

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 22-105

Date Received: August 17, 2022

Title: Security Order Reference and CIO Guidance Updates - Guidance

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Policy and Guidance: (Please check only one box)

- | | |
|---|--|
| ☐ Policy | ☐ Procurement Tools and Resources |
| ☒ Guidance | ☐ Real Property Templates and Samples |
| ☐ Procurement Samples | ☐ Procurement Clauses |
| ☐ Procurement Templates | ☐ Real Property Clauses |
| ☐ Procurement Forms | ☐ Other Tools and Resources |
| ☐ Procurement Checklists | |

Summary of Change:

(1) Update of references to FAA Order 1370.121 "Security and Privacy Program: Policy to 1370.121B, and (2) Update of Chief Information Officer (CIO) review requirements for Information Technology acquisitions above 250K.

Reason for Change:

(1) Administrative update, and (2) update and clarification of CIO review requirements.

Development, Review, and Concurrence: ASP-1/AIS-110/AAP-100

Target Audience: Contracting and program office personnel.

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location:

T3.2.1 and T3.14.1 (security order changes consistent with corresponding Policy and earlier clause changes)

The redline version must be a comparison with the current published FAST version.

☒ I confirm I used the latest published version to create this change / redline

or

☐ This is new content

Links: https://fast.faa.gov/PPG_Procurement_Guidance.cfm

Attachments: Redline and final documents.

Other Files: N/A.

Redline(s):

[T3.2.1 – Procurement Planning](#)

[T3.14.1 – Security](#)

Section Revised: T3.2.1 – Procurement Planning

Procurement Guidance - (~~9/2022~~10/2022)

T3.2.1 - Procurement Planning Revised 4/2009

A Procurement Request (PR) Revised 7/2007

1 Purpose of a Procurement Request Package Revised 4/2022

2 Content of PR Package Revised 4/2022

3 Review by Chief Information Officer Revised ~~9/2022~~10/2022

4 Reserved Revised 1/2018

5 Procurement System-Generated Requisition Revised 9/2020

6 Funds Certification Revised 9/2020

7 Requisition Approval Levels Revised 9/2020

8 Describing Requirements Revised 9/2020

9 Independent Government Cost Estimate Revised 9/2021

10 PR Package Clearances, Justifications and Other Documentation Revised ~~4/2022~~10/2022

11 Simplified Purchases Revised 7/2007

12 Conference Space or Short Term Leases Revised 9/2020

13 Logistics Center Supply Support Revised 9/2020

14 Reserved Revised 9/2020

15 Reserved Revised 9/2020

16 Liquidated Damages Revised 9/2020

17 Returning a Deficient PR Package Revised 9/2020

18 Approval of Multiple Award Procurement Programs Revised 9/2020

B Clauses

C Procurement Forms Added 9/2021

D Procurement Samples Added 9/2021

E Procurement Templates Revised 4/2022

F Procurement Tools and Resources Added 9/2021

G Appendix Added 9/2021

1 Estimated Acquisition Lead Time Chart

T3.2.1 - Procurement Planning Revised 4/2009

A Procurement Request (PR) Revised 7/2007

1 Purpose of a Procurement Request Package Revised 4/2022

A Procurement Request (PR) package initiates acquisition of supplies, equipment, real property, utilities, material, systems, services, or construction. It is the basis for a Contracting Officer (CO) to plan, solicit, and award a contract, purchase order, delivery/task order, agreement, lease, modification, or other procurement action. The PR package is used to define the requestor's requirements so the CO can acquire supplies, real property, utilities, and services from or through other Government agencies, private and public organizations and institutions, and commercial vendors. For additional reference, please refer to the Procurement Templates "Procurement Planning for Simplified Acquisitions – Template A", and "Procurement Planning for Other Than Simplified Acquisitions – Template B." For real estate procurements, please refer to Real Property Procurement Templates and Samples – Procurement Plan for Real Estate - Template C.

2 Content of PR Package Revised 4/2022

- a. The requiring service organization responsible for the requirement to be satisfied through a procurement action prepares the PR package. The nature, value, and complexity of the requirement determines the exact content of the package.
- b. As soon as a requirement becomes known, the requiring service organization should consult with the cognizant contracting organization, or CO if known, to determine the specific types of information needed for an acceptable PR package, and when the information must be provided. The information in a PR package is the foundation for a contractual instrument, so it should be complete in all essential aspects. The Estimated Acquisition Lead-Time chart (see Appendix 1) may serve as a planning tool for both the contracting organization and requiring service organization to estimate lead-times for the various milestones applicable to a procurement.
- c. The requiring service organization is responsible for submitting the PR package to the appropriate contracting office, or assigned CO if known. Unless otherwise required by local procedures implemented by mutual agreement between the PR-initiating organization and contracting office, documents in the PR package are in electronic format and annotated with a PR number and project title. Materials accompanying a PR package that cannot be provided in electronic format, such as drawings, are delivered to the appropriate contracting office or assigned CO, and labeled with PR number, project title, and location.
- d. The following list represents information and documentation that may be required for a PR package for the procurement of products, services or construction (design or alteration of property). This list is not all-inclusive and each item below will not apply to every procurement action:

- (1) Requisition committing funds.

- (2) Statement of work, specifications, purchase description, drawings, or other appropriate technical description of the requirement.
- (3) Technical data items (such software design documents or test plans) to be delivered, Data Item Descriptions (defining data content, format, preparation instructions, and intended use), and Contract Data Requirements List.
- (4) Independent Government Cost Estimate.
- (5) List of potential vendors and addresses (including incumbent contractor, if applicable).
- (6) Delivery destination or place of performance and delivery date or period of performance (and optional quantities or periods).
- (7) Method and place of inspection and acceptance.
- (8) List of Government furnished property or information.
- (9) First article testing requirements.
- (10) Federal standards that must be met, e.g., energy, environment, health, and safety.
- (11) Physical, personnel, and information system security requirements.
- (12) Position Designation Record OPM Position Designation Automated Tool (PDT).
- (13) Classified information or sensitive unclassified information handling requirements.
- (14) Requirement for vendor's descriptive literature or product samples.
- (15) Brand name or equal or brand name mandatory justification.
- (16) Warranty requirements which are over and above generally accepted warranty included with the purchase of an item/service.
- (17) Liquidated damages justification.
- (18) Requirement for value engineering provisions.
- (19) Privacy Act compliance determination.
- (20) Section 508 Rehabilitation Act determination of non-availability or undue burden.
- (21) Reprourement data requirements, spare/repair parts lists, or other special rights.
- (22) Information about use of existing patents or copyrights.

- (23) Performance or payment bond requirements.
- (24) Requirement for insurance coverage or special indemnification.
- (25) Support services labor categories and description of minimum qualifications.
- (26) Requirement for key personnel clause.
- (27) Requirement for Government consent to subcontracting clause.
- (28) Personal services justification.
- (29) Single source justification.
- (30) CFO approval- Over \$10 million (Note: The contracting office may accept a PR that lacks the CFO approval for applicable procurements over \$10 million; however, the CFO approval must be received by the CO prior to the issuance of the Request for Offer (RFO)).
- (31) Chief Information Officer's approval for information technology over \$250,000.
- (32) Draft technical evaluation factors.
- (33) Draft technical proposal instructions.
- (34) Requirements for earned value management system, reports, and integrated baseline reviews.

e. Real Property. For real property PR packages, the requisition should also include the name, address and telephone number of the property owner (or his/her representative), if known, and a record of any and all contact(s) with the owner/representative. Contact with an owner/representative should only be made by the CO. At a minimum, requirements for real property should specify the type of requirement and contain the information described below.

- (1) Land Acquisition (Purchase or Lease). For such acquisitions, the PR package should include information for the CO to begin the acquisition process. Items for any new or renewal lease action include:
 - (a) Statement of Need, if applicable.
 - (b) The projected life of a facility or property for land (total term requirement for real property).
 - (c) Intended use of property (e.g., VASI, REIL, VORTAC, ARSR, ASR), and amount and type of all required restrictive or other easements (e.g., 750, 1000, 1200 or 1500- foot radius; trees removed to XX feet).

- (d) The legal description of the site and easements, expressed either in meters and bounds or as required by local land registries. If a legal description is not available, a legal description can be requested by a separate requisition transmitted to the CO.
 - (e) Drawings, to scale, of the property(ies) to be acquired, if available.
 - (f) Clearances. Environmental clearances, as follows:
 - i. A statement that due diligence has been performed according to the requirements of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and FAA Order 1050.19C, Environmental Due Diligence (EDD) in the Conduct of FAA Real Property Transactions. The CO receives the final, signed EDD and places a copy of the report in the real property transaction file. A copy of the EDD report should be included in the PR package, as well as a letter of acceptance of the report signed by the requiring service organization. The level of environmental due diligence required varies depending on the specifics of each real property transaction.
 - ii. If the site is contaminated with hazardous material, the PR package should include a cost/benefit analysis and a statement of justification signed by the requiring service organization.
 - (g) Statement of compliance/non-compliance with the Rural Development Act (RDA) of 1972 (P.L. 92-419, 86 Stat. 670, 7 U.S.C. Section 2661).
- (2) Space Acquisition (Purchase or Lease). For space acquisitions, the PR package, at a minimum, should include the following information for the CO to begin the space acquisition process:
- (a) Statement of Need, if applicable.
 - (b) Environmental Documentation.
 - (c) The intended use of the space (e.g., AFS, FSDO).
 - (d) A five-year projected staffing chart including the number of authorized positions, by job title, which will use the space. Any projected staffing increases must be validated by the requiring service organization.
 - (e) Union coordination document, if applicable.
 - (f) A statement of one-time costs broken out by line item, if applicable.

(g) Special Requirements. These include, but are not limited to:

- i. Authorized private offices;
- ii. Wiring for data lines;
- iii. 24-hour access;
- iv. HVAC requirements;
- v. Temperature and humidity level limits;
- vi. Local Area Network (LAN) rooms;
- vii. Computer Based Instruction (CBI) rooms;
- viii. Written examination room;
- ix. Cleaning/Janitorial Requirements;
- x. Floor loads and types;
- xi. Antennas attached to roof;
- xii. Special finishes.
- xiii. Facility Security Requirements
- xiv. Loading docks and other special equipment areas; and
- xv. Special areas required by Bargaining Unit Agreements.

