



Acquisition Management System Change Request Form

Change Request Number:

(To be completed by secretariat)

25-44

Title:

T3.18 Bipartisan Infrastructure Law (BIL) Section Removal and made Reserved

Select the type of Change Request:

*Policy changes require FAE endorsement.

Guidance

Impacted AMS Category. Choose from drop down selections. If additional categories or sections are impacted, submit a separate CR form for each.

Section(s) impacted by CR:

Category

Guidance

AMS Guidance T3.18 Bipartisan Infrastructure Law

PART 1: ENDORSEMENTS

**Manager, Acquisition Policy Branch
Endorsement:**

AAP-110, Procurement Policy Branch



Approved



Disapproved

Electronic Signature/Date:

STEPHEN
BRENDAN
MANGAN

Digitally signed by STEPHEN
BRENDAN MANGAN
Date: 2025.03.13 13:35:20
-05'00'

**Acquisition System Advisory Group
(ASAG) Chairperson Endorsement:**



Approved



Disapproved

Electronic Signature/Date:

STEPHEN
BRENDAN
MANGAN

Digitally signed by STEPHEN
BRENDAN MANGAN
Date: 2025.03.24 08:40:30
-05'00'

**Acquisition Policy and Oversight (AAP)
Director Endorsement:**



Approved



Disapproved

Electronic Signature/Date:

JAKE LENO
LEWIS

Digitally signed by
JAKE LENO LEWIS
Date: 2025.03.24
12:27:21 -04'00'

**FAA Acquisition Executive (FAE)
Endorsement:**

*Only required for Policy Changes



Approved



Disapproved

Electronic Signature/Date:

PART 2: GENERAL INFORMATION

Change Request (CR) Number: 25-44

Date Received:

(To be completed by secretariat)

Summary
and Reason
for Change:

This change deletes T3.18 in its entirety and makes it "Reserved." This section was determined to not be needed as the BIL clause is also being deleted and the requirement for BIL reporting has been removed.

Initiator Contact Information:

Name:

Terrance Brown

Phone:

20202674202

Organization Name:

Procurement Policy Branch

Routing Code:

AAP-110

ASAG Member Contact
Information

Name:

Phone:

Development, Review, and Concurrence:

AAP-110, AGC 500, AAQ

Target Audience:

FAA Acquisition Workforce

ASAG Briefing:

☐ YES☐ NO

(To be completed by secretariat)

Date:

ASAG Responsibilities:

AEB Briefing:

☐ YES☐ NO

(To be completed by secretariat)

Date:

AEB Responsibilities:

PART 3: FAST PUBLICATION INFORMATION



Validation of other impacted FAST locations: I confirm I have validated all other portions of the website and will submit additional CR's for any other impacted sections as necessary.

Section/Text Location:

Procurement Guidance T3.18

Links:

<https://fast.faa.gov/docs/procurementGuidance/guidanceT3.18.pdf>

Redline Validation:

NOTE: 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.



This is new content.

Attachments:

GuidanceT3.18 final
GuidanceT3.18 redline

Other Files:

N/A

T3.18 Bipartisan Infrastructure Law Reserved Added 7/2022 Revised 4/2025

A Implementation of the Bipartisan Infrastructure Law Added 7/2022

1 General Requirements Revised 7/2024

2 Public Announcements Added 7/2022

3 Solicitation and Award Added 7/2022

4 BIL Data Reporting Added 7/2022

5 Applicability of Buy American Laws Added 7/2022

6 Noncompetitive Small Business Awards Added 7/2022

B Clauses Added 7/2022

C Procurement Forms Revised 7/2024

D Procurement Samples Added 7/2022

E Procurement Templates Added 7/2022

F Procurement Tools and Resources Added 7/2022

~~A Implementation of the Bipartisan Infrastructure Law~~ ~~Added 7/2022~~

~~1 General Requirements~~ ~~Revised 7/2024~~

~~a. The Infrastructure Investment and Jobs Act, Public Law 117-58, commonly referred to as the “Bipartisan Infrastructure Law” (BIL), authorizes Facilities and Equipment (F&E) funding for-~~

- ~~(1) replacing terminal and en-route air traffic control facilities;-~~
- ~~(2) improving air route traffic control center and combined control facility buildings;-~~
- ~~(3) improving air traffic control en-route radar facilities;-~~
- ~~(4) improving air traffic control tower and terminal radar approach control facilities;-~~
- ~~(5) national airspace system facilities OSHA and environmental standards compliance;-~~
- ~~(6) landing and navigational aids;-~~
- ~~(7) fuel storage tank replacement and management;-~~
- ~~(8) unstaffed infrastructure sustainment;-~~
- ~~(9) real property disposition;-~~
- ~~(10) electrical power system sustain and support;-~~
- ~~(11) energy maintenance and compliance;-~~
- ~~(12) hazardous materials management and environmental cleanup;-~~
- ~~(13) facility security risk management;-~~
- ~~(14) mobile asset management program; and-~~
- ~~(15) administrative expenses, including salaries and expenses, administration, and oversight.-~~

