



Acquisition Management System Change Request Form

Change Request Number: (To be completed by secretariat)	25-49
Title:	AMS Policy 3.6 - Environment, Small Business, Labor - Executive Orders
Select the type of Change Request: *Policy changes require FAE endorsement.	Policy
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 Policy AMS Policy Section 3.6 Socio-Economic and Other Policies and Programs

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: 2025.03.26 12:39:55 -05'00'
Acquisition System Advisory Group (ASAG) Chairperson Endorsement:	☒ Approved ☐ Disapproved	Electronic Signature/Date: STEPHEN BRENDAN MANGAN Digitally signed by STEPHEN BRENDAN MANGAN Date: 2025.03.26 12:40:25 -05'00'
Acquisition Policy and Oversight (AAP) Director Endorsement:	☒ Approved ☐ Disapproved	Electronic Signature/Date: JAKE LENO LEWIS Digitally signed by JAKE LENO LEWIS Date: 2025.03.26 16:55:33 -04'00'
FAA Acquisition Executive (FAE) Endorsement: *Only required for Policy Changes	☒ Approved ☐ Disapproved	Electronic Signature/Date: NATHAN S TASH Digitally signed by NATHAN S TASH Date: 2025.04.04 13:44:27 -04'00'

PART 2: GENERAL INFORMATION

Change Request (CR) Number: 25-49

Date Received: 3/26/25
(To be completed by secretariat)Summary
and Reason
for Change:

There are changes in three sections of AMS Policy 3.6, resulting from newly-issued Executive Orders (EOs). The changes are in:

- 3.6.1 Small Business Program
- 3.6.2 Labor Laws
- 3.6.3 Environment and Conservation.

See attached for a detailed explanation of the summary and reason for change.

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Procurement Policy

Routing Code:
AAP-110

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Information

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Development, Review, and Concurrence:

AAP-110/100, AGC-500, EOSH, AEE

Target Audience:

FAA Acquisition Workforce

ASAG Briefing:

☐ YES ☒ NO

(To be completed by secretariat)

Date:

3/26/25

ASAG Responsibilities:

Awareness

AEB Briefing:

☐ YES ☒ NO

(To be completed by secretariat)

Date:

3/26/25

AEB Responsibilities:

Awareness

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:

AMS Policy 3.6

Links:

<https://fast.faa.gov/docs/acquisitionManagementPolicy/AcquisitionManagementPolicy3.6.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:

Detailed Summary and Reason for Change

AcquisitionManagementPolicy3.6 redline
AcquisitionManagementPolicy3.6 final

Other Files:

N/A.

3.6 Socio-Economic and Other Policies and Programs

3.6.1 Small Business Program Revised 7/2020

3.6.1.1 Applicability Revised 4/2024

3.6.1.2 Policy Revised 10/2022

3.6.1.3 Principles for the Small Business Program Revised 7/2006

3.6.1.3.1 Program Goals Revised 7/2020

3.6.1.3.2 Prime Contracting with Small Businesses Revised 1/2017

3.6.1.3.3 Reserved Revised 1/2017

3.6.1.3.4 Set-Asides to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals 8(a) Certified, Service-Disabled Veterans, Historically Underutilized Business Zones, ~~Small Disadvantaged Business~~, Women Owned Small Business, and Economically Disadvantaged Women-Owned Small Business Revised ~~9/2024~~/2025

3.6.1.3.5 Noncompetitive Awards to SEDB 8(a) Certified Vendors Revised ~~4/2024~~/2025

~~3.6.1.3.5.1 Noncompetitive Awards for New or Replacement Air Traffic Control Towers to SEDB (8a) Certified Vendors Added 9/2024~~

~~3.6.1.3.5.1 Reserved~~ Revised 4/2025

3.6.1.3.6 Set-Asides or Noncompetitive to Service-Disabled Veteran Owned Small Businesses Revised 4/2024

3.6.1.3.7 Set-Asides or Noncompetitive Award to Historically Underutilized Business Zone (HUBZone) Small Businesses Revised 4/2024

3.6.1.3.8 Set-Asides or Noncompetitive Award to Women Owned Small Businesses Revised 4/2024

3.6.1.3.9 Set-Asides or Noncompetitive Award to Economically Disadvantaged Women-Owned Small Businesses Revised 4/2024

3.6.1.3.10 ~~Set-Asides to Small Disadvantaged Businesses~~ Reserved Revised ~~10/2024~~/2025

~~3.6.1.3.10.1 Noncompetitive Awards for New or Replacement Air Traffic Control Towers to Small Disadvantaged Businesses Added 9/2024~~

~~3.6.1.3.10.1 Reserved~~ Revised 4/2025

3.6.1.3.11 Subcontracting with Small Businesses and Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals Added 10/2021