(h) Vehicle parking requirements (For vehicle parking requirements, the service organizations must adhere to requirements established in FAA Order 1600.69C (FAA Facility Security Management Program), Uniform Federal Accessibility Standards (UFAS), and the Americans with Disabilities Act (ADA);

(i) Recommended total lease term (base lease term plus renewal option(s));

- (j) Delineated area and map depicting the area.
 - (k) Statement of compliance/non-compliance with the Rural Development Act (RDA) of 1972 (P.L. 92-419, 86 Stat. 670, 7 U.S.C. Section 2661).
- (3) Space Alterations/Improvements/Repairs (AIR). For this, the PR package should include:
- (a) A full narrative description of work to be accomplished, supported by a clear sketch or drawing of proposed AIR; and
 - (b) Other related items, as stated for Space Acquisitions in paragraph T3.2.1.A.2.e(2).
 - (c) A description of how the cost of the improvements will be realized over the term of the lease.
 - (d) Independent Government Cost Estimate.
 - (e) Space Planner/Project Manager.
- (4) Construction. For construction, the PR package should include:
- (a) Real Property Interest.
 - i. For Real Property Land Interests. When a land lease or purchase is involved, the PR package should include a statement from the real property CO that such lease or purchase has been completed. In rare circumstances, if there is written assurance the property owner will provide real property rights and/or the property owner provides a written right of entry to begin construction, the PR may be processed.
 - ii. For Real Property Space Interests. For construction, modification, alteration, and/or repair to a leased space or building, the requiring service organization should coordinate with the contracting office involved in such leased space actions. The PR package should:
 - a. Contain a statement from the CO that approval from the property owner has been secured and the lease amended to cover FAA's requirements; and
 - b. Comply with all applicable requirements set forth in e(1)c and e(1)d above.
 - (b) Environmental Considerations. A statement certifying that all current requirements for

Environmental Due Diligence have been met. (See paragraph e(1)f above on environmental clearances.)

- (c) Utility Requirements. If the requirement involves changes to the location or service of utilities, the PR package must state the status of obtaining utility service and the estimated date of its availability to the project. (See paragraph g below on utilities.)
 - (d) Vehicle or Pedestrian Safety. If the requirement affects the traffic or safety of vehicles or pedestrians on the right-of-way of a public highway, road, or street owned by a governmental body other than the Federal Government, the PR package must include a statement to that effect and identify the governmental body which owns the highway, road, or street.
- (5) Utilities. The PR package, at a minimum, should contain information sufficient to enable the CO to determine the required type(s) of service, quantity, delivery point(s), time of initial service, service duration, and the principal characteristics of services. At a minimum, the PR should include the following:
- (a) Public Utilities. At a minimum, the PR package should contain the following:
 - i. Funding for the initial installation (F&E) and for the ongoing operations at the site (OPS).
 - ii. Technical description or specification of the type, quantity, and quality of service required;
 - iii. Date by which the service is required;
 - iv. Existing Meter Numbers, if applicable;
 - v. Estimated maximum demand, monthly consumption, and annual cost for the first full 12 months of service;
 - vi. Schematic diagram or line drawing showing meter locations and Government connection point to utility supplier's system;
 - vii. Estimated cost, including: required utility services, any connection charges; and contractor installed facilities for replacement utility services; and
 - viii. Principal characteristics of service specifications. As a minimum, descriptions of the premises, or location to be served, in sufficient detail to clearly establish its identity by agency, function and address, as well as the service delivery point, and an attached map or drawing showing its exact location.

(b) Electrical Service Specifications. The PR package should contain:

- i. Monthly kilowatt hour (kWh) demand for a typical year;
- ii. Monthly kilowatt-hour (kWh) consumption for a typical year;
- iii. Type of current (AC or DC);
- iv. Number of phases;
- v. Anticipated load factor;
- vi. Substation primary and secondary voltages, and allowable variations or tolerances; and
- vii. Type of metering: (1) demand and/or watt hours, (2) kilovolt-amperes (kva) or kilowatts (kW).

(c) Water Service Specifications. The PR package should contain:

- i. The required pressure and type(s) of water required (e.g., potable water, industrial water, classified as to extent of required filtration or chemical treatment; or raw water [river, lake, well, etc.]); and
- ii. Exact location of connection with utility firm's distribution system.

(d) Gas Service Specifications. These specifications should state the supplier's tariff.

They should describe the desired British Thermal Unit (BTU) content, the purity, and the initial and terminal pressure limitations. They should also include:

- i. The estimated maximum demand per hour or per day;
- ii. The estimated monthly usage of gas, by months, for a typical year; and
- iii. The exact location of connection with utility firm's distribution system.

(e) Sewer Service Specifications. These should specify the types of service required (e.g. sanitary with primary or secondary treatment, or raw waste disposal; industrial waste disposal; or storm water drainage). They should also include:

- i. The size(s) and location(s) of connections between Government and contractor systems; and
- ii. The exact location of connection with the utility firm's distribution system.

3 Review by Chief Information Officer Revised 9/2024~~10/2022~~

a. The Chief Information Officer (CIO) must review and approve proposed procurement actions for information technology (IT) and IT-related service resources that are estimated to exceed \$250,000 and would result in a new or modified:

- (1) Contract;
- (2) Order, such as those issued through a Federal Supply Schedule (FSS); or
- (3) Agreement, to include interagency and intra-agency agreements.

b. *Information Resources.*

(1) Equipment or interconnected system or subsystem of equipment, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the FAA.

(2) Information resources include:

- (a) Services (including IT support services);
- (b) Computers;
- (c) Ancillary equipment;
- (d) Software (including Software as a Service [SaaS]); and
- (e) Firmware and similar procedures.

(3) Information resources do not include any equipment that is acquired by a Federal contractor incidental to a Federal contract.

c. *Review Process.*

(1) Procurement actions initiated by the Office of Information & Technology (AIT) that commit only funding allocated to AIT are under the direction and oversight of the Deputy Assistant Administrator for AIT and CIO. Such procurement actions fully comply with the requirements and goals of the CIO Review Process. Therefore, this CIO Review Process has been satisfied for such AIT procurement actions, and additional documentation is not required.

(2) For those proposed procurement actions for information technology and IT service resources that originate from Lines of Business other than AIT, or use funding that is not included in the AIT budget allocation, that are estimated to exceed \$250,000, the requiring service organization official must submit the following information to the CIO Review

Team Mailbox at 9-CIO-Review@faa.gov:

(a) For Contractor Support or Technical IT Services:

- (i) Statement of Work or requirements documentation
- (ii) Cost or price information, to include an Independent Government Cost Estimate (IGCE)
- (iii) Documentation of market research conducted, if applicable
- (iv) CFO or SCRB II Business Case, if applicable
- (v) CFO or SCRB II Signature Page, if applicable
- (vi) Completed CIO IT Procurement Review and Approval Form

To minimize the amount of acquisition sensitive information released to members of the CIO IT Procurement Review Team, each document (SOW, IGCE, Business Case, and Signature Page) must be sent as a separate attachment in one email so that the reviewers will only have access to the applicable document related to their area of expertise.

(b) For Hardware and/or Software Purchases:

- (i) Documentation of market research conducted and analysis in support of an IGCE, unless using an existing contract vehicle
- (ii) Completed CIO IT Procurement Review and Approval Form

The CIO IT Procurement Review and Approval Form is in AMS Procurement Templates. Note: There is a section on the Form to address Bandwidth Impact. The link to the National Bandwidth Upgrade Program (NBUP) is as follows:

<https://my.faa.gov/go/bandwidth->
<https://my.faa.gov/content/myfaa/en/org/linebusiness/ato/pmo/ajm-3100-national-bandwidth-upgrade-program.html>. The NBUP's mailbox address for questions and comments is as follows: 9-AWA-ATO-FTI-REQ@FAA.GOV.)

(3) Once approved by the CIO, the program official may then prepare the requisition.

(4) Prior to submission of the requisition to the contracting office, the program office must note the date of the CIO's approval in the body of the requisition.

d. *Goals of CIO Review.*

(1) Ensure that goals of the FAA Flight Plan are addressed in procurements involving information technology resources.

(2) Prevent redundant procurements.

(3) Ensure that the resource is compatible with the FAA's current or planned Enterprise Architecture.

(4) Ensure that information technology resources support FAA Business Processes.

(5) Promote and ensure information security and privacy.

(6) Identify potential savings or efficiencies.

e. For more information on the process and access to updated templates, forms, and guidance, please refer to https://my.faa.gov/org/staffoffices/afn/information/CIO_Review_Process.html.

4 Reserved Revised 1/2018

5 Procurement System-Generated Requisition Revised 9/2020

a. A requisition provides basic information, such as appropriation data, item description, place of performance, and quantity/dollars needed to begin a procurement action. It is also the means of reserving funds for the procurement. Requiring service organization must prepare requisitions in the Procurement System, the FAA's automated requisitioning and purchasing system. Contracting offices cannot accept manually prepared Form DOT F-4200.1, "Procurement Request," equivalent hard copy PR forms, or manually signed Procurement System-generated forms.

b. *Electronic Routing.* Requisition review, funds certification, and approval are through electronic routing in the Procurement System and have the same force and effect as manual signatures.

c. *Requisition Control and Numbering.* The functionality of the Procurement System governs requisition numbering in accordance with AMS Procurement Guidance T3.13.1. Refer to the Procurement System business process solution "Award Types and Procurement System Document Numbering Masks" for further information.

d. *Requisition Amendment/Modification.* If additional funds are needed, the requiring service organization should either issue an amendment to the requisition prior to an award being released or should create a requisition for modification after the award is released. Funds certification, review and approval are required for either an amendment or requisition for modification. When the amount obligated for the contractual action is less than the amount funded on the requisition, the requiring service organization must de-commit excess funds. Because the original purpose of the requisition is considered complete, the requisition cannot later be amended to use the remaining funds either for the original purpose or for another purpose.

