Regulations

The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation. Some selected CFRs applicable to NASA and Federal real property are listed below.

2.6.1. 41 CFR 102-71 covers the general introduction to government administrative practice and procedure, federal buildings and facilities, government property management, organization and functions, and real property acquisitions.

2.6.2. 41 CFR 102-72 covers delegations of authority from GSA.

2.6.3. 41 CFR 102-74 covers facility management specific to government concessions, energy conservation, fire prevention, government property management, parking.

2.6.4. 41 CFR 102-75 covers surplus government property and real property disposal.

2.6.5. 41 CFR 102-78 covers historic preservation.

2.6.6. 41 CFR 102-79 covers property management specific to assignment and utilization of Space.

2.6.7. 41 CFR 102-84 covers property management specific to annual real property inventories.

2.6.8. 14 CFR Section 1204.501 delegates the authority to specific NASA Headquarters offices to take actions in real estate and related matters including acquisition of real property required by NASA by purchase, lease, condemnation, or others means as appropriate. This CFR allows redelegation.

2.6.9. 14 CFR Section 1204.503 delegates the authority to specific NASA Headquarters offices as well as redelegation to Center Directors under specified conditions to grant easements that the Administrator determines are not adverse to the interests of the United States.

2.6.10. 14 CFR Section 1204.504 delegates the authority to specific NASA Headquarters offices as well as redelegation to Center Directors under specified conditions to grant leaseholds, permits, and licenses in NASA real property.

3. Business Processes

3.1. Acquisition of Built Asset

Acquisition of a built asset is the acquisition of existing real property asset(s) acquired by purchase, condemnation, gift, or transfer where NASA has declared the need to acquire real property assets in support of a mission or program. The following information supports this action.

- The acquisition of the asset is essential to NASA's needs.
- Transfer of an asset from another Federal entity requires the approval of General Services Administration (GSA).
- Transfer from a private entity by sale, donation, or other means may be accomplished under the authority of the Space Act.
- Centers are to request authority from TCRPM to acquire real property assets.
- Center request for approval of acquisition is to be submitted using the Space Act Agreement Maker (SAAM) system routing.
- An acquisition of a building on non-federal land needs review and approval of NASA Headquarters. The rights of NASA to access the building and other issues related to the underlying land need to be reviewed and approved by TCRPM. TCRPM will consult with other Headquarters offices as necessary. Centers should consult TCRPM as soon as it knows of the potential of this type of acquisition. Requests for approval for this type of acquisition are to be submitted to TCRPM via SAAM.
- TCRPM is responsible for coordinating the review and approval of the acquisition of real property assets with all appropriate NASA Headquarters organizations.
- The TCRPM approves and coordinates all acquisition of built assets and other real property asset matters involving international locations with the Office of International and Interagency Relations.
- The Center's OCFO and the RPAO need to maintain close coordination to ensure that acquisition records and the RPMS are in agreement.

Descriptive Steps

3.1.1. The request for the acquisition of the real property asset is assigned to the Center RPAO or other appropriate individual as designated by the Center Director or their designee for processing.

3.1.2. Since acquisition of a built asset will likely include the purchase of the land on which the asset is constructed the steps in Section 3.2 need to be followed.

- The real property asset including the land is appraised to assess its market value. The Center may use a certified appraiser, the US Army Corps of Engineers, or other appropriate means that can substantiate the fair market value.

REFERENCES

Applicable Authorities for the acquisition of a real property asset.

The Federal Property and Administrative Services Act of 1949

14 CFR 1204.501
Section 106 and Section 110(a) of NHPA, 16 USC §470 et seq.

Section 601 of the Rural Development Act (RDA) of 1972, as amended, 7 USC §2204b-1

41 CFR Part 102-83-55

40 CFR §373 certify that no hazardous activity took place on the asset

NPD 8800.14

NPR 8800.15

Business Case Guide

EO 13423

3.1.3. Center prepares a Business Case following the NASA Business Case Guide for submittal with the request for approval to acquire the real property asset.

3.1.4. Acquisition of the asset is coordinated with the Center's financial office.

3.1.5. Acquisition of the asset is coordinated with the Center's chief counsel, safety office, environmental office and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).
- Environmental documentation should be maintained by the Center.
- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the acquisition.
- It is recommended that acquisition or dispositions of real property be reported to a Center's security office immediately to ensure that the security office can take the appropriate steps to maintain adequate security standards as set forth by NASA policy.

3.1.6. Real property asset acquisition will comply with the Federal guiding principles for sustainability established by EO 13423, "Strengthening Federal Environmental, Energy, and Transportation Management".

3.1.7. Center Director signs and submits a written request for the acquisition to TCRPM including justification for the acquisition.

- Request for approval, Business Case, and other relevant documents are submitted to TCRPM for approval using the SAAM system.

3.1.8. Headquarters Review

TCRPM will coordinate the review of acquisition requests with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the acquisition conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.1.9. Documenting the Cost

- The RPAO prepares NASA Form 1739, Alternative Future Use Questionnaire.
- Transfer from the Department of Defense (DOD) when approved by GSA, is documented on DOD Form DD 1354, Transfer and Acceptance of Military Real Property.
- The RPAO gathers necessary documents and prepares the NASA Form 1046,

Notification of Real Property Transfer, including all costs incurred to complete the project, as follows:

- Amount paid to vendors or contractors, including fees.
- Transportation charges to the point of initiation.
- Handling and storage charges.
- Labor and other direct or indirect production costs.
- Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.
- Legal and recording fees, and damage claims.

- Upon verification and validation of the data, the RPAO signs the turnover document and accepts accountability for the government.
- All acquisition documentation is retained by the RPAO.

3.1.10. Real property acquisitions will be executed by the Center Director only after review and approval by TCRPM.

3.1.11 Upon execution of an acquisition, the asset is entered into the RPMS.

3.1.12. Recording the asset in the RPMS.

- The RPAO creates a new real property record.
- Record as Legal Interest "Owned" and Asset Class of "Building" or "Other Structure" as appropriate.
- Refer to the bReady guide for steps for entering the asset transaction data.
- Assign the NASA real property asset Classification Code.
- NASA-owned buildings and structures should be named for their purpose (e.g. Administration building, rocket research, etc.). See NPR 8800.15, Chapter 4 for guidelines in assigning numbers or names to NASA buildings, roads or streets, public property and public buildings (other than schools), and schools.
- Any non-federal land that is needed for a construction project is acquired and entered as a separate asset. See Section 3.2 of this Desktop Guide.
- All real property assets with an acquisition cost of $5,000 or more are recorded.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.2. Acquisition of Land

Acquisition of land is the acquisition of real property assets without improvements or infrastructure acquired by purchase, condemnation, gift, or transfer where NASA has declared the need to acquire the real property asset in support of a mission or program. The following information supports this action:

- The acquisition of the land is essential to NASA's needs.

REFERENCES

Applicable Authorities for the acquisition of real property.

The Federal real property asset and Administrative Services Act of 1949

- Transfer of land from another Federal entity requires the approval of General Services Administration (GSA).
- Transfer of land from a private entity by sale, donation, or other means may be accomplished under the authority of the Space Act.
- Centers are to request authority from TCRPM to acquire land.
- Center request for approval of acquisition is to be submitted using the Space Act Agreement Maker (SAAM) system routing.
- TCRPM is responsible for coordinating the review and approval of the acquisition of land with all appropriate NASA Headquarters organizations.
- The Attorney General approves the sufficiency of title to any land acquired by the Federal Government, as stated in 40 U.S.C §3111, including leases of a term greater than 30 years.

Descriptive Steps

3.2.1. The request for the acquisition of the land is assigned to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing.

3.2.2. The land is appraised to assess the market value of the land. The Center may use a certified appraiser, the US Army Corps of Engineers, or other appropriate means that can substantiate the fair market value.

3.2.3. Center prepares a Business Case following the NASA Business Case Guide for submittal with the request for approval to acquire the land.

3.2.4. Acquisition of the land is coordinated with the Center's financial office.

3.2.5. Acquisition of the asset is coordinated with the Center's chief counsel, environmental office, safety office, and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).
- Environmental documentation should be maintained by the Center.
- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the acquisition.
- It is recommended that acquisition or dispositions of real property be reported to a Center's security office immediately to ensure that the security office can take the appropriate steps to maintain adequate security standards as set forth by NASA policy.

3.2.6. Center Director signs and submits a written request for the acquisition to TCRPM including justification for the acquisition.

- Request for approval, Business Case, and other relevant documents are submitted to TCRPM for approval using the SAAM system.

NPD 8800.14

NPR 8800.15

14 CFR 1204.501 Section 106

Section 110(a) of NHPA, 16 USC §470 et seq.

Section 601 of the Rural Development Act (RDA) of 1972, as amended, 7 USC 2204b-1

41 CFR Part 102-83.55 Definition of Rural Areas

NPD 8500.1 NASA Environmental Management

40 USC §311 Title Approval

Business Case Guide

3.2.7. Headquarters Review
TCRPM will coordinate the review of acquisition requests with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the acquisition conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.2.8. If the land is being acquired from a non-federal owner, TCRPM is responsible for submission of a request to the Department of Justice for determination of sufficiency of title, and for coordination of this action with other Headquarters organizations.

- TCRPM will inform Center of requirements. All land acquisitions, other than land transfer from other Federal agencies, require approval by the Department of Justice (DOJ).

3.2.9. If the acquisition involves transfer from another Federal agency, the transfer of land is conducted through GSA.

3.2.10. Documenting the Cost

- The RPAO prepares NASA Form 1739, Alternative Future Use Questionnaire.
- Transfer from the Department of Defense (DOD) when approved by GSA, is documented on DOD Form DD 1354, "Transfer and Acceptance of Military Real Property".
- The RPAO gathers necessary documents and prepares the NASA Form 1046, Notification of Real Property Transfer, including all costs incurred to complete the project, as follows:
  - Amount paid to vendors or contractors, including fees.
  - Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.
  - Legal and recording fees, and damage claims.
- Upon verification and validation of the data, the RPAO signs the turnover document and accepts accountability for the government.
- All acquisition documentation is retained by the RPAO.

3.2.11. Real property acquisitions will be executed by the Center Director only after review and approval by TCRPM.

3.2.12. Upon execution of acquisition, the asset is entered into the RPMS.

3.2.13. Recording the asset in the RPMS.

- The RPAO creates a new real property record.
- Record as Legal Interest "Owned" and Asset Class of "Land".

- Refer to the bReady guide for steps for entering the asset transaction data.
- Assign the NASA real property asset Classification Code.
- All real property assets with an acquisition cost of $5,000 or more are recorded.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.3. Construction of New Asset

Construction of a new asset is the construction of new buildings, facilities or other structures by NASA where NASA has declared the need to construct a new real property asset in support of a NASA mission or program.

- If land is being acquired for the building site, all the acquisition processes for that land in Section 3.2 need to be completed. Approval and authority to proceed have been granted by TCRPM and NASA Headquarters.

Descriptive Steps

3.3.1. The Center construction office is responsible for all the preliminary work involved in awarding a construction contract; including the architectural design of the building.