3.6.2 Labor Laws Revised 1/2020

3.6.2.1 Applicability Revised ~~4/2024~~/2025

3.6.2.2 Policy Revised 9/2020

3.6.3 Environment and Conservation Revised 4/2023

3.6.3.1 Applicability Revised 4/2009

3.6.3.2 Policy Revised ~~1/2024~~/2025

3.6.3.3 Environmental Performance and Sustainability Factors Revised

10/2016

- 3.6.3.3.1 ~~Recycled Content Products~~ Recovered Material Preference Revised ~~1/2024~~ 4/2025
 - 3.6.3.3.2 Energy ~~Conservation~~ and Water Efficiency Revised ~~1/2024~~ 4/2025
 - 3.6.3.3.3 ~~BioPreferred and~~ Biobased Designated Products Revised ~~1/2024~~ 4/2025
 - 3.6.3.3.4 Alternatives to Ozone Depleting Substances and Hydrofluorocarbons Revised ~~1/2024~~ 4/2025
 - 3.6.3.3.5 ~~Water Conservation and Efficiency~~ Reserved Revised ~~1/2024~~ 4/2025
 - 3.6.3.3.6 ~~Chemicals~~ Integrated Pest Management Revised ~~1/2024~~ 4/2025
 - 3.6.3.4 Environmental Review Added 9/2020
 - 3.6.3.5 Environmental Due Diligence and Real Property Revised 1/2024
 - 3.6.3.6 Delivery of Electronic and Paper Documents Revised ~~9/2020~~ 4/2025
 - 3.6.3.7 Reserved Revised 4/2023
 - 3.6.3.8 Hazardous and Radioactive Materials Revised 9/2009
 - 3.6.3.8.1 Hazardous Material Identification and Safety Data Revised 1/2024
 - 3.6.3.8.2 Notice of Radioactive Material Revised 9/2020
 - 3.6.3.9 Waste Management Revised ~~1/2024~~ 4/2025
 - 3.6.3.10 Seismic Safety Revised 9/2021
 - 3.6.4 Foreign Acquisition Revised 4/2014
 - 3.6.4.1 Buy American Act Added 10/2014
 - 3.6.4.2 Export Control Added 4/2014
 - 3.6.5 Indian Incentive Program Revised ~~4/2025~~
 - 3.6.6 Drug Free Workplace Revised 4/2023
 - 3.6.7 Fastener Quality Act Revised 4/2023
 - 3.6.8 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR Part 24) Revised 4/2023
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3.6 Socio-Economic and Other Policies and Programs

3.6.1 Small Business Program Revised 7/2020

3.6.1.1 Applicability Revised 4/2024

The policies in this Section apply to FAA procurements for products, construction, and services but exclude those procurements using purchase cards, purchase card checks, electric utilities, real property, grants, memoranda of understanding, non-appropriated funds, contracts with foreign governments or international organizations, agreements, and required sources of supplies/services and use of Government sources including products available from Federal Prison Industries (FPI) (See AMS Guidance T3.6.1 Small Business Program).

3.6.1.2 Policy Revised 10/2022

The FAA must comply with Presidential directives, constitutional standards, public laws, and follows DOT Secretary Policy Statements to promote, expand, aggressively provide procurement opportunities as prime contractors and as subcontractors for small businesses, small businesses owned by socially and economically disadvantaged individuals, women-owned small businesses and service-disabled veteran owned small businesses. The FAA's Small Business Program (AAP-20) staff currently has and will continue to have responsibility for:

- ☐ FAA's policy and program on the utilization of small business and small businesses owned and controlled by socially and economically disadvantaged individuals;
- ☐ Establishing mechanisms for monitoring and evaluating the effectiveness of the small business program; and
- ☐ Ensuring FAA-wide implementation and accomplishment of the small business program objectives.

Key features of the small business program will include:

- ☐ Competitive/noncompetitive set-asides;
- ☐ Establishment of eligibility criteria and measurable prime contracting and subcontracting goals;
- ☐ Vigorous outreach efforts;
- ☐ Mentor-Protégé Program; and
- ☐ Small business forums.

3.6.1.3 Principles for the Small Business Program Revised 7/2020

3.6.1.3.1 Program Goals Revised 7/2020

Prior to the end of each fiscal year, measurable annual FAA wide major procurement program goals (including subcontracting goals) will be established to provide attainable and reasonable

opportunities for small businesses and small businesses owned and controlled by socially and economically disadvantaged individuals to participate in contracts awarded by the FAA for the next fiscal year.

To ensure attainment of the program goals, senior management will be held responsible and goal achievement will be monitored at all levels in the agency. Additionally, the AAP-20 Staff will conduct vigorous outreach efforts that may include participating in Small Business Conferences, Small Business forums, etc.