- e. *Canceling a Requisition.* Requiring service organization may cancel a requisition prior to award by creating an amendment to de-commit funding.
- f. *Funds Estimate.* The requisition must indicate the total estimated cost of the requirement. For basic requisitions for new contracts, this includes the estimated amount of the basic contract and all planned options and any other requirements that would not be included in or funded as part of the basic contract. For contract modifications, this amount will be the total estimated cost of the action involved. For requisition amendments and requisition for modifications, whether for new contracts or modifications, the estimated amount will be the net amount of any change to the estimate stated in the basic requisition, and in addition to the net amount, identify in the body of the requisition the cumulative total estimated cost.
- g. *Required Quantity.* This is the FAA's need, present and projected, for which funding is or will be available. Quantity discounts and transportation costs must be considered when determining required quantity of supplies. Quantities should not include those for which there are no funded requirements, or for options for which FAA has little expectation of exercising. For Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts, identify realistic minimum and maximum quantities. For ID/IQ contracts, the total estimated dollar amount for the requisition should be based on the total estimated quantity. The dollar amount on the requisition should cover the minimum quantity.
- h. For detailed instructions on preparing a requisition, the requiring service organization should refer to the Procurement System Requisitioner Guide and Business Processes and Policy, available on the Procurement System website (FAA only).
- i. All PR's for Real Estate and Utilities Actions must have the Suffix "RE".

6 Funds Certification Revised 9/2020

- a. The requisition must include funds certification if it commits funds to be obligated later on a contractual instrument. Funds certification verifies funds are reserved and certified as available, or funds are to be de-obligated on an award or de-committed on a requisition. Funds need not be certified on individual requisitions when "bulk funding" is used for Blanket Purchase Agreements (BPA).
- b. The person certifying funds must be designated in writing in accordance with written procedures of the organization issuing the requisition, and must be instructed by that organization on his or her responsibilities, duties and authority limits.
- c. An authorized requisitioner may also certify funds when local conditions, such as remoteness or a small facility, make it necessary, *provided:* written local procedures authorize this practice and establish reasonable maximum dollar levels for combined funds certification and approval or requisitioning authority, and include monitoring and oversight procedures to ensure propriety of all such actions.

d. Additional guidance and related business processes for funds certification can be found at the [Procurement System website](#) (FAA only).

7 Requisition Approval Levels Revised 9/2020

a. Only designated FAA employees can approve a requisition. Approval levels are tied to the total estimated amount of the requisition to be approved, as follows:

(1) Washington Headquarters Requisitions

(a) Over \$500,000--Office Head, Director, Product or Service Team Lead, or equivalent or higher position.

(b) Over \$250,000 to \$500,000--Division Manager or equivalent position. (c) Up to \$250,000--Branch Manager or equivalent position.

For Washington Headquarters, an Office Head, Director, Product or Service Team Lead, or equivalent position, as applicable, may delegate via memorandum approval levels differing from the above.

(2) *Service Areas, Regions, and Centers Requisitions.* Organizations approving requisitions within service areas, regions, and centers may establish written local requisition approval levels. Requiring service organization should contact their local finance office for information about approval levels.

(3) *Real Property Requisitions.* The requiring service organization or equivalent or higher position approves all FAA Washington Headquarters, service areas, regions, and centers for real property requisitions. For real property requisitions, the APM-210 Branch Manager may delegate, via memorandum, approval levels based upon certain thresholds.

b. Key duties and responsibilities for requisitioners, fund certifiers, approving officials, and those obligating funds (i.e. COs or others with delegated procurement authority) must be separated among individuals. Due to local conditions, some duties may need to be provided by the same individual; however, the following conditions will always apply in the processing of a requisition:

(1) An individual must never perform all duties;

(2) A requisitioner may be the fund certifier for the same requisition;

(3) The approving official and the fund certifier for any requisition must be separate individuals;

(4) A requisitioner must not be the approving official and/or CO for the same requisition; and

(5) A CO must never be the approving official or requisitioner for the same requisition.

c. Requisition approvers should refer to Procurement System guidance and business processes found at the [Procurement System website](#) (FAA only).

8 Describing Requirements Revised 9/2020

a. *Technical Description.* An accurate technical description of the requirement is a critical element of a PR package and key to ensuring FAA's needs are satisfied. The requiring service organization prepares, to the extent possible, a comprehensive statement of work, specifications, drawings or other description of the product, service, or real property to avoid any misinterpretation by prospective vendors about the FAA's requirements. The technical description defines valid and minimum needs of the FAA, and is not written in a way that unduly restricts competition. See AMS Procurement Guidance T3.2.2.8, "Describing Needs" for additional information.

(1) *Supplies or Equipment.* For supplies or equipment, the description should cover as wide a range of commercially available and proven products as possible. It should avoid requirements for special manufacture, or requirements that may unnecessarily restrict competition. In this way, a broad competitive base will be possible, prices will be held to a minimum, and good relations with offerors will be promoted.

(2) *Services.* For services to be performed in accordance with a statement of work (SOW), the SOW addresses:

(a) What is the contractor to do?

(b) When is the contractor to perform the tasks?

(c) Who (qualifications and experience) should perform the tasks?

(d) Where are the tasks to be performed?

(3) *Real Property.* For real property acquisitions, the requirements should address the following:

(a) Special requirements and alternative solutions, where appropriate, are considered;

(b) The appropriate area of geographic consideration (i.e., delineated area); and

(c) FAA-mandated requirements, including but not limited to incorporating seismic safety, first consideration to rural areas, and sustainability/environmental/energy principles in the acquisition process, if practicable.

(4) *Space Acquisitions.* In developing requirements for space, the CO and the requiring service organization must use the guidelines from FAA Order 4665.4A Federal Aviation Administration (FAA) Administrative and Technical Space Standards. This order provides standards for the construction, reconfiguration and consolidation of administrative and technical spaces; promotes workforce mobility and workplace flexibility; and improves the Agency's space utilization rate.

For space, the requiring office, at a minimum, must include the following requirements:

- (a) Square footage;
- (b) Type and Use of space;
- (c) Space Location;
- (d) Special Requirements;
- (e) Number of personnel;
- (f) Gender Breakdown;
- (g) Parking;
- (h) Delineated area; and
- (i) Required Occupancy Date.

(5) Land Acquisitions. For land acquisitions, the requiring office, at a minimum, must include the following:

- (a) Requirements for Improvements to the land, if any;
- (b) Legal description;
- (c) Title information; and
- (d) Market survey/appraisal.

9 Independent Government Cost Estimate Revised 9/2021

a. An Independent Government Cost Estimate (IGCE) describes how much the FAA could reasonably expect to pay for needed supplies, services, construction, or real property. The IGCE is an internal Government estimate, supported by factual or reasoned data and documentation, and serves as: (1) the basis for reserving funds for the procurement action; (2) a method for comparing cost or price proposed by offerors; and (3) an objective basis for determining price reasonableness when only one offer is received in response to a solicitation. The requiring service organization prepares the IGCE.

b. For products, services, or construction, an IGCE may include a breakdown of major elements of cost, by category such as labor, material, equipment, subcontracts, travel, overhead, and profit. For real property acquisitions, an IGCE may include a breakdown of costs, by category such as operating costs, real estate taxes, parking, tenant improvements, and capital improvements.

c. An IGCE is required for any anticipated procurement action (to include modifications) whose total estimated value is \$150,000 or more, except for:

- (1) Modifications exercising priced options or providing incremental funding; or
- (2) Delivery orders for priced services or supplies under an indefinite-delivery contract.

d. The CO may require an IGCE for those procurement actions (to include modifications) anticipated to be less than \$150,000.

e. The estimate and supporting documentation is for internal use only. It should be made available only on a need to know basis and must not be provided to any potential offeror. (For additional information on IGCE, see AMS Procurement Guidance T.3.2.3.A.2 "Cost and Price Methodology", "IGCE Handbook" and "FAA Pricing Handbook" located in Procurement Tools and Resources for detailed information about preparing an IGCE for products and services).

10 PR Package Clearances, Justifications and Other Documentation Revised 4/202210/2022

The requiring service organization furnishes evidence of certain required clearances, approvals, and justifications with the PR package. This information varies, depending on the nature of the requirement, procurement strategy, and dollar value. The requiring service organization should consult with the CO to determine applicability of each of the below clearances, documentation, and approvals to the particular requirement. Documentation or other evidence for the below forms part of the PR package (the below is not all inclusive nor will it apply to each procurement action):

a. *Chief Financial Officer Approval.* For a single or cumulative expenditure over \$10M, the CO must receive evidence of the Chief Financial Officer's (CFO) approval of the procurement prior to issuing a Request for Offer (RFO). (See AMS Procurement Guidance T3.2.1.4, "Chief Financial Officer Requirements" for additional information.)

b. *Accountable Personal Property.* FAA's financial standards and annual audit require accurate recording of personal property acquisitions. Before creating a requisition in Procurement System, the requiring service organization must establish appropriate projects and tasks in the DELPHI Project Accounting (PA) module. Each line item on a requisition must have at least one (but can have more than one) project and task associated with it. The CO will use the line item structure contained in the requisition when setting up the Contract Line Item Number (CLIN) structure.

c. *Government Furnished Property, Information, or Material.* The PR package identifies Government property, information, or material. FAA property is managed, transferred, and added to FAA records through the Automated Inventory Tracking System (AITS). Any special restrictions or conditions, such as property provided "as is" security issues, or special handling should also be specified in the PR package.

d. *Personal Property from Commercial Sources.* Before initiating a requisition to obtain personal property, requiring service organization must determine if the property is available for reuse from an

FAA or other Government source, as required by FAA Order 4600.27C (September 4, 2015) and the FAA Reutilization and Disposition Process & Procedure Guide at https://my.faa.gov/content/dam/myfaa/org/staffoffices/afn/regions_center/materiel_personal_property/process/Reutilization-and-Disposition-Process-Procedures-Guide.pdf (FAA only), dated August 2018.