- The Center construction office completes and submits as necessary documentation for project approval to FED, including NASA Form 1509, Facility Project--Brief Project Document. Processes for NASA Form 1509 are established in NPR 8820.2, Appendix C.
- The Center construction office prepares a Business Case following the NASA Business Case Guide.

3.3.2. The RPAO and the Center's financial office should be involved in all preliminary meetings with the Center construction office.

3.3.3. The RPAO accompanies the Facility Project Manager (FPM) on the final walk through of the project.

3.3.4. The RPAO is responsible for the verification of the installation and location of the collateral equipment.

3.3.5 Documenting the Cost

- The FPM submits NASA Form 1739, Alternative Future Use, and necessary documentation to the RPAO with a signed NASA Form 1046, Notification of Real Property Transfer.
- The costs of the completed acquisition entered on the Form 1046 include all costs incurred to complete the project, as follows:
  - Amount paid to vendors or contractors, including fees.

REFERENCES

Applicable Authorities for the construction of real property.

The Federal Property and Administrative Services Act of 1949

Code of Federal Regulations 14 CFR 1204.501

NPR 8820.2

NPD 8810.2

NPD 9250.1

NPR 8800.15

Business Case Guide

- Transportation charges to the point of initiation.
- Handling and storage charges.
- Labor and other direct or indirect production costs.
- Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.
- Legal and recording fees, and damage claims.

- Upon verification and validation of the data, the RPAO signs the turnover document and accepts accountability for the government.
- All construction documentation is retained by the RPAO. Construction contracts are retained by the Procurement Office for 7 years.

3.3.6. Recording the asset in the RPMS.

- The RPAO creates a new real property record.
- Record as Legal Interest "Owned" and Asset Class of "Building" or "Other Structure" as appropriate.
- Refer to the bReady guide for steps for entering the asset transaction data.
- The RPAO assigns the NASA real property asset Classification Code.
- NASA-owned buildings and structures should be named for their purpose (e.g. Administration building, rocket research, etc.). See NPR 8800.15, Chapter 4 for guidelines in assigning numbers or names to NASA buildings, roads or streets, public property and public buildings (other than schools), and schools.
- All real property assets with an acquisition cost of $5,000 or more are recorded.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.4 Modification to Existing Real Property Asset

Modification to interior and/or exterior of existing real property assets is an alteration or modification of an existing facility when NASA has declared the need to do so in support a new mission or an ongoing mission.

- If land is being acquired for the building site, all the acquisition processes for that land in Section 3.2 need to be completed, and approval and authority to proceed have been granted by TCRPM and NASA Headquarters.

Descriptive Steps

3.4.1. The Center construction office is responsible for all the preliminary work involved in awarding a construction contract; including the architectural design of the building.

- The Center construction office completes and submits as necessary documentation for project approval to FED, including NASA Form 1509, Facility Project--Brief Project Document. Processes for NASA Form 1509 are

REFERENCES

Applicable Authorities to the modification of an existing real property asset.

The Federal Property and Administrative Services Act of 1949

Code of Federal Regulations 14 CFR 1204.501

NPR 9250.1

NPR 8800.15

NPD 8820.2

established in NPR 8820.2, Appendix C.

- The Center construction office prepares a Business Case following the NASA Business Case Guide.

NPR 8820.2

3.4.2. The RPAO and the Center's financial office should be involved in all preliminary meetings with the Center's construction office.

3.4.3. The RPAO accompanies the Facility Project Manager (FPM) on the final walk through of the project.

3.4.4. The RPAO is responsible for the verification of the installation and location of the collateral equipment.

3.4.5. Documenting the Cost

- The FPM submits NASA Form 1739, Alternative Future Use Questionnaire, and necessary documentation to the RPAO with a signed NASA Form 1046, "Notification of Real Property Transfer".
- The costs of the completed acquisition entered on the Form 1046 include all costs incurred to complete the project, as follows:
  - Amount paid to vendors or contractors, including fees.
  - Transportation charges to the point of initiation.
  - Handling and storage charges.
  - Labor and other direct or indirect production costs.
  - Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.
  - Legal and recording fees, and damage claims.
- Upon verification and validation of the data, the RPAO signs the turnover document and accepts accountability for the government.
- All construction documentation is retained by the RPAO. Construction contracts are retained by the Procurement Office for 7 years.

3.4.6. Recording the asset in the RPMS

- Record as a "Transaction" (line item) of an existing asset.
- Refer to the bReady guide for steps for entering the asset transaction data.
- If the modification changes the predominant use of a facility, a change to the asset's Classification Code is required.
- Any land acquired as part of the construction project is entered separately.
- All real property assets with a construction cost of $5,000 or more are entered.
- A physical increase in the size of the facility that adds to its overall dimensions requires an addition to the real property asset record.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.5. Leasehold Improvement

Leasehold Improvements include NASA-funded costs of long-term capital improvements to leases, rights, interests, and privileges relating to land or constructed assets not owned by NASA. These improvements may be new buildings or other structures on leased land, or improvements by NASA to buildings or other structures that it has leased from others. Leasehold Improvements also include NASA-funded costs of improvements made to buildings, structures, and facilities, where NASA has authorized a contractor to lease space that requirements improvements, or when the cost is an allowable charge to a NASA contract for changes to a contractor-owned asset. The costs for Leasehold Improvements include collateral equipment (generators, air handlers, etc.). This action is implemented when NASA has declared the need to improve an asset that is not owned by NASA in order to support a mission or program requirement.

Descriptive Steps

3.5.1. The Center construction office is responsible for all the preliminary work involved in awarding a construction contract for the Leasehold Improvement; including the architectural design of the building.

- The Center construction office completes and submits as necessary documentation for project approval to FED, including NASA Form 1509, Facility Project--Brief Project Document.
- The Center construction office prepares a Business Case following the NASA Business Case Guide.

3.5.2. The RPAO and the Center's financial office should be involved in all preliminary meetings with the construction office.

3.5.3. The RPAO accompanies the project construction manager on the final walk through of the project.

3.5.4. Documenting the Cost

- The FPM submits NASA Form 1739, Alternative Future Use Questionnaire, and necessary documentation to RPAO with a signed NASA Form 1046, "Notification of Real Property Transfer".
- The costs of the completed acquisition entered on Form 1046 include all costs incurred to complete the project, are as follows:
  - Amount paid to vendors or contractors, including fees.
  - Transportation charges to the point of initiation.
  - Handling and storage charges.
  - Labor and other direct or indirect production costs.
  - Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.
  - Legal and recording fees, and damage claims.
- Upon verification and validation of the data, the RPAO signs the turnover

REFERENCES

Applicable Authorities for leasehold improvement.

The Federal Property and Administrative Services Act of 1949

Code of Federal Regulations 14 CFR 1204.501

NPR 8800.15

NPR 9250.1

document and accepts accountability for the government.

- All construction documentation is retained by the RPAO. Construction contracts are retained by the Procurement Office for 7 years.

3.5.5. Recording the Leasehold Improvement in the RPMS

- The RPAO creates a new real property record.
- Record as Legal Interest "Leased" and Asset Class of "Leasehold Improvement".
- Refer to the bReady guide for steps for entering the asset transaction data.
- If the Leasehold Improvement changes the predominant use of a facility, a change to the asset's NASA real property asset Classification Code is required.
- Leasehold improvements greater than $5,000 are recorded.
- Leasehold Improvements $100,000 or greater are recorded as capital assets.
- Improvements are considered capital expenses that contribute some lasting value or value added to the asset.
- A physical increase in the size of the facility that adds to its overall dimensions requires an addition to the lease in the real property asset records.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.6. In-grant with Other Federal Entities

An In-grant of real property from another Federal entity is utilized when NASA has a requirement to use land or an existing building/structure that is accountable by another Federal entity (host Agency).

- TCRPM is responsible for coordinating the review and approval of the In-grant with all appropriate NASA Headquarters organizations.

Descriptive Steps

3.6.1. The request is forwarded to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing.

- Center prepares a Business Case following the NASA Business Case Guide for submittal with the request for approval to acquire the real property asset.

3.6.2. The RPAO contacts the other Federal agency's RPAO to coordinate the agreement for NASA use of the real property asset.

3.6.3. All In-grants of other Federal real property require TCRPM review and approval and are submitted through SAAM system.

3.6.4. The Center Director signs and submits a written request for the In-grant to TCRPM including justification for the acquisition.

REFERENCES

Applicable Authorities for the in-grant of real property.

The Federal Property and Administrative Services Act of 1949

Code of Federal Regulations 14 CFR 1204.501 provides the authority to acquire real property asset

The Attorney General approves the sufficiency of title to any real property asset acquired by the Federal Government, as stated in 40 U.S.C §3111. Including leases of a term greater than 30 years.

- Request for approval, Business Case, and other relevant documents are submitted to TCRPM for approval using the SAAM system.

3.6.5. The proposed In-grant is coordinated with the Center's financial office.

3.6.6. The proposed In-grant is coordinated with the Center's chief counsel, environmental office, safety office, and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).
- Environmental documentation should be maintained by the Center.
- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the In-grant.
- It is recommended that In-granting of real property be reported to a Center's security office immediately to ensure that the security office can take the appropriate steps to maintain adequate security standards as set forth by NASA policy.

3.6.7. Center submits request for approval with Business Case to TCRPM.

3.6.8. Headquarters Review
TCRPM will coordinate the review of the In-grant request with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the agreement conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.6.9. Real property instruments will be executed by the Center Director only after review and approval by TCRPM.

3.6.10. Upon execution of an agreement, In-grant is entered into the RPMS.

3.6.11. Recording the In-grant in the RPMS.

- The RPAO creates a new real property record.
- Legal Interest is "Leased," Asset Class is "Leasehold Improvement" and indicated as "In-grant".
- Refer to the bReady guide for steps for entering the asset transaction data.
- The Center RPAO enters all required data fields into the RPMS, including the name of the In-grant agreement, name of the other Federal entity, and the term of the agreement.

- The information in the RPMS will be used for internal reporting and for annual reporting to the FRPP.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.7. In-grant with Private Sector and Public Sector

An In-grant from the Private sector or the State or local government is a non-permanent transfer of real property asset rights to NASA by means of lease, easement, permit, or license and is recorded as an "In-grant" in the NASA RPMS with the type of agreement selected. The purpose of using this acquisition method is when NASA has a requirement to use an existing building/structure owned by a public or private entity. TCRPM is responsible for coordinating the review and approval of the In-grant with all appropriate NASA Headquarters organizations.

- The Attorney General approves the sufficiency of title for any lease with a term greater than 30 years as stated in 40 U.S.C §3111.

Descriptive Steps

3.7.1. The request for In-grant is forwarded to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing.

- Center prepares a Business Case following the NASA Business Case Guide for submittal with the request for approval to acquire the real property asset.

3.7.2. The RPAO contacts the private/public sector agent/representative to develop a proposed agreement.

3.7.3. All In-grants of private/public sector property require TCRPM review and approval and are submitted through SAAM system.

3.7.4. The Center Director signs and submits a written request for the acquisition to TCRPM including justification for the acquisition.