~~Special contracting requirements described in this guidance section apply only to procurements funded in whole or in part, by the BIL.-~~

~~b. This section applies to all BIL-funded acquisitions with exception to procurements made using purchase cards.-~~

~~c. BIL does not provide authority to waive any documentation or approval required for procurement planning, solicitation, evaluation, and award. The Contracting Officer (CO) must comply with existing AMS policy and guidance for any project funded through BIL.-~~

~~d. BIL requires special reporting. For any contract funded, in whole or in part, by BIL, contractors must submit quarterly and at the completion of the contract, a FAA 4400-93 Uniform Bipartisan Infrastructure Law (BIL) Data Report as described at AMS Guidance T3.18.A.4 BIL Data Reporting.~~

~~2 Public Announcements~~ Added 7/2022

~~For BIL procurements, the following special formatting is required for public announcements:~~

~~(1) All presolicitation and solicitation notices must include the phrase “BIL-funded” as the beginning text in the title field preceding the actual title in the announcement.~~

~~(2) Although it is not required, the CO should consider making public announcements for all awards that use BIL funds. To facilitate transparency and ensure consistency in tracking award announcements for BIL-funded contracts, if making a public announcement, the CO must insert the phrase “BIL-funded” as the beginning text in the title field preceding the remaining title on the Contracting Opportunities page on SAM.gov.~~

~~3 Solicitation and Award~~ Added 7/2022

~~a. *Competition and Fixed Price Awards.* To the extent practicable, BIL-funded awards should be competitive and fixed priced. The CO must properly document the rationale when competition or a fixed priced arrangement is not appropriate for BIL-funded awards.~~

~~b. *Separate Tracking of BIL Funds.* To maximize transparency of the spending of BIL funds, the CO must structure contract awards to allow for separate tracking of BIL funds and projects. For example, the CO should consider awarding dedicated separate contracts when using BIL funds or establishing CLIN structures so that BIL funds are not co-mingled with other funds. In the event the CO receives BIL funds comingled with other funds on a single CLIN, the CO must include in the obligating action a billing structure that sets forth the percentage of each invoice to be allocated between BIL funds versus non-BIL funds. In addition, the CO must annotate on the face of the obligating action the BIL funds as a percentage of total funds on the action.~~

~~c. *Contractor Reporting Clause.* The CO must insert AMS clause 3.18-1 “Bipartisan Infrastructure Law—Reporting Requirements” in all solicitations, contracts, orders, and modifications funded in whole or in part with BIL funds. The Uniform BIL Data Report must be used in conjunction with this clause. COs must not use BIL funds on new or existing contracts and orders if this clause is not incorporated.~~

~~4 BIL Data Reporting~~ Added 7/2022

~~a. *Contractor Reporting on Use of Funds.* COs must provide contractors with the Uniform Bipartisan Infrastructure Law (BIL) Data Report. Contractors must complete and submit the data~~

~~report quarterly and at the completion of the contract to the email address indicated on the Uniform BIL Data Report.~~

~~b. *Failure to Report.* The CO must make the contractor's failure to comply with the reporting requirements a part of the contractor's past performance information. As with other contract deliverables, the CO may use remedies such as withholding payment or seeking other consideration for a contractor's failure to deliver contractually specified reports within required timeframes.~~

5 Applicability of Buy American Laws Added 7/2022

~~*Buy American Act.* Any project using BIL funds is subject to the provisions of the Buy American Act (41 U.S.C. §§8301-8305) (BAA) including its associated exceptions. (See AMS Procurement Guidance T3.6.4.A.2 and T3.6.4.A.3).~~

6 Noncompetitive Small Business Awards Added 7/2022

~~For information on the interim AMS Policy changes that increases noncompetitive small business thresholds for BIL funded projects, including projects that contain both BIL and non-BIL funded requirements, see the FAE Memo dated March 23, 2022, titled "INTERIM CHANGES TO AMS—Raise Thresholds for Noncompetitive Small Business Awards in AMS Policy for Bipartisan Infrastructure Law (BIL) Funded Acquisitions."~~

B Clauses Added 7/2022

[view contract clauses](#)

C Procurement Forms Revised 7/2024

Document Name
FAA 4400-93 Uniform Bipartisan Infrastructure Law (BIL) Data Report

D Procurement Samples Added 7/2022

Document Name

E Procurement Templates ~~Added 7/2022~~

Document Name

F Procurement Tools and Resources ~~Added 7/2022~~

Document Name