e. *Project Materiel*. Materiel for projects is requisitioned through the Logistics and Inventory System (LIS) Project Materiel Management System (PMMS).

f. *Section 508 of the Rehabilitation Act*. Acquisition of electronic and information technology (EIT) must comply with Section 508 requirements for accessibility. The requiring service organization must document EIT non-availability, including market research performed and standards that cannot be met. For further information, see AMS Procurement Guidance T3.2.2 "Source Selection," or the FAA [Section 508 website](#) (FAA only).

g. Positioning, Navigation and Timing (PNT) Services. "PNT services" means any system, network, or capability that provides a reference to calculate or augment the calculation of longitude, latitude, altitude, or transmission of time or frequency data, or any combination thereof. In accordance with FAA Order 1770.68 (Selection and Use of Time and Frequency Sources for all Systems, Services, and Applications Supporting NAS Operations), PNT requirements must be included in all solicitations, contracts, and orders for products, systems, and services that integrate or utilize Time and Frequency (T&F) systems or services. The Office of Primary Responsibility (OPR) for PNT requirements is the NAS Enterprise Analysis Branch (ANG-B21). The requiring service organization must contact ANG-B21 to determine PNT applicability.

h. Internet Protocol Version 6 (IPv6). IPv6 requirements must be included in all solicitations, contracts, and orders for IT assets, software and network services. When acquiring IT assets, software and network services, the requirements documents must include reference to the appropriate technical capabilities defined in the USGv6 Profile (NIST Special Publication 500-267B) or the most recent version, the corresponding declarations of conformance defined in the USGv6 Test Program. The applicability of IPv6 to agency networks, infrastructure, and applications specific to individual acquisitions will be in accordance with the FAA's Enterprise Architecture and OMB Memorandum M-21-07 dated November 19, 2020, or the most recent version. When acquiring IT assets, software and network services, the requiring service organization must contact the Office of Information and Technology (AIT) to determine IPv6 applicability. See Internet Protocol Version 6 (IPv6) website located at https://my.faa.gov/tools_resources/it_services_support/stay_informed/ipv6.html for additional information and AIT point of contact.

i. *Personnel Security*. For individuals that may need access to FAA facilities, sensitive unclassified information, or resources, the contract security clause contains sufficient language to meet that objective. For specific guidance and regulations, see the applicable personnel security orders (FAA Order 1600.1F Personnel Security Program). The Office of Personnel Management's Position Designation Automated Tool is used by the Operating Office to make initial position risk/sensitivity level designations based on the initial list of positions and the statement of work.

j. *Sensitive Unclassified Information*. The requiring service organization must coordinate with the local FAA Servicing Security Element (SSE) for the minimum standards to mark, store, control, transmit,

and destroy Sensitive Unclassified Information, For Official Use Only, Sensitive Security Information, or unclassified information that may be withheld from public release. (See FAA Order 1600.75 or AMS Procurement Guidance T3.14.1, "Security" for additional information.)

k. *Classified Information.* The PR package should identify any requirements for handling of classified materials or for access of contractor personnel to classified information. (See FAA Order 1600.2E Safeguarding Classified National Security Information for additional information).

l. *Information Security.* The FAA must ensure that all information systems are protected from threats to integrity, availability, and confidentiality. (See FAA Order 1370.~~121~~121B FAA Information Security and Privacy ~~Program &~~ Policy for additional information.)

m. *Paperwork Reduction Act.* The FAA must obtain approval to collect information through questionnaires, focus groups, telephone surveys, applications, performance reports, customer satisfaction surveys, studies and evaluations, interviews, forms, and other means of requesting information from 10 or more respondents. The requiring service organization must first coordinate requirements through the FAA Information Clearance Officer (AIT-20), and then obtain clearance from Office of Management and Budget (OMB).

n. *Privacy Act.* When a requirement involves the design, development, and/or operation of a system of records on individuals for an FAA function, the statement of work must identify FAA rules and regulations implementing the Privacy Act. (See FAA Order 1370.~~121~~121B FAA Information Security and Privacy ~~Program &~~ Policy.)

o. *Printing or Duplicating or Purchase or Lease of Copying Equipment.* For printing or duplicating services to be performed either by Government Printing Office (GPO) or outside printing businesses, requiring service organization must coordinate with the cognizant FAA printing management office. Purchase or lease of duplicators or electronic copiers over \$100,000 must be approved: for Headquarters acquisitions, coordinate with the Corporate Information Division (ABA-10); Region, Center and Service Area acquisitions, coordinate with the servicing printing management organization.

p. *NAS Specifications.* Specifications for acquisitions under the Capital Improvement Program (CIP) are baselined and under configuration control. A requisition for NAS program specification change must include evidence of approval by the NAS Configuration Control Board.

q. *Options.* If options are to be included, the PR package should state the basis for evaluating offeror proposals. The PR package should indicate whether it is expected that offers will be evaluated for award purposes only on the basis of the price for the basic requirement exclusive of options, or price inclusive of options.

r. *Warranty.* Warranties should be cost beneficial. For other than standard commercial warranty generally accepted as included with basic purchase price, the PR package should include an analysis of the costs of a warranty and its administration, versus the benefits of liability deferral.

s. *Liquidated Damages*. Before liquidated damages provisions may be included in a contract, the requiring service organization must adequately justify and document the basis for amounts to be assessed.

t. *Brand Name Products*. When a brand name or equal description is used, the PR package must state the brand name product and salient physical, functional, performance, and interoperability or interface characteristics of the brand name product so that vendors may offer alternative but equal products. Brand name-mandatory descriptions identify a specific make, model, or catalog number, and manufacturer of a product. This type of description differs from brand name or equal because vendors may not provide an equal item. For brand name-mandatory, a single source justification is required with the PR package. (See AMS Procurement Guidance T3.2.2.8, "Describing Needs" for more information.)

u. *Recovered Materials*. Requiring service organizations are responsible for defining product specifications, utilizing FAA's minimum content standards or preference standards, when procuring EPA- designated items. The requiring service organization should provide a written determination certifying that the statement of work/specifications for materials/services specified complies with the FAA's preference standards for recovered materials. (See AMS Procurement Guidance T3.6.3, "Environment, Conservation and Energy" for additional information.)

v. *Recycled Content*. Purchases of EPA-designated recycled content products must meet or exceed EPA guideline standards, unless price, performance, or availability justifies not doing so. The requiring service organization should document this determination. (See AMS Procurement Guidance T3.6.3 "Environment, Conservation and Energy" for additional information.)

w. *Capital Versus Non-Capital Lease Determination*. The FAA is required to capitalize certain improvements in both owned and leased space. In addition, the FAA (to include the Operating Office, CO, and accounting) is required to make a determination as to whether leases (including real property leases) are capital or operating leases and insure they are recorded and filed accordingly.

x. *Personal Services*. Personal services contracts are permissible if appropriately justified and approved by senior management. The PR package must include evidence of this approval. (See AMS Procurement Guidance T3.8.2, "Service Contracting" for more information.)

y. *Single Source Justification*. When in the FAA's best interests, a single source procurement may be appropriate. The requiring service organization should prepare a justification documenting the rational basis for using a single vendor. (See AMS Procurement Guidance T3.2.2.4, "Single Source".)

z. *Technical Evaluation Factors/Plan*. Technical evaluation factors must be approved before issuing a solicitation. The requiring service organization must provide the factors and plan for evaluating technical proposals.

aa. *Earned Value Management System (EVMS)*. An Earned Value Management System (EVMS) is required for projects involving development, modernization, or enhancement estimated at \$10M or more. Requiring service organization should consult with the FAA's EVM Focal Point (AAP-200) to

determine appropriate EVMS certification, review, and reporting requirements. (See AMS "Earned Value Management Guide" for additional information.)

11 Simplified Purchases Revised 7/2007

a. *Purchase Cards*. When a requisition is used as the funding document for purchase card purchases, it must contain certification of availability of funds. (See AMS Procurement Guidance T3.2.2.5 "Commercial and Simplified Purchase Method" for additional information.)

b. *Blanket Purchase Agreement (BPA)*. A requisition may be issued for a basic BPA, but is not necessary for individual orders (termed "calls") against the BPA. One or more BPAs may be established in response to a requisition. The requisition identifies types of supplies or services to be purchased under the BPA, suggested sources of supply, estimated grand total and individual call dollar limitations, and person(s) to be authorized by the CO to make purchases. BPA calls serve as the obligating documents and a requisition will be required to issue the first call. If the BPA call is funded for a period of less than one year, a requisition for modification will be required to increase the funding.

12 Conference Space or Short Term Leases Revised 9/2020

a. *Headquarters*. Requirements for short-term lease, or rental, of conference space, must be coordinated with the contracting office and AGC-530. The results of this coordination must be indicated on the requisition or an attachment. Requirements for the long-term lease of other space (e.g., office, storage or special purpose), in commercial establishments in the Washington, D.C. metropolitan area, and requests for any GSA acquired space should be coordinated through APM-200.

b. *Regions and Centers*. Requirements for short-term lease of conference space not acquired through a purchase card should be coordinated through the contracting office and AGC-530. The results of that coordination must be indicated in the requisition or an attachment.

c. All conference space must comply with the standard operating procedures (SOPs) specified by the Office of Financial Analysis. (See AMS Guidance T3.2.2.4.A.5 FAA Sponsored Conferences, Seminars, Ceremonies, and Workshops).

13 Logistics Center Supply Support Revised 9/2020

Supply Support Program requirements are processed using the Logistics Center Support System (LCSS) at the FAA Logistics Center. Requisitioning through LIS, coordination, review, certification, and approval signature are completed electronically.