- Request for approval, Business Case, and other relevant documents are submitted to TCRPM for approval using the SAAM system.

3.7.5. The proposed In-grant is coordinated with the Center's financial office.

3.7.6. The proposed In-grant is coordinated with the Center's chief counsel, environmental office, safety office, and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).
- Environmental documentation should be maintained by the Center.

REFERENCES

Applicable Authorities for the In-grant of real property.

The Federal Property and Administrative Services Act of 1949

Code of Federal Regulations 14 CFR 1204.504

OMB Circular A-11

42 USC §2459J Legislative authority authorizing EUL

P.L. 108-7 – EUL Authorization

16 USC §470h authorizes NASA to Out-grant real property asset that is listed on the National Historic Register

NPR 8800.15

NPR 8820.2

NPR 9250.1

- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the In-grant.
- It is recommended that In-granting of real property be reported to a Center's security office immediately to ensure that the security office can take the appropriate steps to maintain adequate security standards as set forth by NASA policy.

3.7.7. Center submits request for approval with Business Case to TCRPM.

3.7.8. Funds and Scoring

- Scoring is an analysis relevant to in-lease of real property asset by NASA in which the in-lease is determined to be a capital lease or an operating lease. The determinations of whether the lease costs are all budgeted in the first year of the in-lease or if they can be spread over the life of the in-lease is also considered. Refer to OMB Circular A-11. Sufficient Agency appropriations need to be available to cover the amount scored and may not be used for other obligations or purposes.

3.7.9. Headquarters Review

TCRPM will coordinate the review of the In-grant request with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the agreement conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.7.10. Real property instruments will be executed by the Center Director only after review and approval by TCRPM.

3.7.11. Upon execution of the agreement, the Out-grant is entered into the RPMS.

3.7.12. Recording the In-grant in the RPMS

- The RPAO creates a new real property record.
- Legal Interest is "Leased," Asset Class is "Leasehold Improvement" and indicated as "In-grant".)
- Refer to the bReady guide for steps for entering the asset transaction data.
- The Center RPAO enters all required data fields into the RPMS, including the name of the In-grant agreement, name of the other private entity, and the term of the agreement.
- The information in the RPMS will be used for internal reporting and for annual reporting to the FRPP.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together

with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.8. Out-grant with Other Federal Entities

Out-grant agreements with other Federal entities include non-permanent granting by NASA of the use of NASA real property assets to other Federal agencies by means of lease, easement, permit, license, Space Act Agreement, or MOU/MOA. The NASA real property asset is not transferred but is retained in NASA's real property inventory. The purpose is to satisfy another Federal entities requirement to use an existing building/structure that is accountable by NASA (host Agency). The following information supports this action.

- The asset should be less than fully utilized so that the agreement/use does not interfere with NASA mission requirements.
- NASA does not enter into EULs with other Federal entities.
- The Center submits a certification signed by the Center Director or their designee that the proposed Out-grant will not have any negative impact to NASA's mission. This includes a determination by the Center of whether the asset being considered for lease is underutilized.
- If the asset does not have a known mission focus in support of NASA and the asset is also underutilized, the Center should consider disposal of the facility through demolition/deconstruction or other means.

Descriptive Steps

3.8.1. Center Director or their designee forwards Out-grant proposal to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing.

- Except for EULs, Out-grants of NASA real property of five years or less may be executed by the Center Director or the Center Director's designee without Headquarters review. However, TCRPM should still be consulted prior to executing these real property agreements.
- All Center Out-grants with a term greater than five years including extensions of existing agreements are to be approved by TCRPM. TCRPM will coordinate the review of the real property instrument within the appropriate offices in NASA Headquarters.

3.8.2. Center Director prepares a request for approval by TCRPM if the Out-grant if tenancy is greater than five years.

- Center Director prepares certification for the record for all Out-grants no matter the length of the term that there will be no negative impact to NASA's mission and that the asset is currently underutilized.
- If tenancy is greater than five years certification is sent to TCRPM with request for approval; if five years or less the certification is placed in real property record file.

REFERENCES

Applicable Authorities for the Out-grant of real property.

Space Act. Section 20113

The Federal real property asset and Administrative Services Act of 1949

42 USC §2459J Legislative authority authorizing EUL

P.L. 108-7, Section 315 - EUL Authorization

16 USC §470h authorizes NASA to Out-grant real property asset that is listed on the National Historic Register

NPR 8800.15

NPR 8820.2

NPR 9250.1

Code of Federal Regulations 14 CFR 1204.504

3.8.3. Center prepares and submits an Abstract to Headquarters, Mission Support Directorate (MSD) for approval of all EUL Out-grants.

3.8.4. The Center develops a Business Case for all Out-grants. Please refer to the Business Case Guide.

3.8.5. RPAO ensures all costs related to the use of NASA real property assets by another Federal agency are evaluated.

3.8.6. The proposed Out-grant is coordinated with the Center's chief counsel, environmental office, safety office, and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) and to ensure environmental regulations are followed with respect to the tenant's operations and potential liability.
- Prior to entering into a real property agreement with another Federal entity and upon return of the real property, the host Agency (NASA) may require an environmental checklist of the asset.
- Environmental documentation should be maintained by the Center.
- The Center Historic Preservation Officer provides guidance with the State Historic Preservation Officer (SHPO) to determine whether there will be adverse effects on historic properties as a result of the agreement and what mitigation measures are appropriate.
- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the Out-grant.
- It is recommended that Out-granting of real property be reported to a Center's security office immediately to ensure that the security office can take the appropriate steps to maintain adequate security standards as set forth by NASA policy.

3.8.7. Center forwards Abstract that includes key information of the proposed activities to Headquarters, Mission Support Directorate (MSD) with copy to TCRPM through the SAAM system for review prior to negotiating or committing to any agreements.

- MSD is the designated Headquarters office for reviewing abstracts of proposed Out-grants.
- TCRPM will provide written comments on the Center's Abstract and will include references to guidance, and suggestions on proposed agreement development.
- A draft of the Out-grant should only be completed by the Center upon successful coordination of the above.

3.8.8. Any Out-grant for the total length of five years or less may be executed by the Center Director.

- Center keeps the required certification signed by the Center Director and the Business Case in the real property record file.

3.8.9. Any agreement with another Federal agency for the total length greater than five years is to be submitted to TCRPM for review and approval through SAAM system.

- Center to submit request for approval signed by the Center Director with the required certification and Business Case through the e-router system of the SAAM.

3.8.10. Headquarters Review

TCRPM will coordinate the review of the Out-grant request with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the Out-grant conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.8.11. Out-grants with a Federal Agency will be executed by the Center Director only after any required review and approval by TCRPM.

3.8.12. Upon execution of the agreement, the Out-grant is entered into the RPMS.

3.8.13. Recording the Out-grant in the RPMS.

- Recorded a Legal Interest "Owned" and indicated as "Out-grant".
- Refer to the bReady guide for steps for entering the asset transaction data.
- The Center RPAO enters all required data fields into the RPMS, including the title of the agreement, name of the other Federal agency, and the term of the agreement.
- The information in the RPMS will be used for internal reporting and for annual reporting to the FRPP.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.8.14. Upon execution of the agreement, documentation of the process and the execution is placed in the real property record file.

- The real property record file should contain the executed lease, the Business Case, and the previously referenced certification that the proposed Out-grant will not have any negative impact to NASA's mission, with the determination by the Center of whether the asset being considered for lease is underutilized.
- If the following are not part of the Business Case and were prepared in other

documents those documents should be included in the real property record file.

a. How was the asset determined to be underutilized?
b. Why was the asset not excessed or demolished?
c. Was the potential Out-grant marketed/advertised? If so how? If not, why not?
d. What was the response to marketing/advertisement? Who responded? What was the level of interest?
e. Why was the selected tenant chosen?
f. Did others express interest in the Out-grant? If so why were they not selected?
g. Prepare and retain a chronological journal or brief of the negotiation process.
h. How were rent and other obligations determined?

- Modifications to the Out-grant should also be included in the real property record file.

3.9. Out-grant with the Private Sector and Public Sector

Out-grants with private sector and public sector entity entities includes any transaction or agreement, including but not limited to, easements, leases (including EULs), licenses, permits, Space Act Agreement (SAA), MOU/MOA, right-of-way or other transactions that are authorized by the Space Act, Space Launch Act, or National Historic Preservation Act for use of NASA real property asset by a private sector and public sector entity. All use of NASA real property assets by the private sector and public sector entity are covered by an Out-grant. The Out-grant allows a Center to enter into an agreement with a private sector and public sector entity to use an underutilized asset which leverages the asset into a more productive asset, maximizing asset utilization and efficiency. These actions are also known as Public-Private/Public-Public Ventures (PPV). The following information supports this action:

- The asset should be less than fully utilized so that the agreement/use does not interfere with NASA mission requirements.
- The Center submits a certification signed by the Center Director or their designee that the proposed Out-grant will not have any negative impact to NASA's mission. This includes a determination by the Center of whether the asset being considered for lease is underutilized.
- If the asset does not have a known mission focus in support of NASA and the asset is also underutilized, the Center should consider disposal of the facility through demolition/deconstruction or other means.
- TCRPM is responsible for coordinating the review and approval of the Out-grant with all appropriate NASA Headquarters organizations.

Descriptive Steps

3.9.1. Center Director or their designee forwards Out-grant proposal to the Center

REFERENCES

Applicable Authorities to the Out-grant of real property.

The Federal real property asset and Administrative Services Act of 1949

42 USC §2459J Legislative authority authorizing EUL

16 USC §470h authorizes NASA to Out-grant real property asset that is listed on the National Historic Register

NPR 8800.15

NPR 8820.2

NPR 9250.1

Code of Federal Regulations 14 CFR 1204.504

RPAO (or other appropriate individual as designated by the Center Director) for processing.

- Except for EULs, Out-grants of NASA real property of five years or less may be executed by the Center Director or the Center Director's designee without Headquarters review. However, TCRPM should still be consulted prior to executing these real property agreements.
- All Center Out-grants with a term greater than five years including extensions of existing agreements are to be approved by TCRPM. TCRPM will coordinate the review of the real property instrument within the appropriate offices in NASA Headquarters.

3.9.2. Center Director prepares a request for approval by TCRPM of the Out-grant if tenancy is greater than five years.

- Center Director prepares certification for the record for all Out-grants no matter the length of the term that there will be no negative impact to NASA's mission and that the asset is currently underutilized.
- If tenancy is greater than five years certification is sent to TCRPM with request for approval; if five years or less the certification is placed in real property record file.

3.9.3. Center prepares and submits an Abstract to Mission Support Directorate (MSD) for approval of all Out-grants.

3.9.4. The real property asset is appraised to assess its market value. The Center may use a certified appraiser, the US Army Corps of Engineers, or other appropriate means that can substantiate the fair market value of the rent.

- RPAO ensures the Center obtains a Fair Market Rental Value rent, as allowed under the applicable authority, to be provided in return for use of the NASA real property asset.