14 Reserved Revised 9/2020

15 Reserved Revised 9/2020

16 Liquidated Damages Revised 9/2020

a. Liquidated damages clauses should be used only when (1) the time of completion, performance, or delivery is such an important factor in the award of the contract that the FAA may reasonably expect to suffer damage if the completion, performance, or delivery is delinquent; and (2) the extent or amount of actual damage sustained by the FAA would be difficult or impossible to calculate or prove. In deciding whether to include a liquidated damages clause in the SIR/contract, the procurement team should consider the probable effect of that clause on other issues such as contract price, competition, and the cost or difficulties of contract administration. The rates of liquidated damages must be reasonable and based on probable actual damages to the FAA. Liquidated damages assessed without consideration of actual costs are penalties, and are thus unenforceable.

b. When administering contracts that include a liquidated damages clause, the CO must take all reasonable steps to notify contractors of the pending assessment when the concern about late completion, performance, or delivery first develops. If a basis for termination for default exists, the CO must advise the contractor that it may be liable for liquidated damages assessed until the date of termination, in addition to reprocurement costs. If completion, performance, or delivery is desired after termination for default, efforts must be made to obtain completion, performance, or delivery elsewhere within a reasonable time.

c. *Construction.* Liquidated damages for construction contracts are assessed on a per project basis. The liquidated damages rate must be determined by the procurement team and documented by the requiring service organization, and must, at a minimum, cover the estimated cost of contract administration, including inspection, for each day of delay in completion. In addition, other specific losses anticipated to be incurred as a direct result of the failure of the contractor to complete the work on time must be included. Examples of specific losses are:

- (1) Additional inspection costs;
- (2) The costs of substitute facilities;
- (3) The rental of buildings; and
- (4) The costs of FAA crews, or hourly paid contract employees, forced on standby.

When different completion dates are specified in the contract for separate parts or stages of the work (i.e., milestones), the CO may revise the liquidated damages clause to state the amount of liquidated

damages for the late completion of each milestone. Separate calculation and documentation of the estimated damages must be developed for each amount specified with a differing basis.

d. The requiring service organization must document the basis for the assessment rate for liquidated damages. This documentation must describe the assumptions, data, and formula used to derive the rate of assessment.

17 Returning a Deficient PR Package Revised 9/2020

a. The CO may return a deficient PR package without action, or stop work on a pending PR package until the requiring service organization submits any needed supplemental information. Examples of reasons for returning or stopping work on a deficient PR package include:

- (1) Incomplete or conflicting information between the requisition, specifications, drawings, or other solicitation data;
- (2) Unstable requirements due to repeated technical changes to functional capability, reliability, maintainability, quality control, or testing requirements;
- (3) Failure to include the appropriate stock number or item code, facility type code, and other required data applicable to each accountable item listed; or
- (4) Missing or improper funding citation.
- (5) Failure to include required environmental documentation.
- (6) Failure to provide Single Source Justification or other exception documentation as described in AMS Procurement Guidance T3.2.2.4, "Single Source."
- (7) Failure to obtain appropriate approvals from the Program Office for new Space Lease Requirements.
- (8) Failure to provide documentation of appropriate coordination between Security, Bargaining Units, Project Management/Space Planners, CFO approvals, etc.

b. In Washington Headquarters, the CO should return a deficient PR package by memorandum, signed by a Contracts Division branch manager, to the approver of the requisition. The memorandum should include a brief explanation of deficiencies.

c. In Service Areas, Regions and Centers, COs should return PR packages in accordance with local procedures.

18 Approval of Multiple Award Procurement Programs Revised 9/2020

a. *Documentation.* Before any FAA requiring service organization establishes a new multiple-award procurement program, it must document the program's benefit, administrative costs, methodology of any service fees, span of use, ordering procedures, and internal oversight mechanisms.

b. *Approval Authority.* Written approval, based on potential size, complexity, and scope of aggregate needs, is also required before an FAA organization may begin any activity to establish a multiple award procurement program, as follows:

(1) Joint Resources Council (JRC) approves any multiple award procurement program that is part of the procurement strategy for an investment program subject to JRC approval. The justification for the procurement program is described in the Integrated Strategy and Planning Document, and is approved by the JRC at the final investment decision.

(2) FAA Acquisition Executive approves any multiple award procurement program to include multiple award contracts, qualified vendors list, or blanket purchase agreement intended to satisfy recurring needs across more than one ATO service organization, ATO service area, or non-ATO service organization or staff office.

(3) Chief of the Contracting Office approves any multiple award procurement program intended to satisfy recurring needs of one ATO service organization, ATO service area, or non-ATO service organization or staff office.

c. *Notice Requirements.* The FAA organization establishing the multiple award procurement program must send a copy of the approved justification to the Director of Acquisition and Contracting at Headquarters.

d. *Considerations.*

(1) For multiple award contracts, the requiring service organization must develop an IGCE during the acquisition planning phase. The requiring service organization may consider its procurement needs, the anticipated use of FAA lines of businesses using the multiple award contract vehicle, market trends, commercial pricing data, and other historical information in developing the overall contract estimates.

(2) In the event that program support costs for a multiple award contract program are not provided for in the awarding requiring service organization's budget, the awarding requiring service organization may require service organizations or program offices that utilize the contract vehicle to pay a service fee. The service fee allows such users to proportionately share in the overall program management support costs of the contract vehicle. The service fee is determined based on the user's anticipated share of the contract services and the estimated program support costs to run the contract vehicle. The requiring service organization may consider its procurement needs, market trends, and historical data in estimating the program management costs to formulate the service fee. The awarding requiring service organization will establish

the service fee annually post award and will adjust such fee accordingly based on contract usage and actual program support costs.

B Clauses

[view contract clauses](#)

C Procurement Forms Added 9/2021

Document Name

D Procurement Samples Added 9/2021

Document Name
Independent Government Cost Estimate Sample 1
Independent Government Cost Estimate Sample 2

E Procurement Templates Revised 4/2022

Document Name
CIO IT Procurement Review and Approval Form
Procurement Planning for Simplified Acquisitions – Template A
Procurement Planning for Other Than Simplified Acquisitions – Template B

F Procurement Tools and Resources Added 9/2021

Document Name
IGCE Handbook
Pricing Handbook

G Appendix Added 9/2021

1 Estimated Acquisition Lead Time Chart

Note: The timeframes in this chart are estimated and purely for planning purposes only. As each FAA acquisition is unique and independent, the lead-time chart in no way obligates contracting offices to deliver in the timeframes below.

Action	Negotiated Competitive	Two-Step/ Multiple SIRs	Single Source (1)	SEDB/8(a) Competitive	Within Scope Changes
Complete PR Package Received	Start	Start	Start	Start	Start
OSBD Acceptance	1 to 5	1 to 5	1 to 5	1 to 5	0
Market Analysis	5 to 30	5 to 30	5 to 30	5 to 30	5 to 15
Announcement/Synopsis	10 to 30	10 to 30	10 to 30	10 to 30	0
CO Review Requirements/Draft SIR	5 to 10	5 to 10	5 to 10	5 to 10	1 to 10
SIR Review (Mgmt, Legal, etc)	10 to 15	15 to 20	10 to 15	10 to 15	10 to 15
SIR	30	60	10 to 30	10 to 30	0
Proposal/Quote/Technical Evaluation	5 to 15	10 to 30	5 to 15	5 to 15	5 to 15
Discussions	5 to 10	10 to 20	0	1 to 10	0
Negotiations	5 to 10	5 to 10	1 to 10	1 to 10	5 to 10
Responsibility Review	1 to 5	1 to 5	1 to 5	1 to 5	0
Award Decision Document	1 to 2	1 to 2	1 to 2	1 to 2	1 to 2
Contract Review (Legal, etc)	10 to 15	15 to 20	10 to 15	10 to 15	10 to 15
Award	Stop	Stop	Stop	Stop	Stop
Estimated Number of Calendar Days	88 to 177	138 to 242	59 to 167	60 to 177	37 to 82
Other Potential Schedule Impacts					
CFO Review (2)	60	60	60	60	60
Acquisition Strategy Review Board (ASRB)	10 to 20	10 to 20	10 to 20	10 to 20	10 to 20
Public Affairs Notification >\$3.5M	2	2	2	2	2(3)
EEO Pre-Award Clearance (Other than Construction) >\$10M	30	30	30	30	30(4)
Number of Calendar Days with Potential Schedule Impacts	190-289	240-354	161-279	162-289	139-194

(1) Includes a single sources to socially and economically disadvantaged businesses (SEDB)/8(a) and

service-disabled veteran owned small businesses (SDVOSB)

(2) All acquisitions (e.g., contracts, interagency agreements, other transactions, etc.) over \$10 million require CFO approval. This includes modifications that increase the contract ceiling price over \$10 million or the authorized CFO ceiling limit as defined in AMS Procurement

Guidance section T3.2.1.4.

(3) Required only for mods over \$10M when the base was not originally coordinated

(4) Required if a mod increases the total contract value to \$10M or more

Action	Administrative Mods	Simplified Purchase	Delivery/ Task Orders (Incl FSS)	Exercise Option
Complete PR Package Received	Start	Start	Start	Start
OSBD Acceptance	0	1 to 5	1 to 5	0
Market Analysis	5 to 10	5 to 10	5 to 10	5 to 10
Announcement/Synopsis	0	0	0	0
CO Review Requirements/Draft SIR	5 to 10	5 to 10	5 to 10	0
SIR Review (Mgmt, Legal, etc)	0	10 to 15	10 to 15	10 to 15
SIR	0	5 to 30	5 to 30	0
Proposal/Quote/Technical Evaluation	0	1 to 5	1 to 15	0
Discussions	0	1 to 2	1 to 10	0
Negotiations	0	1 to 3	1 to 10	5 to 10
Responsibility Review	0	1 to 2	1 to 2	0
Contract Review (Legal, etc)	5 to 10	5 to 10	5 to 10	5 to 10
Notification to contractor-Exercise of option	0	0	0	30
Award Decision Document	0	1 to 2	1 to 2	1 to 2
Award	Stop	Stop	Stop	Stop
Estimated Number of Calendar Days	15 to 30	36 to 94	36 to 119	56 to 77

Section Revised: T3.14.1 – Security

Procurement Guidance - (~~9/2022~~10/2022)

T3.14.1 Security Revised 1/2009

A Security

1 Facility/Security Revised 1/2019

2 Information Security and Privacy Revised ~~1/2019~~10/2022

3 Personnel Security Revised 4/2022

4 Foreign Nationals Revised 4/2022

5 Related Security Guidance and Tools Revised 10/2018

6 Sensitive Unclassified Information Revised 4/2022

7 Defensive Counterintelligence Program (DCIP) Revised 9/2021

B Clauses Revised 1/2009

C Procurement Forms Added 9/2021

D Procurement Samples Added 9/2021

E Procurement Templates Added 9/2021

F Procurement Tools and Resources Added 9/2021

T3.14.1 Security Revised 1/2009

A Security

1 Facility/Security Revised 1/2019

FAA Facility (per Order 1600.69C, FAA Facility Security Management Program, Appendix 1,#29) is defined as any building, structure, warehouse, appendage, storage area, utilities, and component, which, when related by function and location form an operating entity owned, operated or controlled by the FAA.

2 Information Security and Privacy Revised ~~4/2019~~10/2022

All systems and applications must undergo a Security Authorization as specified in FAA Order 1370.~~424~~121B FAA Information Security and Privacy~~Program &~~ Policy, as amended, and required by Office of Management and Budget (OMB) Circular A-130, Managing Information as a Strategic Resource (2016), and the Federal Information Modernization Security Act (FISMA) 2014. FAA Order 1370.~~424~~121B as amended requires the use of the FAA Security Authorization Handbook, current version. The FAA Security Authorization Handbook provides the required guidance, process, and templates for conducting a Security Authorization and is based on the most current versions of the National Institute of Standards and Technology (NIST) Publications and Standards, Department of Transportation (DOT) Compendium and FAA Policies.

The Office of Information Security and Privacy (IS&P), Compliance Division, Assessment Branch (AIS-230) provides Security Authorization services to Office of Finance and Management (AFN) organizations and Lines of Businesses (LOBs) that have requested and funded these services.

FAA will further use the Information Security Continuous Monitoring (ISCM) objective to protect High Value Assets (HVAs) and information. FAA and Contractor responsibilities are further defined in AMS clause 3.14-9 “Information Security Continuous Monitoring (ISCM) and Forensics on Contractor Systems”.

Privacy. The Privacy Act provides safeguards for individual privacy when the FAA contracts for the design, development and/or operation of a system of records on individuals on behalf of the FAA to accomplish a program function. The Act requires that the contractor follow all of the rules on privacy that apply to the FAA.

An FAA employee may be criminally and/or civilly liable for violations of the Act. When the contract provides for operation of a system of records on individuals, contractors and their employees are considered employees of the FAA for purposes of the criminal penalties of the Act.

The Contracting Officer must review requirements to determine whether a contract will involve the design, development and/or operation of a system of records on individuals. If one or more of these tasks will be required, the Contracting Officer must insure that the contract specifically identifies the

system of records on individuals and the design, development and/or operation work to be performed. The statement of work must identify the FAA rules and regulations implementing the Privacy Act.

Privacy and Information Technology. Agencies must ensure that contracts for information technology address protection of privacy in accordance with the Privacy Act (5 U.S.C. 552a) and Part 24. In addition, each agency shall ensure that contracts for the design, development, and/or operation of a system of records using commercial information technology services or information technology support services include the following:

- (a) Agency rules of conduct that the contractor and the contractor's employees shall be required to follow.
- (b) A list of the anticipated threats and hazards that the contractor must guard against.
- (c) A description of the safeguards that the contractor must specifically provide.
- (d) Requirements for a program of FAA inspection during performance of the contract that will ensure the continued efficacy and efficiency of safeguards and the discovery and countering of new threats and hazards.

The Department of Transportation's implementing rules and regulations for the Privacy Act are contained at 49 CFR Part 10.

3 Personnel Security Revised 4/2022

a. Definitions.

- (1) *Access.* The ability to physically enter or pass through an FAA area or a facility; or having the physical ability or authority to obtain FAA sensitive information, materials, or resources; or the ability to obtain FAA sensitive information by technical means including the ability to read or write information or data electronically stored or processed in a digital format such as on a computer, modem, the Internet, or a local-or wide area network (LAN or WAN). When used in conjunction with classified information, access is the ability, authority, or opportunity to obtain knowledge of such information, materials, or resources, in accordance with the provisions of Executive Order (EO)12968, Access to Classified Information.
- (2) *Classified Acquisition.* An acquisition in which offerors must access classified information (Confidential, Secret, or Top Secret) to properly submit an offer or quotation, to understand the performance requirements, or to perform the contract.
- (3) *Classified Contract.* Any contract, purchase order, consulting agreement, lease agreement, interagency agreement, memorandum of agreement, or any other agreement between FAA and another party or parties that requires the release or disclosure of classified information to the

contractor and/or contractor employees in order for them to perform under the contract or provide the services or supplies contracted for.

(4) *Classified National Security Information (CNSI)* or “classified information” is information that has been determined pursuant to Executive Order 13526 Classified National Security Information or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(5) *Contractor Employee*. A person employed as or by a contractor, subcontractor, or consultant supporting FAA or any non-FAA person who performs work or services for FAA within FAA facilities.

(6) *Electronic Questionnaires for Investigations Processing (eQIP)*. Government system used to electronically process initial and subsequent background investigation requests.

(7) *FAA facility*. Any staffed or unstaffed building structure, warehouse, appendage, storage area, utilities and components, which when related by function and location form an operating entity owned, operated or controlled by FAA.

(8) *Foreign National*. Any citizen or national of a country other than the United States who has not immigrated to the United States and is not a Legal Permanent Resident (LPR) of the United States.

(9) *Immigrant Alien*. Any person not a citizen or national of the United States who has been lawfully admitted for permanent residence to the United States by the U.S. Citizen and Immigration Service (USCIS). (Refer to the Immigration and Nationality Act (INA)(8 United States Code 1101), Sections 101(a)(3) and (20).

(10) *Non-Immigrant Alien*. Any person not a citizen or national of the United States who has been authorized to work in the United States by the USCIS, but who has not been lawfully admitted for permanent residence. (Refer to the INA, Sections 101(a)(3) and (20).

(11) *Operating Office*. An FAA line of business, an office or service in FAA headquarters or an FAA division-level organization in a region or center, or any FAA activity or organization that utilizes the services and/or work of a contractor.

(12) *Quality Assurance Program*. A system that provides a means of continuous review and oversight of a program/process to ensure (1) compliance with applicable laws and regulations; (2) the products and services are dependable and reliable.

(13) *Resources*. FAA physical plant, sensitive equipment, information databases including hardware, software and manual records pertaining to agency mission or personnel.

(14) *Sensitive Information*. Any information which if subject to unauthorized access, modification, loss, or misuse could adversely affect the national interest, the conduct of Federal programs or the privacy to which individuals are entitled under Section 552a of Title 5, United

States Code (the Privacy Act), but which has not been specifically authorized under criteria established by an EO or an Act of Congress to be kept secret in the interest of national defense or foreign policy. Sensitive data includes propriety data.

(15) *Sensitive Unclassified Information (SUI)*. SUI is unclassified information— *in any form including print, electronic, visual, or aural forms* - that must be protected from uncontrolled release to persons outside the FAA and indiscriminate dissemination within the FAA. It includes aviation security, homeland security, and protected critical infrastructure information. SUI may include information that may qualify for withholding from the public under the Freedom of Information Act (FOIA).

(16) *Servicing Security Element (SSE)*. The FAA headquarters, region, or center organizational element responsible for providing security services to a particular activity. Note: This term no longer applies to personnel security where the AXP organizational designation is now used instead. The term still applies to information and facility security.

(17) *Vendor Applicant Process (VAP)*. FAA system utilized to process and manage personnel security information for contractor personnel.

b. The National Industrial Security Program (NISP) was established by EO 12829, January 6, 1993, to ensure that cleared industry safeguards the classified information in their possession while performing work on contracts, programs, bids or research and development efforts. The NISP Operating Manual (NISPOM) prescribes the requirements, restrictions, and other safeguards necessary to prevent unauthorized disclosure of classified information and to control authorized disclosure of classified information released by the U.S. Government. Effective February 24, 2021, the NISPOM was codified in 32 CFR Part 117.32 CFR Part 117 is available online on govinfo at <https://www.govinfo.gov/content/pkg/FR-2020-12-21/pdf/2020-27698.pdf>.

c. AMS Policy Section 3.5, Patents, Data, and Copyrights, contains policy for safeguarding classified information in patent applications and patents.

d. *Classified Information-Responsibilities of the Contracting Officer (CO)*.

(1) Ensure that the Screening Information Request (SIR) and contract clearly identify the security, access, storage, and safeguarding requirements for contractor access to any Classified National Security Information (CNSI) as well as the highest level of access required. Additionally ensure that the contract documentation and processes comply with current NISP requirements.

(2) The CO must contact the Information Safeguards Division, AXF-200 and the responsible Office of Personnel Security (AXP) Division regarding FAA procedures and requirements for any contracting activity requiring contractor access to classified information, whether that information is owned by another agency or FAA. The responsible security organizations include the following:

(a) Headquarters – ASH Office of Infrastructure Protection, Information Safeguards Division, AXF-200

(b) ASH Office of Personnel Security (National Capital, AXP-300; East, AXP-400; Central, AXP-500 and West, AXP-600). The William J. Hughes Technical Center (WJHTC) is under the security cognizance of AXP-400 for classified contracting processes.

(c) Mike Monroney Aeronautical Center (MMAC) – is under the security cognizance of AXP-500 for classified contracting processes.

(3) *Prescreening Information Request Phase*. COs should review all proposed Screening Information Requests (SIRs) to determine whether access to classified information may be required by offerors, or by a contractor during contract performance. If access to classified information is required, the CO must comply with subparagraph d.(1) and d.(2) above.

(4) *SIR Phase*. COs must:

(a) Ensure the classified acquisition is conducted in accordance with the requirements of d.(1) and d.(2) above;

(b) Include appropriate security requirements and clauses in SIRs (see AMS Clause 3.14-1, Security Requirements – Classified Contracts, and its alternates); and as appropriate in SIRs and contracts when the contractor requires access to classified information. Requirements for security safeguards in addition to those provided in AMS Clause 3.14-1, Security Requirements – Classified Contracts, might be necessary in some instances; and

(c) Ensure the use of Contract Security Classification Specification, DD Form 254 when classified contracts are employed. The DD 254 will be part of the contract. Instructions for DD 254 may be found at <https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd0254-Inst.pdf>.