3.9.5. The Center develops a Business Case for all Out-grants, including leases and permits with the exception of easements and right-of-way unless they are considered permanent. Please refer to the Business Case Guide.

3.9.6. The proposed Out-grant is coordinated with the Center's chief counsel, environmental office, safety office, and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) and to ensure environmental regulations are followed with respect to the tenant's operations and potential liability.
- Prior to entering into a real property agreement with a private entity and upon return of the real property, NASA may require an environmental checklist of the asset.
- Environmental documentation should be maintained by the Center.
- The Center's safety office ensures that all safety hazards and other related

issues have been identified and addressed, and prepares a Safety Baseline Survey for the Out-grant.

- The Center Historic Preservation Officer provides guidance with the SHPO to determine whether there will be adverse effects on historic properties as a result of the agreement and what mitigation measures are appropriate.

3.9.7. Center forwards Abstract that includes key information of the proposed activities to Mission Support Directorate (MSD) with copy to TCRPM through the SAAM system for review prior to negotiating or committing to any agreements.

- MSD is the designated Headquarters office for reviewing abstracts of proposed Out-grants.
- TCRPM will provide written comments on the Center's Abstract and will include references to guidance, and suggestions on proposed agreement development.
- A draft of the Out-grant should only be completed by the Center upon successful coordination of the above.

3.9.8. Any Out-grant for the total length of five years or less may be executed by the Center Director.

- Center keeps the required certification signed by the Center Director and the Business Case in the real property record file.

3.9.9. Any Out-grant with the total length greater than five years is to be submitted to TCRPM for review and approval through the SAAM system.

- Submit Center request for approval signed by the Center Director with the required certification and Business Case through the e-router system of the SAAM.

3.9.10. Headquarters Review

TCRPM will coordinate the review of the Out-grant request with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the agreement conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.9.11. The Center Director will execute the Out-grant only after any required review and approval by TCRPM.

3.9.12. Upon execution of the agreement, the Out-grant is entered into the RPMS.

3.9.13. Recording the Out-grant in the RPMS.

- Recorded as Legal Interest "Owned" and indicated as having an "Out-grant".

- Refer to the bReady guide for steps for entering the asset transaction data.
- The Center RPAO enters all required data fields into the RPMS, including the title of the agreement, the name of the other private sector entity, and the term of the agreement.
- The information in the RPMS will be used for internal reporting and for annual reporting to the FRPP.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.9.14. Upon execution of the agreement, documentation of the process and the execution is placed in the real property record file.

- The real property record file should contain the executed lease, the Business Case, and the previously referenced certification that the proposed Out-grant will not have any negative impact to NASA's mission, with the determination by the Center of whether the asset being considered for lease is underutilized.
- If the following are not part of the Business Case and were prepared in other documents those documents should be included in the real property record file.
  a. How was the asset determined to be underutilized?
  b. Why was the asset not excessed or demolished?
  c. Was the potential Out-grant marketed/advertised? If so how? If not, why not?
  d. What was the response to marketing/advertisement? Who responded? What was the level of interest?
  e. Why was the selected tenant chosen?
  f. Did others express interest in the Out-grant? If so why were they not selected?
  g. Prepare and retain a chronological journal or brief of the negotiation process.
  h. How were rent and other obligations determined?
- Modifications to the Out-grant should also be included in the real property record file.

3.10. Out-grant–Enhanced Use Leasing (EUL)

Enhanced Use Leasing (EUL) is a non-permanent granting by NASA of the use of NASA real property asset by others by means of a EUL Agreement under EUL authority, also known as "Lease of Non-excess property". The NASA real property asset is retained and recorded as an "EUL" in the NASA RPMS. The EUL authority allows NASA to enter into real property Out-grants for the use of under-utilized real property asset including land, buildings and other structures to the private sector. The EUL allows the Agency to retain and use the proceeds derived

REFERENCES

Applicable Authorities to the acquisition of real property.

The Federal Property and Administrative Services Act of 1949

42 USC §2459J Legislative authority authorizing EUL

from the lease for facility-related capital expenses. The following tasks support this action.

- The asset should be less than fully utilized so that the agreement/use does not interfere with NASA mission requirements.
- NASA does not enter EULs with other Federal entities.
- All EULs with private sector entities no matter the length of term need to be reviewed and approved by Headquarters before the Center enters into them.
- The Center submits a certification signed by the Center Director or their designee that the proposed Out-grant will not have any negative impact to NASA's mission. This includes a determination by the Center of whether the asset being considered for lease is underutilized.
- If the asset does not have a known mission focus in support of NASA and the asset is also underutilized, the Center should consider disposal of the facility through demolition/deconstruction or other means.
- TCRPM is responsible for coordinating the review and approval of the acquisition of land with all appropriate NASA Headquarters organizations.

Descriptive Steps

3.10.1. The Center Director or their designee forwards EUL proposal to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing.

- The Center submits all EULs, without consideration of the scope, term in years, or amount of revenue, to TCRPM for review and approval before the Center enter the EUL.

3.10.2 Center Director prepares a request for approval by TCRPM of the EUL.

- Center Director to prepare certification for the record for all EULs that there will be no negative impact to NASA's mission and that the asset is currently underutilized.
- If tenancy is greater than five years certification is sent to TCRPM with request for approval; if five years or less the certification is placed in real property record file.

3.10.3 Center prepares an Abstract to submit to the Headquarters, Mission Support Directorate (MSD) for approval of all EULs.

3.10.4. The real property asset is appraised to assess its market value. The Center may use a certified appraiser, the US Army Corps of Engineers, or other appropriate means that can substantiate the fair market value of the rent.

- RPAO ensures the Center obtains a Fair Market Rental Value rent, as allowed under the applicable authority, to be provided in return for use of the NASA real property asset.

3.10.5. The Center develops a Business Case for all EULs. Please refer to the Business Case Guide.

P.L. 108-7, Section 315 - EUL Authorization

16 USC §470h authorizes NASA to Out-grant real property asset that is listed on the National Historic Register

Code of Federal Regulations 14 CFR 1204.504

NPR 8800.15

NPR 8820.2

NPR 9250.1

3.10.6. The proposed EUL is coordinated with the Center's chief counsel, safety office, environmental office and security office.

- Office of Chief Counsel reviews for legal sufficiency.
- The Center's safety office ensures that all safety hazards and other related issues have been identified and addressed, and prepares a Safety Baseline Survey for the In-grant.
- The Center's environmental office ensures the environmental requirements are appropriately addressed including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) and to ensure environmental regulations are followed with respect to the tenant's operations and potential liability.
- Prior to entering into a real property agreement with a private entity and upon return of the real property, NASA may require an environmental checklist of the asset.
- Environmental documentation should be maintained by the Center.
- The Center Historic Preservation Officer provides guidance with the SHPO to determine whether there will be adverse effects on historic properties as a result of the agreement and what mitigation measures are appropriate.

3.10.7. Center submits Abstract that includes key information of the proposed activities to Mission Support Directorate (MSD) with copy to TCRPM through SAAM system for review prior to negotiating or committing to any agreements.

- MSD is the designated Headquarters office for reviewing abstracts of proposed EUL.
- TCRPM will provide written comments on the Center's Abstract and will include references to guidance, and suggestions on proposed agreement development.
- A draft of the EUL should only be completed upon successful coordination of the above.

3.10.8. All EULs require TCRPM review and approval and are submitted through the e-router system of the SAAM.

- Submit Center request for approval signed by the Center Director with the required certification and Business Case.

3.10.9. Headquarters Review

TCRPM will coordinate the review of EUL request with the following Headquarters organizations:

- Office of General Counsel for legal sufficiency.
- Environmental Management Division for environmental compliance.
- Office Safety and Mission Assurance to ensure the agreement conforms to NASA's policies.
- Office of Protective Services for security compliance.
- Office of International and Interagency Relations (for federal agreements and international property).

3.10.10. The EUL will be executed by the Center Director only after any required review and approval by TCRPM.

3.10.11. Upon execution of the agreement, the EUL is entered into the RPMS.

3.10.12. Recording the EUL in the RPMS.

- Record as Legal Interest "Owned" and indicated as having an "EUL".
- Refer to the bReady guide for steps for entering the asset transaction data.
- The Center RPAO enters all required data fields into the RPMS, including the title of the agreement, the name of the other private sector entity, and the term of the agreement.
- The information in the RPMS will be used for internal reporting and for annual reporting to the FRPP.
- Recommend the RPAO use a numbering system for all line items that tie the document to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.10.13. Upon execution of the agreement, documentation of the process and the execution is placed in the real property record file.

- The real property record file should contain the executed lease, the Business Case, and the previously referenced certification that the proposed Out-grant will not have any negative impact to NASA's mission, with the determination by the Center of whether the asset being considered for lease is underutilized.
- If the following are not part of the Business Case and were prepared in other documents those documents should be included in the real property record file.
    a. How was the asset determined to be underutilized?
    b. Why was the asset not excessed or demolished?
    c. Was the potential Out-grant marketed/advertised? If so how? If not, why not?
    d. What was the response to marketing/advertisement? Who responded? What was the level of interest?
    e. Why was the selected tenant chosen?
    f. Did others express interest in the Out-grant? If so why were they not selected?
    g. Prepare and retain a chronological journal or brief of the negotiation process.
    h. How were rent and other obligations determined?

- Modifications to the Out-grant should also be included in the real property record file.

3.10.14. The Center submits an annual report to TCRPM for the preceding fiscal year of completed projects on which the rent revenue has been spent, including the name and identifying number of the asset on which the funds were spent, a

description of the project, and the cost of the completed project.

Although it is not the responsibility of the RPAO, the Center is responsible for properly managing the receipts from tenants. The receipts from EULs are managed differently than receipts from non-EULs since NASA's expanded EUL authority allows NASA to retain the cash received in consideration rather than sending it to the Treasury. Guidance to the Centers on management of EUL receipts as well as receipts from other leases and reimbursable agreements may be found in Chapter 5 of NPR 9090.1, "Reimbursable Agreements".

3.11. Disposal of Real Property by Demolition

Demolition is the disposition/disposal of real property assets by demolishing, destroying or deconstructing of a real property asset when NASA no longer requires the property. It is noted that this property is not declared as excess in which case the property would be turned over to GSA for disposal. Demolition is only authorized if no other mission organizations have a requirement for the real property and the real property is beyond repair or is best handled by demolition or similar means. NASA Headquarters has received sole approval authority from GSA for demolitions of NASA real property. This authority and reporting of proposed demolition to TCRPM by the Center fulfills the requirement of FMR Subpart E §102-75.1035 which requires landholding agencies to coordinate and obtain concurrence from GSA prior to demolishing Federal real property.

- TCRPM is responsible for oversight of real property disposal and approval and release of all documentation and notification that is sent outside of the agency.
- Center will prepare documentation and information needed for TCRPM as needed by the specific disposal.

Descriptive Steps

3.11.1. The request to dispose of the real property asset is assigned to the Center RPAO (or other appropriate individual as designated by the Center Director) for processing. The following actions support this task.