Types of DD Form 254s are as follows:

- (i) Original –issued as part of a solicitation for a classified contract, upon the award of a classified contract, or upon the award of a classified subcontract;
- (ii) Revised – issued when there is a change to the security requirements or classification guidance The revised DD 254 will be incorporated into the contract by a contract modification; and
- (iii) Final – a final DD 254 is only used to authorize retention of classified material by the contractor beyond the two-year period automatically authorized by NISPOM at the end of the contract. The Contracting Officer must send an Authorization to Retain Classified Material Letter Template to the contractor authorizing this additional retention of

classified material.

For consistency in the application of security requirements and classification guidance, the Information Safeguards Division (AXF-200) drafts all DD 254s.

e. *Employment Suitability and Security Clearances for Contractor Personnel.* FAA's policy on personnel security for contractor employees, including those working on a FAA contract employed at contractor facilities, requires that procurement personnel take appropriate actions to protect the Government's interest where it appears that contractor employees, subcontractors, or consultants may have access to FAA facilities, classified information, sensitive information, and/or resources. Additional details of the agency's contractor and industrial security program are provided in FAA Order 1600.1F.

(1) *Security Clearances for Contractor Employees.*

(a) FAA Orders 1600.2F and 1600.1F provide that contracts requiring contractor employees to have access to classified information must be prepared and processed according to the procedures contained in the National Industrial Security Program Operating Manual (NISPOM)

(b) In the case of a contract or agreement where the FAA requires persons not employed by the U.S. Government to have access to classified information, a statement to that effect should be included in the SIR and the requirements of FAA Order 1600.1F.

(2) *Employment Suitability of Contractor Employees.*

(a) FAA Order 1600.1F provides specific policy for determining suitability of FAA contractor employees for access to FAA facilities, classified information, Sensitive Unclassified Information (SUI), and/or network information systems. It outlines risk levels and associated investigations requirements, and identified additional specific requirements and exemptions from investigative requirements.

(b) As it pertains to suitability determinations, at a minimum, the following actions are required:

(i) The CO with input from the Operating Office (e.g., Contracting Officer's Representative (COR)), have the responsibility to make an initial determination as to whether the contract will require contractor employees to have access and be subject to, the order in any given SIR and/or contract. An assessment will be made up-front as to whether any positions contained in the staffing plan will require access to FAA facilities, classified information, sensitive unclassified information, and/or resources. If the CO determines that the order does not apply to a given SIR/contract, this will be documented in a memorandum to file, indicating the matter was given due consideration, addressed adequately, and said determination made. The CO may consult the responsible personnel security office for assistance in making the determination, if needed.

(ii) The Operating Office, in coordination with the COR, has the responsibility to make initial position risk/sensitivity level designations based on the initial list of positions and the Statement of Work (SOW). The Office of Personnel Management's (OPM) website contains information on the Position Designation System. The Position Designation Automated Tool at <https://pdt.nbis.mil> was created to ensure positions are designated uniformly and consistently. It is to be used by the Operating Office or COR to document position designations. All OPM Position Designation Records must be submitted along with the SOW to AXP for review and approval during the solicitation phase.

(iii) For modifications to existing contracts that change the security posture of the contract, new Position Designation Records must be completed and sent to the appropriate AXP office for review and approval. Modifications that do not affect the security posture do not require completion of new Position Designation Records prior to the execution of the modification. For new contracts, the same process would be followed for determining risk/sensitivity level designations, using information required by way of a provision in the SIR.

(iv) *Contractor Staffing Access Questionnaire*. For all contracts subject to the requirements of FAA Order 1600.1F, the Contracting Officer must issue the Contractor Staffing Access Questionnaire or the Leased Space Unescorted Access Questionnaire as part of the solicitation. The Questionnaire from the successful offeror will be used by AXP for planning purposes in reference to contractor access needs under the contract. The solicitation must include the Questionnaire and direct the contractor to fill it out and submit it with their proposal. The contractor's responses to the questionnaire will not be considered as part of the proposal evaluation. The CO will forward the Questionnaire received from the successful offeror in response to a solicitation to 9-ASH-Security-Contract-Customer-Service@faa.gov immediately after contract award.

(v) AMS Clause 3.14-2 (or Real Property Clause 6.9.3 for Leased Space) will require the contractor to submit the completed documentation for each employee in a stated position, as necessary to permit the Office of Personnel Security to make an employment suitability determination. This documentation must be submitted through applicable systems or directly to the appropriate AXP office (for Privacy Act reasons) for approval, or denial of access, using the process described in FAA Order 1600.1F.

(vi) For new contracts, contractor employees must be required to submit the required documentation prior to performing or providing services or supplies under any FAA contract actions. Depending upon the nature and extent of access required, after an initial review of the documentation submitted by the contractor or contractor employee, AXP may grant interim suitability for the contractor employee to commence performing or providing services or supplies under the

contract pending completion of the check and/or investigation and final suitability determination.

(vii) For modifications to existing contracts, contractor employees may continue working under the contract pending submission of the necessary documentation, if any, and completion of a background investigation by AXP, if required. Note there is a period of 30 days that cannot be exceeded in which contractors must submit the forms after the positions and designated risk levels have been identified via contract modification. AXP may establish conditions governing such access pending completion of suitability investigation.

(viii) Notification of termination of employees performing within a stated position under a contract must be provided via the VAP to the FAA by the contractor within one (1) day.

(ix) COs will notify the appropriate AXP office whenever a contract is awarded. (For large contract awards, COs should invite AXP to the kick-off meeting or post-award conference). The CO will advise the AXP office of the awarded vendor, contract number, and the approved position designations for each labor category. In addition, the CO will notify the appropriate AXP office when the status of a contract changes (i.e., replaced, defaulted, terminated, etc.). Prior coordination of new contracts should have occurred between the Operating Office, the CO, and AXP.

(c) Procedures for Processing Security Investigations.

(i) Upon contract award, the CO or contractor will communicate to the personnel security specialist (PSS) a point of contact (POC) who will enter data into the Vendor Applicant Process (VAP) (vap.faa.gov). This POC should be a representative designated by the contractor, and each contract may have a maximum of 5 POCs per contract. The VAP administrator will provide a Web ID, password to each POC and instructions how to operate the VAP system.

(ii) The VAP POC will enter into the VAP system basic identifying information for each contractor and subcontractor employee, requiring an investigation.

(iii) The PSS will examine the information in VAP and check for prior investigations and clearance information.

(AA) If a prior investigation exists that meets the investigative requirements of the position, there has not been a 2-year break in service, and there is no new derogatory information known, the PSS will notify the vendor and CO/COR that no investigation is required and that final suitability is approved.

(BB) If no previous investigation exists, the PSS will send the applicant an e-mail containing instructions for completing investigative requirements.

(iv) The applicant must complete the eQIP form and submit other applicable material within 15 days of receiving the e-mail from the PSS.

(v) If the eQIP form requires additional information, it will be rejected to the applicant with the reason for the rejection.

(vi) The PSS will notify the applicant and CO/COR of any interim suitability determinations.

(d) *Removal of Contractor Employees.* The VAP POC must notify AXP when a contractor employee is terminated, resigns, or if otherwise removed from a contract by submitting a Removal record in VAP, within twenty-four (24) hours of the removal. CO/CORs have a responsibility to ensure that the vendor complies with this requirement. If a vendor fails to submit a removal record, the CO/COR must notify AXP of the removal as soon as practicable.

(e) *Reports.* The POCs, COs, and CORs have the ability to retrieve current roster reports from VAP for all contracts and contractor employees. The POC must run this report on a quarterly basis to ensure the roster is accurate, and immediately correct any discrepancies with the responsible AXP office.

f. *Costs of Investigations.* To pay for investigations, allotments of funds are made to regions, centers, and headquarters. Unless there has been a specific allotment to AXP to pay for all contractor employee investigations for operating officers that AXP services, each operating office must arrange to pay the costs for investigations on those employees working under contracts for which it is responsible. Security screenings, including fingerprint checks on contractor employees are funded through operational funds by each office or division. The operating office responsible for payment must provide AXP with the accounting code information necessary to have the cost charged appropriately.

g. *Contractor Off-Boarding Requirements.* Contractor employees departing from a FAA contract who have access to FAA facilities and/or Information Technology systems must each complete the FAA Contractor Employee Off-Boarding Form (see Procurement Forms). This does not apply to contractor employees who have been employed on the contract for less than six (6) months and have not been issued a yellow ID card.

The contractor employee's FAA sponsor is responsible for ensuring that the employee completes the Checklist. This responsibility may be delegated to the COR under a given contract. Contractor responsibilities are as indicated in AMS Clause 3.14-4 "Access to FAA Facilities, Systems, Government Property, and Sensitive Information" (or Real Property Clause 6.9.4 for Leased Space).

4 Foreign Nationals Revised 4/2022

Foreign nationals employed or hired by the contractor to perform services for the FAA must have resided within the United States for a minimum of the last three years unless a waiver of this requirement has been granted by AXP in accordance with FAA regulations (see AMS Clause 3.14-3 or Real Property Clause 6.9.2, Foreign Nationals as Contractor Employees).

5 Related Security Guidance and Tools Revised 10/2018

The following sections refer to areas within the AMS Guidance that contain security issues to be considered during contract formulation.

T3.1.6 Nondisclosure of Information

T3.2.1 Procurement Planning

T3.2.2.5 Commercial and Simplified Purchase Method

T3.2.2.6 Unsolicited Proposals

T3.2.2.7 Contractor Qualifications

T3.3.1 Contract Funding, Financing & Payment

T3.5 Patents, Rights in Data, and Copyrights

T3.6.4 Foreign Acquisitions

6 Sensitive Unclassified Information Revised 4/2022

a. General.