- All utilities are secured and disconnected at the first service equipment location outside the facility, with the exception of those needed for fire protection, security, or safety.
- Collateral equipment including facility systems may be identified for use at other NASA locations where it is feasible and cost effective.
- Personal Property is removed and turned over to the Personal Property Officer in the Center's disposal office.
- The RPAO should work with the Center's Disposal Officer to arrange for the disposal of all personal property in the facility.
- The facility is secured to prevent the pilfering of salvageable materials.
- In coordination with the Center environmental office, the RPAO documents that environmental surveys have been completed and required remediation

REFERENCES

Applicable Authorities for the Disposal of real property.

The Federal Property and Administrative Services Act of 1949

40 USC §471 established the GSA as the Federal Agency responsible for the sale of Federal assets and the sole authority to institute regulations for such actions, which are found in GSA FMR.

FMR 102.75-115, for the preparation of SF Form 118

40 CFR §373 certify that no hazardous activity took place within the asset

14 CFR § 1204.501 delegates the authority to sell or otherwise dispose of NASA asset, in accordance with the provisions of 40 U.S.C § 471

NPR 8820.2

has been identified and programmed.

- Plans should be put in place to demolish at the earliest practical date.

3.11.2. A letter, signed by the Center Director or their designee, requesting authority to proceed with the demolition is sent to TCRPM. The letter should be filed in the Center property records and include the following.

- A list of the buildings to be demolished along with their book value and square footage.
- Confirmation of changes of the status of the real property asset in the RPMS.
- An approval line for signature by the TCRPM Director.

3.11.3. As a separate process carried out by the Center construction office, a NASA Form 1509, Facility Project--Brief Project Document, describing the scope and need for the demolition is submitted to FED for approval. Processes for NASA Form 1509 are established in NPR 8820.2, Appendix C.

3.11.4. Recording Disposal in the RPMS.

- Record asset "Disposed" and indicate the method of disposition; asset is automatically removed from active inventory by the RPMS. Do not delete the asset record.)
- Do not remove or zero out the value.
- Change status to Disposed and enter method of disposition.
- "Valid To Date" in RPMS should be the date of the disposition.
- The cost of the demolition may be entered in the memo field as a record of the cost.
- Facility number is retired and should not be reassigned.
- Recommend the RPAO use a numbering system for all line items that ties documents to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

3.12. Disposal of Real Property by Report of Excess to GSA

Disposal by Report of Excess is the disposition/disposal of real property asset by GSA at the request of NASA. NASA does not have the authority to dispose by sale or transfer. The authority to sell or transfer by NASA has been authorized in the past for specific properties, but without specific authorization, all sale and transfer of NASA property is through GSA. NASA reports the real property asset as excess to its needs using SF-118, Report of Excess. The Report of Excess process can be lengthy and completion of the final report to GSA may take 12 months or more for complex sites. Upon receipt of the Report of Excess GSA will announce the availability of the property to other federal agencies. If no federal agency requires the property, it will be offered to state and local governments and to the public. The following actions support this task.

- TCRPM is responsible for oversight of real property disposal and approval

REFERENCES

Applicable Authorities for the Disposal of real property.

The Federal Property and Administrative Services Act of 1949

40 USC §471 established the GSA as the Federal Agency responsible for the sale of Federal assets and the sole authority to institute regulations for such actions, which are found n GSA FMR.

FMR 102.75-115, for the

and release of all documentation and notification that is sent outside of the Agency.

- Center will prepare documentation and information needed for TCRPM as needed by the specific disposal.
- Collateral equipment remains with the real property.
- All personal property (computers, office furniture, anything that is not "attached" to the facilities) may be removed and become the responsibility of the Center's Personal Property Officer.
- The property remains in NASA's inventory until the transfer is completed by GSA.
- TCRPM is responsible for coordinating the review and approval of the disposal with all appropriate NASA Headquarters organizations.

Descriptive Steps

3.12.1. The request to report Center property as excess is assigned to the RPAO by the Center Director or their designee for processing.

3.12.2. RPAO prepares the SF-118 Report of Excess and a letter to TCRPM stating the asset is no longer required and requesting the asset be reported as excess.

- SF-118 requires significant review by the Center Environmental Management Office and the Center Historical Preservation Officer, including coordination with the SHPO.
- Center letter should identify the recorded capitalized value of the asset including land and the total square footage of the facilities as applicable.
- RPAO should inform the Center financial office of the excess.

3.12.3. Center Director or their designee signs and submits the letter and the SF-118 to TCRPM reporting the property as excess and certifying no mission organizations have a requirement for the real property asset and there will be no negative impact to NASA's mission by excessing the property.

3.12.4. TCRPM coordinates the approval to report the property as excess with other Headquarters offices and submits SF-118 to GSA.

3.12.5. After Report of Excess is submitted to GSA the property remains in NASA's RPMS until GSA has completed the transfer.

3.12.6. When GSA has completed the transfer the asset no longer belongs to NASA.

3.12.7 Recording Disposal in the RPMS.

- Record asset "Disposed" and indicate the method of disposition; asset is automatically removed from active inventory by the RPMS. Do not delete the asset record.
- Do not remove or zero out the value.
- Change status to Disposed and enter method of disposition.
- "Valid To Date" in RPMS should be the date of the disposition.

preparation of SF Form 118

40 CFR §373 certify that no hazardous activity took place on the asset

14 CFR § 1204.501 delegates the authority to sell or otherwise dispose of NASA asset, in accordance with the provisions of 40 U.S.C § 471

The McKinney-Vento Homeless Act (42 USC §11411) requires Federal Agencies to make available excess asset to assist the homeless

- Any cost associated with the disposal may be entered in the memo field as a record of the cost.
- Facility number is retired and should not be reassigned.
- Recommend the RPAO use a numbering system for all line items that ties documents to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

REFERENCES

Applicable Authorities for the Disposal by transfer of real property.

3.13. Disposal by Transfer of Real Property Asset to Another Federal Agency

Disposal by transfer to another Federal agency is accomplished via the same process as excessing real property. NASA does not have the authority to transfer real property to another federal entity and GSA is the transfer agent. NASA reports the real property asset as excess to its needs. In the past Congress has given NASA the authority to sell or transfer specific properties. But without specific authorization, transfer of NASA property to another federal agency is the responsibility of GSA. NASA reports the real property asset as excess to its needs using SF-118, Report of Excess. The Report of Excess process can be lengthy and completion of the final report to GSA may take 12 months or more for complex sites. Upon receipt of the Report of Excess GSA will announce the availability of the property to other federal agencies. If another Federal agency requires the asset GSA will transfer the asset to them.

- TCRPM is responsible for oversight of real property disposal and approval and release of all documentation and notification that is sent outside of the Agency.
- Center will prepare documentation and information needed for TCRPM as needed by the specific disposal.
- Collateral equipment remains with the real property.
- All personal property (computers, office furniture, anything that is not "attached" to the facilities) may be removed and become the responsibility of the Center's Personal Property Officer.
- The property remains in NASA's inventory until the transfer is completed by GSA.
- TCRPM is responsible for coordinating the review and approval of the disposal with all appropriate NASA Headquarters organizations.

Descriptive Steps

3.13.1. The request to report Center property as excess is assigned to the RPAO by the Center Director or their designee for processing.

3.13.2. RPAO prepares the SF-118 Report of Excess and a letter to TCRPM stating the asset is no longer required and requesting the asset be reported as excess.

- SF-118 requires significant review by the Center Environmental Management Office and the Center Historical Preservation Officer, including coordination with the SHPO.

The Federal Property and Administrative Services Act of 1949

40 USC §471 established the GSA as the Federal Agency responsible for the sale of Federal assets and the sole authority to institute regulations for such actions, which are found n GSA FMR.

FMR 102.75-115, for the preparation of SF Form 118

40 CFR §373 certify that no hazardous activity took place on the asset

14 CFR § 1204.501 delegates the authority to sell or otherwise dispose of NASA asset, in accordance with the provisions of 40 U.S.C § 471

The McKinney-Vento Homeless Act (42 USC §11411) requires Federal Agencies to make available excess asset to assist the homeless

- Center letter should identify the recorded capitalized value of the asset including land and the total square footage of the facilities as applicable.
- RPAO should inform the Center financial office of the excess.

3.13.3. Center Director or their designee signs and submits the letter and the SF-118 to TCRPM reporting the property as excess and certifying no mission organizations have a requirement for the real property asset and there will be no negative impact to NASA's mission by excessing the property.

3.13.4. TCRPM coordinates the review and approval to report the property as excess with other Headquarters offices and submits SF-118 to GSA.

3.13.5. After Report of Excess is submitted to GSA the property remains in NASA's RPMS until GSA has completed the transfer.

3.13.6 When GSA has completed the transfer the asset no longer belongs to NASA.

3.13.7. Recording Disposal in the RPMS.

- Record asset "Disposed" and indicate the method of disposition; asset is automatically removed from active inventory by the RPMS. Do not delete the asset record.
- Do not remove or zero out the value.
- Change status to Disposed and enter method of disposition.
- "Valid To Date" in RPMS should be the date of the disposition.
- Any cost associated with the disposal may be entered in the memo field as a record of the cost.
- Facility number is retired and should not be reassigned.
- Recommend the RPAO use a numbering system for all line items that ties documents to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.

REFERENCES

Applicable Authorities for the Disposal of International real property.

The Federal Property and Administrative Services Act of 1949

40 USC §471 established the GSA as the Federal Agency responsible for the sale of Federal assets and the sole authority to institute regulations for such actions, which are found n GSA FMR.

3.14. Disposal of International Real Property

TCRPM approves and coordinates all disposal of real property at international locations with the Office of the General Counsel and the Office of International and Interagency Relations. The Office of International and Interagency Relations will coordinate with the Department of State as required. The following actions support this task.

- TCRPM is responsible for oversight of real property disposal and approval and release of all documentation and notification that is sent outside of the Agency.
- Center will prepare documentation and information needed for TCRPM as needed by the specific disposal.
- TCRPM is responsible for coordinating the review and approval of the

FMR 102.75-115, for the preparation of SF Form 118

40 CFR §373 certify that no hazardous activity took place on the asset

14 CFR § 1204.501 delegates the authority to sell or otherwise dispose of NASA asset, in accordance with the provisions of 40 U.S.C § 471

The McKinney-Vento Homeless Act (42 USC §11411) requires Federal Agencies to make

disposal with all appropriate NASA Headquarters organizations. **Descriptive Steps** **3.14.1.** The request to report Center international real property as excess is assigned to the RPAO by the Center Director or their designee for processing. • The RPAO prepares letter to TCRPM stating the asset is no longer required and requesting the asset be reported as excess. Correspondence should identify the recorded capitalized value of the site to include land and the total square footage of the facilities as applicable. **3.14.2.** Center Director or their designee signs and submits a letter to TCRPM reporting the property as excess and certifying no mission organizations have a requirement for the real property asset and there will be no negative impact to NASA's mission by excessing the property. **3.14.3.** TCRPM coordinates the approval to report the international property as excess with the Office of International and Interagency Relations. **3.14.4**. After the international property transfer is complete, the transfer may be recorded in the NASA RPMS. **3.14.5.** Recording Disposal in the RPMS. • Record asset "Disposed" and indicate the method of disposition; asset is automatically removed from active inventory by the RPMS. Do not delete the asset record. • Do not remove or zero out the value. • Change status to Disposed and enter method of disposition. • "Valid To Date" in RPMS should be the date of the disposition. • Any cost associated with the disposal may be entered in the memo field as a record of the cost. • Facility number is retired and should not be reassigned. • Recommend the RPAO use a numbering system for all line items that ties documents to the asset. Use of the asset number, for example, "4707" together with the line item number, for example, "70", would give an identifying number for related documents of "4707-70". This will aid in locating and identifying the document files.	available excess asset to assist the homeless

4. Reporting and Recording

4.1. Physical Accountability – Reporting and Recording

4.1.1. Records Accountability – NASA Real Property Management System

The NASA Real Property Management System (RPMS) is the repository for all NASA real property information. The RPMS is the system for recording all NASA land, buildings, and other structures. It is integrated with NASA's financial system, SAP. The RPMS provides the capability of inventory management and asset valuation of NASA's real property portfolio. It facilitates In-grant and Out-grant management as well as providing Facility Utilization reports. RPMS data is uploaded annually to the GSA Federal Real Property Profile (FRPP) database.

The RPMS is comprised of the following three system applications:

- SAP Flexible Real Estate (RE-FX). The RE-FX includes the transactional system of record, inventory of buildings and land, lease administration, as well as Facility Utilization data.
- Business Warehouse (BW) Reporting. BW is the web-based application that summarizes data from SAP RE-FX for reporting purposes. RE-FX data is uploaded to BW each night and will appear in BW the following business day.
- Mission Dependency Index (MDI): MDI is a web application that interfaces with SAP RE-FX to improve alignment between real property assets and NASA missions/programs.

Access to the RPMS, user roles, and current information on its functionality can be obtained from TCRPM and Center RPAOs. TCRPM establishes and assigns user roles and levels of capability within the system. See the support information for RPMS, "Real Property Management (RPMS) Frequently Performed Actions Reference Guide" for system access instructions, information and system questions. Also refer to the bReady portal and the Enterprise Performance Support System web sites for guidance (see below).

System support for the RPMS is provided by the Real Property Management Team at the Marshall Space Flight Center (MSFC), NASA Enterprise Applications Competency Center (NEACC). Team members are listed on the TCRPM web site (Agency POCs) and on NASA's business system portal (bReady).

The NEACC has two system support web sites for the RPMS.

The NASA bReady Enterprise Portal (NASA's business system portal) provides the latest information available on the RPMS. The RPMS Tab is on the main menu and contains Job Aids for real property actions as well as training. The portal also contains information on upcoming events, Center and TCRPM POCs, documents, and links. The bReady system launcher can also be used to access SAP, BW or the MDI system applications.

The Enterprise Performance Support System (EPSS) provides end-user procedures (EUPs) for the SAP RE-FX, BW, and MDI systems. This includes job aids and help content for many RPMS business processes

RPMS System changes, fixes and enhancements can be made though the Remedy Integrated Service Request System (ISRS). Access to this application can be found on the bReady Enterprise Portal.

4.1.2 General Requirements for Recording of RPMS Asset Information

See NPR 8800.15, Chapter 2 for detailed business processes and guidelines for the Center RPAO to update and maintain real property records in the RPMS. General information regarding the recording of owned and leased assets in the RPMS is provided below.

- Real property assets that meet the criteria for classification and have an acquisition cost of $5,000 or more are recorded into the RPMS. This threshold applies to new construction as well as individual modifications to existing real property assets.
- The real property record files are required for land, buildings, other structures, leasehold improvements, In-grants including leases, easements, and licenses or permits. Records include any construction, as well as the installation, replacement, or removal of collateral equipment; Out-grants of NASA assets including leases, easements, and licenses or permits; and the disposal of any of these real property interests.
- Supporting documentation regarding the real property action, including leases, use agreements, 1046 forms, 1739 forms, photos, etc., may be attached to the RPMS asset record.
- NASA will capitalize assets that have a unit acquisition cost of $100,000 or more, have an estimated useful life of two years or more, are acquired for use by NASA, and have an alternative future use. For a complete list of requirements regarding capitalization, see NPR 9250.1, Property Plant and Equipment and Operating Materials and Supplies.
- Centers are to record the use of NASA property by other parties (Out-grants) in the RPMS.
- Centers are to record property that NASA uses from other parties (In-grants) in the RPMS.
- NASA-funded improvements to In-grants, which meet the capitalization criteria, are recorded as Leasehold Improvements in the RPMS.
- NASA-funded improvements to contractor's property based on a NASA contract requirement and which meet the capitalization criteria are also recorded as Leasehold Improvements in the RPMS.

4.1.3. Coordination of Records

The RPAO is responsible for the coordination of asset record information with the Center Financial Management Office, the Center construction office and Facility Utilization Officer, and the Facility Project Managers (FPM) in order to maintain the integrity of the real property record. The RPAO coordinates the following activities.

- Completion of NASA Form 1739 (Alternative Future Use Questionnaire) by the FPM for all facility projects.
- Assigning the appropriate financial class code to the asset.

- Obtaining receipt of the NASA Form 1046, Transfer and/or Notification of Acceptance of Accountability of Real Property, from the FPM in the Facility Construction Office to record a new asset and to record transactions into the RPMS.
- Ensuring the required documentation has been provided and the respective record balances for capitalized assets are in agreement and up to date.
- Documenting all disposals when the real property asset is demolished or excessed and transferred.
- Validating records for capitalized real property assets (per the capitalization thresholds) and reconciling with the OCFO.

4.1.4. Classification and Accounting Codes for RPMS

All NASA real property assets are assigned a classification code and are mapped to a financial asset class within the RPMS. Both stay with the asset throughout its life unless the use of the asset changes.

The NASA Real Property Classification Guide provides details of the NASA facility classification coding system and a cross-reference to the GSA usage codes.

Financial Asset Class – Effective October 4, 2010, the general ledger account codes were replaced with Asset Classes.

Old Code	Asset Class	Description
1711	500	Land
1712	511	Improvements to Land
1740	515	Other Structures and Facilities
1820	520	Leasehold Improvements
1730	540	Buildings

4.1.5 Annual Reports Due to Headquarters

NASA NPR 8800.15 requires NASA Centers maintain and keep all real property data in the RPMS up to date. The RPMS is utilized by Headquarters to obtain federally required reports such as the FRPP.

Date Due	Report Name	Description	NPR Reference	From/To
Quarterly	Quarterly Reconciliation	The SAP financial system now runs reconciliation. Based on Center practice the RPAO should continue to coordinate with the DCFO to ensure that records and accounts remain in agreement.	2.2.3.1	RPAO to Center DCFO
Every 3 Years	Physical Inventory of NASA Real Property Assets	RPAO performs a visual inspection of Center managed real property assets in accordance with OMB requirements and to ensure the accuracy of the data that NASA reports to the FRPP.	2.6	RPAO to RPMS
1-Jan	NBI Bridge Data Report	NASA submits its most current National Bridge Inventory (NBI) data.	3.4.2	Centers to FED
1-Jan	Annual Center EUL Report	Report due to Congress regarding the status of the EUL Program, as required by NASA's EUL authority.	7.8.6.4	Center to TCRPM and OCFO
3-Mar	Annual Agency EUL Report	NASA submits the Agency summary EUL report to Congress.	7.8.6.4	TCRPM to Congress
15-May -and- 15-Nov	RPMS Deferred Maintenance (DM) download Report	Headquarters provides an RPMS report on all real property assets to the DM contractor.		TCRPM to DM Contractor
10-Aug	Historical Data	This data will be uploaded from the Cultural Resource Management (CRM) system into the RPMS bi-annually.		CRM contractor to the RPMS

Date Due	Report Name	Description	NPR Reference	From/To
1-Nov	Space Budget Justification – Rental Report	NASA Headquarters is required to submit an annual rental space budget justification to GSA and OMB as outlined in OMB Circular A-11, Section 54, Rental Payments for Space and Land and Appendix B.	3.3.1	Centers to TCRPM
15-Nov	Removed Property Report to GSA	NASA submits an annual report on all removed property.		TCRPM to GSA
15-Nov	Operating and Maintenance Costs	The RPAO coordinates the collection and uploading of O&M data into the RPMS.	3.2.2.3	RPAO to RPMS
15-Nov	DM Assessment Review and Report	Third-party assessors rate the quality of all Center real property. RPAO reviews and responds to draft report findings and update the RPMS accordingly.	1.2 & 3.3.2	DM Assessment Report to FED
15-Nov	Sustainability Data	RPAO coordinates the collection and updates the sustainability data in the RPMS.		RPAO to RPMS
15-Nov	Facility Utilization Data	RPAO and FUO update facility utilization in the RPMS.	5.4.2.2	RPAO and FUO to RPMS
15-Nov	RPMS data upload to the Federal Real Property Profile Report (FRPP)	Center ensures all data is up to date and uploaded to support Agency reporting of owned and leased assets (GSA Annual FRPP Guidance for Real Property Inventory Reporting).	3.2.2	RPAO to RPMS.
15-Nov	RPMS Annual Certification to Headquarters	Center Director submits a signed letter certifying that all Center controlled real property has been reviewed, is being put to its best use, and the data is up-to-date in the RPMS.	See e-mail interim guidance, November 2011.	Center Director to TCRPM

Date Due	Report Name	Description	NPR Reference	From/To
15-Dec	Agency Report by Headquarters to Federal Real Property Profile Report (FRPP)	Per EO 13327, NASA submits data on owned and leased assets to the FRPP annually.	3.2.1.1 and 3.2.1.2 FRPP Guidance	TCRPM to GSA

4.1.6. Annual Federal Real Property Report (FRPP) Requirements

Executive Order 13327 requires government agencies to report all real property owned, leased from others, and otherwise-managed Federal real property assets within and outside the United States, including improvements on Federal land. Executive Branch agencies submit data at the constructed asset level on an annual basis. This data is used by GSA and OMB to ensure proper management of Federal real property assets. This data is required to be uploaded on December 15th of each year.

4.1.7. Validation of Real Property Data

Validation of the data in the RPMS is performed in accordance with NPR 8800.15, Chapter 3. Emphasis is placed on correct entry of construction costs, facility status, utilization, annual operating costs, mission dependency, condition index, and anticipated disposal date.

- TCRPM verifies and validates the Center's RPMS data. TCRPM reviews anomalies in the RPMS, reviews random samplings of asset records, and conducts site visits as budgets allow.

- The validation will support the Headquarters requirement that each Center submit an annual certification letter by November 15, certifying the RPMS data is up-to-date.

- The RPMS database plays a central role in the Agency-wide annual Deferred Maintenance Assessment (DMA) Report. The RPAO participates in the Center site review and critiques the findings of the DMA Team Real Property Module Information Report and the Lessons Learned Report. The RPAO determines what action is required, resolves any discrepancies found in the report as appropriate, and updates the RPMS accordingly.