(1) FAA Order 1600.75, "Protecting Sensitive Unclassified Information (SUI)," outlines policy and guidance on protecting sensitive unclassified information (SUI).

(2) When a contract, order, lease, or agreement requires a contractor or offeror to have access to SUI, the Contracting Officer (CO) must incorporate appropriate security clauses into the solicitation or contract. These include clauses on safeguarding standards, personnel security suitability, and non-disclosure agreements.

(3) SUI may include information such as Personally Identifiable Information (PII), sensitive NAS data, construction drawings, or equipment specifications. Prospective FAA vendors may need access to this information to ensure they can accurately propose and perform the work that FAA requires.

(4) When a screening information request (SIR) includes information determined to be SUI, the CO (and anyone else granted access to the SUI) must take reasonable care disseminating the SUI documents and ensure the recipient has a *need-to-know* and is *authorized* to receive it.

b. *FOUO and SSI*. There are over 50 types of SUI; however the two types generally handled within FAA are:

(1) *For Official Use Only (FOUO)*. FOUO is the primary designation given to SUI by FAA, and consists of information that could adversely affect the national interest, the conduct of Federal programs, or a person's privacy if released to unauthorized individuals. Uncontrolled issuance of FOUO may allow someone to:

(a) Circumvent agency laws, regulations, legal standards, or security measures; or

(b) Obtain unauthorized access to an information system.

(2) *Sensitive Security Information (SSI)*. SSI is a designation unique to the FAA, DOT, and the Department of Homeland Security (DHS) Transportation Security Administration (TSA), and applied to information meeting the criteria of 49 CFR Part 15, Part 1520 and Subpart A. SSI is information obtained or developed while conducting security activities, including research and development. Unauthorized disclosure of SSI can:

(a) Constitute an unwarranted invasion of privacy;

(b) Reveal trade secrets or privileged or confidential information; or

(c) Be detrimental to transportation safety or security.

c. *Distribution of SUI Information*. When distributing SUI information, the CO (and anyone else granted access to the SUI, including prime contractors, subcontractors, suppliers, etc.) must ensure the persons receiving the information are *authorized* to receive the SUI and have a *need- to-know*. Methods of pre-award SUI dissemination utilized in FAA include SAM.gov and other electronic transfer and dissemination.

d. *The System for Award Management (SAM.gov)*. SAM.gov is an E-Gov initiative that provides a secure environment for distributing sensitive acquisition information (to include SUI) to vendors during the solicitation phase of procurement. This system electronically disseminates information or data to the vendor community while still protecting SUI from unauthorized distribution. Data that can be uploaded into SAM.gov includes construction plans, equipment specifications, security plans, and SIRs. As FAA utilizes the FAA Contract Opportunities page located on SAM.gov to announce procurement opportunities, COs will utilize the Controlled Attachment functionality in SAM.gov when electronically distributing SUI.

(1) SAM.gov provides several security measures to include:

(a) During processing of a vendor's access request to SAM.gov, the vendor's profile is retrieved from the System for Award Management (SAM) using the Unique Entity Identifier (UEI);

(b) *Marketing Partner Identification Number (MPIN)*. A number required by SAM.gov to access SUI. This number is unique to each vendor, and chosen by the vendor when each vendor registers with SAM;

(c) Vendors receive an e-mail after registration to confirm the validity of their identity and contact information;

(d) The access level of the data in SAM.gov can be adjusted; the CO can specifically allow access to only certain vendors, or if a vendor requests access to the data and they are not specifically authorized, the system will verify with the CO if access should be granted (termed "Explicit Access Request"); and

(e) The system tracks which Government users and vendors access the data through SAM.gov.

(2) Use of SAM.gov requires the CO to adhere to the following process:

(a) Upload SUI files into the SAM.gov website (<https://sam.gov/SAM/>) by the procurement request (PR) and solicitation numbers. Note that the problems may arise when uploading attachments greater than 250 mb.

(b) "Release" the solicitation: Prior to it being made available to anyone through SAM.gov, the CO must determine the scope of vendors allowed to access the data and release the data for authorized viewing.

(c) Once established in SAM.gov, the system provides the CO a web address to provide to vendors that will link authorized persons directly into the applicable data. The CO can email this link to individual vendors when access has been restricted, or can place it on a public announcement via the internet so, if properly registered, all interested parties may view the data.

(3) Web-based training and user guides are available to both FAA users and contractors at <https://sam.gov/SAM/>.

e. *Registration with SAM.gov*. For registration instructions, please refer to the SAM.gov website.

f. *Other Electronic Transfer and Dissemination*. Transfer and dissemination of SUI information beyond the intranet (internet or extranet, modem, DSL, wireless, etc.) must use at least 128 bit symmetric key encryption following NIST Special Publication 800-21 *Guideline For Implementing Cryptography in the Federal Government*. All transfers must use standard commercial products (such as PGP and Secret Agent) with encryption algorithms that are at least 128 bit symmetric (3DES, AES, RC4, IDEA, etc.), and follow the instructions outlined in this order. Authorized users that use project

extranets for electronic project management during or after contract award to transfer SUI information are responsible for verifying and certifying to the CO that project extranets meet applicable physical and technical security requirements as determined by the Chief Information Officer. Access to the sites must be password protected and access must be granted only on a need-to-know basis. A record of those individuals who have had electronic access must be maintained by the CO or other disseminator in accordance with the system of keeping long-term records.

g. *Record Keeping.* Records of the signed forms must be maintained by the disseminator and destroyed 2 years after final disposition of the related SUI material (FAA Order 1350.14B and GRS 18 Item 1). At the completion of work, secondary and other disseminators must turn over their dissemination records to FAA, to be kept with the permanent files. The only records that the CO must keep for those vendors that utilize SAM.gov to request SUI are the request forms for hardcopy documentation and any documentation detailing subsequent dissemination by the vendor and their subcontractors or suppliers. Records of those who accessed SUI information via SAM.gov and their associated SUI policy certifications are stored in SAM.gov itself.

h. *Retaining and Destroying Documents.* The requirements above must continue throughout the entire term of contract and for whatever specific time thereafter as may be necessary. Necessary record copies for legal purposes (such as those retained by the architect, engineer, or contractor) must be safeguarded against unauthorized use for the term of retention. Documents no longer needed must be destroyed (such as after contract award, after completion of any appeals process, or completion of the work). Destruction must be by burning or shredding hardcopy, and physically destroying CDs, deleting and removing files from electronic recycling bins, and removing material from computer hard drives using a permanent erase utility or similar software.

i. *Notice of Disposal.* For all contracts using SUI, the contractor must notify the CO that it and its subcontractors have properly disposed of the SUI documents, except the contractor's record copy, at the time of Release of Claims to obtain final payment.

j. *State and Local Governments.* To comply with local regulations, FAA must provide localities with documents to issue building permits and to approve code requirements. Public safety entities such as fire departments and utility departments require unlimited access on a need-to-know basis. These authorities must be informed at the time they receive the documents that the information requires restricted access from the general public. When these documents are retired to local archives, they should be stored in restricted access areas. This will not preclude the dissemination of information to those public safety entities.

7 Defensive Counterintelligence Program (DCIP) Revised 9/2021

a. The Defensive Counterintelligence Program (DCIP) detects, deters, and denies illicit human and technical intelligence collection activities by a foreign power or agents of a foreign power as defined in 50 U.S.C. § 1801. This Program is implemented by FAA Order 1600.84 “FAA Defensive Counterintelligence Program” found at https://employees.faa.gov/documentLibrary/media/Order/FAA_Order_1600.84_Final.pdf(FAA only).

b. This Order applies to all contractors where contractor employees-

- (1) Are authorized unescorted access to non-public areas of FAA facilities;
- (2) Have access to non-public portions of FAA equipment, networks, or information systems; or
- (3) Have access to classified national security information (CNSI), sensitive unclassified information (SUI), or otherwise protected information in the possession of the FAA.

Contractor responsibilities under applicable contracts are specified in Clause 3.14-14 “Cooperation with Defensive Counterintelligence Program (DCIP) Requirements” (or Real Property Clause 6.9.6 for Leased Space or Land).

c. Responsibilities of COs and CORs under contracts where FAA Order 1600.84 applies are the following:

- (1) Familiarize themselves with their responsibilities and contractors’ responsibilities as described in this Order, including without limitation cooperating with authorized DCIP inquiries and CI investigations.
- (2) COs should include the appropriate contract clauses and provisions in relevant contract(s) as necessary to ensure contractors are required to meet all of their responsibilities as described in this Order.
- (3) Ensure that contractors are aware of their responsibilities, as described in this Order and the relevant contract(s).
- (4) If there will be foreign travel by contractors under the contract, ensure contractors are aware of the international travel security briefing and foreign contact reporting requirements contained in FAA Order 1600.61C, *International Travel Security Program* at <https://my.faa.gov/org/linebusiness/ash/programs/ITSP.html#official> (FAA only), as well as the international travel security briefing and foreign contact reporting requirements of Security Executive Agent Directive-3 (SEAD-3) implemented by the FAA at <https://my.faa.gov/org/linebusiness/ash/programs/ITSP.html> (FAA only).
- (5) When requested by the DCIP and when necessary to protect CNSI, SUI, or otherwise protected information, an employee, as defined in FAA Order 1600.84, must sign a Defensive Counterintelligence Program Non-Disclosure Agreement (found in AMS Procurement Forms) prior to being briefed on any information pertaining to a DCIP inquiry, a CI investigation, or any other matter related to the DCIP.
- (6) COs or CORs may contact AXI-1, AXI-300, or AXI-310 directly with questions about their responsibilities, and employees’ responsibilities, for cooperating with a DCIP inquiry or CI investigation.

B Clauses Revised 1/2009

[view contract clauses](#)

C Procurement Forms Added 9/2021

Document Name
Contract Security Classification Specification (DD 254)
Contractor Access Staffing Questionnaire
Contractor Employee Off-Boarding Form

D Procurement Samples Added 9/2021

Document Name

E Procurement Templates Added 9/2021

Document Name

F Procurement Tools and Resources Added 9/2021

Document Name