4.2. Facilities Utilization

NASA's Facility Utilization Program (FUP) provides each Center with processes to ensure that the Center's real property assets are used to their highest and best use. The Agency program is in line with Federal directives and supports Federal reporting on utilization. The Center Director appoints a Facility Utilization Officer (FUO) to manage the program and also appoints a Facility Utilization Review Board (FURB) to ensure the Center is addressing NASA objectives for facility use and control. The FUO coordinates closely with the FURB and the RPAO. Facility utilization data should be entered once a year after the close of the fiscal year but no later than November 15. For example, FY 2012 data will be entered between October 1

and November 15, 2012. More detailed information may be found in NPR 8800.15, Chapter 5, Facilities Utilization

4.2.1. Establishing and Updating Facility Utilization Data

Facility Utilization supports the real property actions described in Section 3 of this Desktop Guide. Understanding the utilization status of an asset, whether they are underutilized or fully utilized, is important in developing real property plans for out-grant of NASA real property assets to private, public, or Federal tenants. Utilization also plays an important role in supporting requirements for construction of new assets or modification of existing assets. For each asset, the FUO needs to confirm and record the types of space in the asset and the number of personnel using the facility. This information together with other required information allows the Center to track the use of its assets and to properly manage its capabilities.

It is imperative that the utilization of each asset be accurately reported in the RPMS. The data in the RPMS is use for internal and external reporting. The primary internal report is the Building Space Utilization Report, known as the "1400 Report," in the BW. TCRPM uses the 1400 Report to identify and analyze trends in a variety of building metrics, including occupancy rates, types of space, space usage rates, and predominant use categories. The primary external report is the annual FRPP, which is described in Section 4.1.6. To ensure the accuracy of the information in the RPMS the RPAO needs to coordinate real property actions closely with the FUO.

4.2.2. Facility Utilization Guidance

The following information should be used in conjunction with NPR 8800.15, Chapter 5, Facilities Utilization, as it provides additional facilities utilization guidance to NASA Centers. This guidance provides a means of ensuring that facility utilization data is consistent across NASA Centers, and it applies to all real property recorded in the RPMS. Asset data should be reported regardless of current status and utilization; thus, 1400 Reports will include assets that are active, inactive, abandoned, mothballed, standby, and excess. The Center upload into the 1400 Report is also used to upload the organization assigned to NASA real property assets, both buildings as well as structures that do not have net usable square feet, i.e. not classified as buildings. This organization code is also used by the Mission Dependency Index (MDI) when developing a score for the real property asset by organization. The 1400 Report provides Headquarters with an accounting of building occupancy and usable space at the Centers. Centers are required to report facilities utilization data for the following asset classes:

- 540 – Buildings – All assets in the RPMS should be reported.
- 515 - Other Structures & Facilities – Only assets with usable square footage should be reported.

4.2.3. New FRPC Reporting Requirements for Facility Utilization

The four facility utilization categories are; Over-utilized, Utilized, Under-utilized, and Not utilized. Prior to the FY 2011 reporting period, the Federal Real Property Council (FRPC) required federal agencies to report facility utilization as one of these categories. Beginning in the FY 2011 reporting period, the FRPC has changed its reporting requirements for buildings by replacing these categories with a space utilization percentage rate between 0% and 100%. This utilization rate is only required for the following building predominant use categories:

- Offices
- Family Housing
- Museums
- Hospitals
- Dormitories
- Laboratories
- Prisons
- Barracks
- Schools
- Warehouses

The FRPC defines the predominant use categories and utilization rates as shown in Table 1.

Table 1

Predominant Use Category	FRPC Definition	Basis of Utilization Rate
Offices	Buildings primarily used for office space or military headquarters	Percentage should be based on ratio of occupancy to current design capacity
Hospitals	Buildings used primarily for furnishing in-patient diagnosis and treatment under physician supervision and having 24-hour-a-day registered graduate nursing services. This category also includes medical laboratories used for routine testing. This category excludes buildings used directly in basic or applied medical research.	Percentage should be based on ratio of occupancy to current design capacity
Prisons	No definition provided	Percentage should be based on ratio of occupancy to current design capacity
Schools	Buildings used primarily for formally organized instruction, such as schools for dependent children of Federal employees, Indian schools, and military training buildings including specialized training facilities.	Percentage should be based on ratio of occupancy to current design capacity
Family Housing	Buildings primarily used as dwellings for families/ dependents. Includes apartment houses, single houses, row houses, public housing, military personnel housing, Federal employee housing, and housing for institutional personnel.	Percentage should be based on the individual units that are occupied

Predominant Use Category	FRPC Definition	Basis of Utilization Rate
Dormitories and Barracks	Buildings primarily used as dwellings for housing individuals (without families/dependents).	Percentage should be based on the individual units that are occupied
Warehouses	Buildings used for storage, such as ammunition storage, covered sheds, and buildings primarily used for storage of vehicles or materials. Also included are underground or earth covered ammunition storage bunkers and magazines. This category excludes water reservoirs and POL storage tanks which are storage structures.	Ratios of gross square feet occupied to current design capacity
Museums	Buildings used for the housing and/or display of tangible objects or collections for the purpose of displaying said objects or collections for public view and benefit on a regular basis.	Ratios of gross square feet occupied to current design capacity
Laboratories	Buildings used directly in basic or applied research in the sciences (including medicine) and in engineering, such as medical laboratories; meteorological research laboratories; and buildings used in designing, developing, and testing of prototypes and processes for chemistry and physics. This category excludes medical or industrial laboratories used for routine testing.	Ratio of active units to current design capacity

4.2.4. Methodology for Buildings

Current design capacity is defined by the FRPC as the maximum capacity at which an asset, facility, or system can operate regardless of statutory, regulatory, contractual, or other conditions or restrictions. In the event that a building contains more than one of the use categories listed above, the predominant use shall prevail. In mixed-use buildings where the use categories are relatively equally matched and there is no predominant use, NASA Centers may calculate the utilization rate as a weighted average. The following examples demonstrate methods of calculating utilization rate:

Example A
Building 100 houses the following space: Warehouse - 18,000 square feet, occupied and 2,000 square feet, vacant; Office - 6,500 square feet, occupied and 500 square feet, vacant. Since warehouse is the predominant use category, the utilization rate will be calculated as:

18,000/20,000 = 90%

Example B
Building 200 houses the following space: Offices – 125 occupied (comprised of private offices and cubicles) and 25 vacant, totaling 19,500 square feet; Laboratories - 19 occupied and 1 vacant, totaling 19,000 square feet. Since the square footage of the offices and laboratories are almost equal, there is no predominant use. The utilization rate will be calculated as follows:

Offices: 125/150 = 84%
Laboratories: 19/20 = 95%
Utilization Rate: (.84+.95) divided by 2 = 90%

4.2.5. Methodology of Other Facilities
For all real property assets other than buildings, NASA Centers are not required to report utilization as a percentage, and will continue reporting facility utilization as Over-utilized, Utilized, Under-utilized, or Not utilized. This includes other structures and facilities, land, and improvements to land. Whenever possible, current design capacity should be used to determine utilization for real property assets. Utilization categories are defined in Table 2.

Table 2

Category	Range
Over-utilized	86% - 100%
Utilized	51% - 85%
Under-utilized	10% - 50%
Not Utilized	0% - 9%

4.2.6. Baseline Utilization for Technical Facilities
For technical facilities, determination of a specific facility's baseline utilization should be based on that level of use and/or cost effectiveness which could reasonably justify acquisition and retention of the facility. The level of use may be given as a rate, such as in hours per month or year; or in activity, such as equivalent utilization days (EUDs), or tests or launches per year. Where facilities are limited to lower use rates by the constraints of weather conditions or other factors, the baseline should be adjusted accordingly.

The units of measure provided for the facility types listed in Table 3 should be used in establishing a reasonable baseline utilization factor and in assessing the facility activity on an annual basis. The units should be uniformly applied but can be adjusted for special facility uses in cases where the recommended unit of measure does not seem fully appropriate. It is recognized that these units of measure, in many cases, are not based on a precise methodology; however, every reasonable effort should be made to represent the level of use of the facilities correctly. In cases where the unit of measure does not seem appropriate, it is recommended that NASA Centers coordinate the proposed unit of measure with the Director, Technical Capabilities and Real Property Management (TCRPM) Division.

- **Under-utilization.** When a facility's level of use (percentage of baseline) falls below 51 percent for the past year's reporting period, or is predicted to fall below 51 percent for the current year's reporting period (excluding the impact of any modification/rehabilitation or similar activity) the facility is to be considered as under-utilized.

- **Periodic Use Facilities.** Facilities that are not being used on a continuous basis fall into a periodic use category, such as launch facilities and engine test stands. Such facilities may often indicate comparatively low use rates, such as two tests per year. However, for retention of those facilities which are unique in capability and are needed to accomplish approved unique requirements, it is only necessary to demonstrate that the facility is being used for this unique purpose, as required. Therefore, if there is no competing higher use or utilization alternative, the unique facility should not be reported as under-utilized because it is accomplishing 100 percent of the nation's total requirement for such capability.

Table 3

Facility Type	Unit of Utilization	Baseline Use Measure
Wind Tunnels, Large Vacuum Chambers, Flight Simulators, Engine Test Facilities and Other Research and Development and Test Facilities	Equivalent utilization days (EUDs) facility was occupied for testing. An EUD = one 8-hour shift; maximum EUDs/day = 3. This unit of measure is devised to show use in flexible but uniform terms – regular, periodic, or varying shift operations versus the baseline.	220 EUDs per year facility is normally available for testing including time for test article preparation, test operations, and tear down, but excluding adverse weather impacts, normal maintenance and other downtime
Information Technology Facilities and Data Centers	EUDs facility housed an active information technology (IT) operation	260 EUD per year facility is normally available to support IT operations, in coordination with Center IT Manager
Airfields, Launch Complexes, Operations Facilities	Terminal area research test (TART) operations per year, launches per year, flight time per year	Minimum launch, TART operations activity required to maintain cost-effective operations of the facility

4.3. Mission Dependency Index

NASA initiated the Mission Dependency Index as a means of achieving better management of facilities' risks to programs, providing better guidance regarding investment/divesture decisions, and to support federal requirements by adopting a facility user generated metric.

4.3.1. Purpose and Overview

MDI rates the impact of the loss or interruption of the capability of a facility to support the mission of the organization(s) which use the facility in terms of the maximum amount of time the facility can be out of service before severely impacting upon the user and the ability to replace or relocate that function provided by the facility to a suitable alternative. For additional information or questions regard MDI, contact Bill Brodt (william.brodt@nasa.gov).

An algorithm developed by NASA, the U.S. Navy, and the U.S. Coast Guard, is used to convert answers to standard questions to a numeric score. The scores are then grouped into risk severity descriptive terms. The particular ranges of values assigned to the terms are based upon combination of analysis of the distribution of scores and subjective assessment.

4.3.2. Establishing and Updating MDI

NASA determined the Center-level directorate was the appropriate organization level for MDI development and upkeep. In most cases, there is one directorate for each real property asset, but large facilities such as an administrative building may be associated with all of the directorates at the Center.

MDI should be updated whenever a substantial change in the utilization of a facility or program requirements occurs, and not less than every three years in accord with requirements to maintain other real property data. The RPAO needs to ensure that changes to the MDI are properly recorded. Change to a facility MDI score requires a brief written reason for change.

Currently there are two specific MDI reports. One report supports the comparison of MDI to facility condition. The other report supports the details of the MDI assessment, e.g. answers to each question by each organization assigned to a facility.

4.4. SAAM – Space Act Agreement Maker

The primary objective of the e-router in the NASA Space Act Agreement Maker (SAAM) is to reduce the time to process documents which require multiple levels of review and approval. All requests for TCRPM review and approval of real estate agreements and other documents are submitted through the e-router system of SAAM. The Center submittal should be the final draft of the agreement together with supporting documentation. The submittal by the Center of real estate documents needs the following attachments.

- A signed letter by the Center Director or designee requesting review and approval
- A summary of the agreement including a property description, the terms of the agreement, and how the proposed agreement supports NASA's mission in both qualitative and quantitative terms, as appropriate.
- A final draft of the unsigned agreement mutually agreed to by all parties involved.
- The Business Case includes any required life cycle cost analysis.

- Environmental baseline survey and completion certification for the NEPA process, if applicable.

4.4.1. The routing plan for review is as follows:

- Names of reviewers and ultimately the approver need to be listed in the order of the routing.
- Center personnel who develop the real property agreement should concur before the other Center reviewers.
- Center counterparts to Headquarters reviewers should review and concur before Headquarters reviewers. Headquarters reviewers who are not members of TCRPM or FED should precede TCRPM/FED Staff.

1. Headquarters reviewers:
   i. Charles Lombard, Security
   ii. Tom Whitmeyer or Merrylee Weber, Safety and Mission Assurance
   iii. Michael McNeill, Environmental Management

2. TCRPM/FED reviewers:
   i. Wayne Thalasinos (Energy Projects Only)
   ii. HQ FED Project Manager (Demolition, Acquisitions, Energy Projects etc.)
   iii. HQ Realty Specialist (Depending on assigned Centers)
   iv. Mark Batkin, General Counsel
   v. David Stewart, General Counsel (Alternate)Scott Robinson (Energy Projects Only)

3. Approver: Calvin Williams, Acting Deputy Director, TCRPM

- Alternates for Center reviewers may be used as appropriate; a request for an alternate Center reviewer should be sent to TCRPM.
- Courtesy Copies may be sent as appropriate, e.g. notification when routing is started and/or routing completed.
- If a reviewer selects NOT CONCUR, the Center SAAM Manager aids in resolution of the issue. When the issue is resolved, the SAAM Manager turns the NON-CONCUR off which puts the agreement back into routing. Depending upon the issue, it may be necessary to completely restart the routing, add to routing using CC option with explanatory note, or just resume the routing.

5. References

5.1 Agency Points of Contacts
(Link to TCRPM web site.)

5.2 Acronyms Used in this Guide

For a complete list of NASA Real Estate Acronyms, refer to NPR 8800.15, Appendix B.

BW – Business Warehouse

CFR - Code of Federal Regulations

CRM – Cultural Resources Management

DCFO – Deputy Chief Financial Officer

DD 1354—DOD Form, Transfer and Acceptance of Military Real Property.

DM - Deferred Maintenance

DMA – Deferred Maintenance Assessment Report

DOJ – Department of Justice

ECONPAK – Economic Analysis Package by U.S. Army Corps of Engineers

EBS - Environmental Baseline Survey

EMD – Environmental Management Division

EO - Executive Order

EPSS – Enterprise Performance Support System

EUL - Enhanced Use Lease

EUP – End User Procedure

FED – Facilities Engineering Division

FERP - NASA Facilities Engineering and Real Property (Division)

FMR - Federal Management Regulations

FPM - Facility Project Manager

FUO - Facilities Utilization Officer

FUP - Facilities Utilization Program

FURB - Facility Utilization Review Board

GSA – U.S. General Services Administration

ISRS – Integrated Service Request System

LCAA - Life Cycle Cost Analysis

MDI - Mission Dependence Index

MOA - Memorandum of Agreement

MOU - Memorandum of Understanding

MSD – NASA Mission Support Directorate

MSFC - Marshall Space Flight Center

NAII - NASA Advisory Implementing Instructions

NASA - National Aeronautics and Space Administration

NBI - National Bridges Inventory

NEACC - NASA Enterprise Applications Competency Center

NEPA - National Environmental Policy Act

NHPA - National Historic Preservation Act

NPD - NASA Policy Directive

NPR - NASA Procedural Requirement

NRSAA - Nonreimbursable Space Act Agreement

O&M - Operations and Maintenance

OCFO – NASA Office of the Chief Financial Officer

OMB - U.S. Office of Management and Budget

OSI – NASA Office of Strategic Infrastructure

OSMA – NASA Office of Safety and Mission Assurance

PBS – Public Building Service

PP&E – Property Plant and Equipment

PPV - Public-Private/Public-Public Venture

RE-FX – SAP Flexible Real Estate Management

RPAO - Real Property Accountable Officer

RPMS - Real Property Management System

RSAA - Reimbursable Space Act Agreement

SAA - Space Act Agreement

SAAG – Space Act Agreement Guide

SAAM - Space Act Agreement Maker

SF - Standard Form

SHPO - State Historic Preservation Officer

TCRPM - Technical Capabilities and Real Property Management (Division)

USC – United States Code

5.3. Definitions Used in this Guide

For a complete list of NASA Real Estate Definitions, refer to NPR 8800.15, Appendix A.

Abstract. Documentation required for Space Act Agreements involving NASA real estate as well as any Out-grant of NASA real estate. The abstracts follow the procedures outlined in NAII 1050-A1

Commercial Space Launch Act. The Commercial Space Launch Act (49 USC 701) governs the sale of launch services at the direct cost of such services. The charge for launch services or reentry services also includes the base pay of Government civilian and contractor personnel involved in providing such services. The contract is for the service provided rather than for an

Out-grant of real property. Rates are similar to those charged under an SAA and are to cover NASA's cost for providing the service.

Competency Center. The RPMS support center known as the NASA Enterprise Applications Competency Center (NEACC) at MSFC.

Concessionaire Agreement. An agreement allowed by the Space Act to provide for the construction, maintenance, and operation of all manner of facilities and equipment for visitors to NASA Centers. Concessionaires may charge admission fees and use the collected fees to operate, maintain, and improve the facilities. The concessionaire is also paid from the collected fees.

Deferred Maintenance (DM). The total of essential, but unfunded, facilities maintenance work necessary to bring facilities and collateral equipment to the required acceptable facilities maintenance standards. It is the total work that should be accomplished but that cannot be achieved within available resources. It does not include new construction, additions, or modifications. DM does include unfunded maintenance requirements, repairs, ROI and CoF repair projects.

Economy Act. The Economy Act provides authorization for Federal agencies to request and perform reimbursable work for other Federal agencies. Out-grants entered under the authority of the Economy Act, also referred to as interagency Out-grants, are used to document the utilization of NASA real property and services by another Federal agency. These interagency Out-grants are based on the condition that there is NASA real property available for use and the use of the real property by the other Agency is in the best interest of the U.S. Government. The Federal tenant is required to pay their proportionate share of the costs of operating the asset and for any special services requested.

ECONPACK. Economic Analysis Package. Software developed and managed by the Corps of Engineers to support economic analysis for construction projects used by DoD and other federal agencies. ECONPACK is a comprehensive program incorporating economic analysis calculations, documentation, and reporting capabilities.

The National Environmental Policy Act (NEPA). The NEPA Act requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. NASA uses the NEPA process as the focus for integrated and balanced environmental planning for all of its proposed programs, projects, and activities.

National Historic Preservation Act (NHPA). The NHPA permits NASA to Out-grant historic property and retain the proceeds for up to two fiscal years to defray the cost of administration, maintenance, repair, and related expenses incurred by NASA with respect to the property. The NHPA allows NASA to retain revenue to maintain and preserve a Center's historic infrastructure. It also allows for a tenant to make improvements at the tenant's expense.

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Non-Reimbursable Space Act Agreement (NRSAA). As defined by the Space Act, NRSAAs involve NASA and one or more partners in a mutually beneficial activity that further NASA's mission, where each party bears the cost of its participation and no exchange of funds between

the parties occurs (no charges). NRSAAs permit NASA to offer time and effort of personnel, support services, equipment, expertise, information, or facilities for a collaborative activity where the end result is in the interest of both parties. Use of real property is non-possessory and non-exclusive, making significant investment in infrastructure unlikely by a tenant. Essentially, a Center and a tenant partition the cost of participating in a project by making tangible and non-tangible assets of both parties available to each other to accomplish a mission that has an overarching goal in support of the mission of NASA.

Personal Property – Personal Property may be classified as either collateral or non-collateral equipment, depending on the nature of the attachment of the equipment to and severability from a facility. Collateral equipment shall be classified as real property as part of the facility in which it is being installed. Non-collateral equipment, when acquired and used in a facility or test apparatus, can be severed and removed after construction without substantial loss of value or damage to the equipment or the premises where it is installed. Non-collateral equipment shall be classified as personal property. Examples include desks, chairs, cabinets, and bench test apparatus.

PP&E - Property, Plant, and Equipment. Tangible assets, including land, that meet all of the following criteria:

a. Have estimated useful lives of two years or more.

b. Are not intended for sale in the ordinary course of operations.

c. Have been acquired or constructed with the intention of being used or being available for use by the entity.

Public-Private/Public-Public Ventures (PPVs). PPVs are Out-grants of NASA real property to private and public entities such as a company or organization or to a public entity such as a State or local government in which use and control of real property are provided to the tenant (whether private or public) for a set term of years for an agreed-upon rent payment.

Reimbursable Space Act Agreement (RSAA). RSAAs may include Out-grants of real property. Under an RSAA Out-grant, NASA's costs associated with a tenant activity are reimbursed by the tenant to NASA. An RSAA permits the tenant to use NASA facilities, land, personnel, expertise, or equipment. According to the NASA Advisory Implementing Instructions (NAII) 1050-1B, the Space Act Agreements Guide, RSAAs meet one of three conditions to be permitted: (1) sustain or enhance facilities and lower operational costs for current and future needs of NASA's missions; (2) sustain or enhance skills that are projected to be needed to support NASA's missions; or, (3) sustain or enhance a functional area not adequately funded by NASA programs but required for current or future support of NASA's missions.

Scoring. An analysis relevant to in-lease of real property by NASA in which the in-lease is determined to be a capital lease or an operating lease. The determination drives whether the lease costs are all budgeted in the first year of the in-lease or if they can be spread over the life of the in-lease.

5.4. NASA Technical Capabilities and Real Property Management Division Web Site

5.5. NASA Classification Guide

5.6. NASA Business Case Guide

5.7. NASA EUL Desktop Guide

5.8. Space Act Agreement Guide

5.9 Elements for a Lease/Out-grant