3.6.1.3.2 Prime Contracting with Small Businesses Revised 1/2017

When appropriate, individual procurements may be set aside for competitive award among small businesses. Individual procurements may also be set-aside for small businesses two categories (combined set-asides).

3.6.1.3.3 Reserved Revised 1/2017

3.6.1.3.4 Set-Asides to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals 8(a) Certified, Service-Disabled Veterans, Historically Underutilized Business Zones, ~~Small Disadvantaged Business~~, Women Owned Small Business, and Economically Disadvantaged Women-Owned Small Business Revised 9/2024/2025

Except for those acquisitions being purchased using the agency purchase card, or those acquisitions subject to AMS 3.8.4.2 Government Sources for Product and Services, each acquisition of supplies or services with a TEPV exceeding the micro-purchase threshold, but not exceeding the AMS risk threshold, is reserved exclusively for Socially and Economically Disadvantaged Business (SEDB) 8(a) Certified Vendors, -Service-Disabled Veteran-Owned Small Businesses (SDVOSBs), Historically Underutilized Business Zone (HUBZone) small businesses, ~~Small Disadvantaged Businesses (SDB)~~, Women-Owned Small Business (WOSB), and/or Economically Disadvantaged Women-Owned Small Business (EDWOSB) vendors (collectively referenced as small business socioeconomic categories), unless the Contracting Officer determines there is not a reasonable expectation of obtaining offers from responsible small business socioeconomic categories that are competitive in terms of market prices, quality and delivery. The Contracting Officer must submit the Small Business Set-Aside Determination and Coordination Form to the FAA Small Business Office (AAP-20) if not setting aside for small business socioeconomic categories or small business firms for acquisitions exceeding the micro-purchase threshold but not over the AMS risk threshold (For additional information see AMS Guidance T3.6.1, Small Business Program).

In addition, other individual procurements outside the above specified range may be set-aside for competitive award among small business socioeconomic categories, when appropriate.

3.6.1.3.5 Noncompetitive Awards to SEDB 8(a) Certified Vendors Revised 4/2024/2025

Individual procurements may be noncompetitively awarded to SEDB 8(a) Certified vendors when the anticipated total value of the procurement (including all options) is less than ~~\$107 million for manufacturing and less than \$4.5~~ million under any North American Industry Classification System codes. Where a procurement exceeds the noncompetitive threshold, the procurement may be awarded on a noncompetitive basis to SEDB 8(a) Certified vendors if: (1) there is not a reasonable expectation that at least two or more SEDB 8(a) Certified sources will submit offers that are in the Government's best interest in terms of quality, price and/or delivery; or (2) the award will be made to a SEDB 8(a) Certified vendor owned by an Alaska Native Corporation (ANC), Indian tribe, or ~~Native Hawaiian Organization~~. Noncompetitive awards above \$25 million to SEDB 8(a) Certified vendors, including an SEDB 8(a) certified vendor owned by an ANC, Indian Tribe, or Native Hawaiian Organization, must be justified and documented as indicated in AMS Guidance T3.6.1 Small Business Program.

~~3.6.1.3.5.1 Noncompetitive Awards for New or Replacement Air Traffic Control Towers to SEDB (8a) Certified Vendors Added 9/2024~~

~~Individual procurements may be awarded noncompetitively to SEDB 8(a) Certified vendors when the total estimated potential value (TEPV) of the procurement (including all options) is less than or equal to \$70 million for the construction of new or replacement of Air Traffic Control Towers. Noncompetitive awards utilizing this increased threshold require a documented rational basis supporting the decision to award in accordance with AMS Guidance T3.6.1.B.2.e. See AMS Guidance T1.15A4d. for legal coordination guidance.~~

3.6.1.3.5.1 Reserved Revised 4/2025

3.6.1.3.6 Set-Asides or Noncompetitive Awards to Service-Disabled Veteran Owned Small Businesses Revised 4/2024

When appropriate, individual procurements may be awarded noncompetitively or set-aside competitively for award among service-disabled veteran owned small businesses.

3.6.1.3.7 Set-Asides or Noncompetitive Award to Historically Underutilized Business Zone (HUBZone) Small Businesses Revised 4/2024

When appropriate, individual procurements may be awarded noncompetitively or set-aside competitively for award among Historically Underutilized Business Zone (HUBZone) small businesses. Noncompetitive awards may only be made when the anticipated total value of the procurement (including all options) is \$7.5 million or below for procurements assigned manufacturing North American Industry Classification System codes and \$4.5 million or below for all other procurements.

3.6.1.3.8 Set-Asides or Noncompetitive Award to Women Owned Small Businesses Revised 4/2024

When appropriate, individual procurements may be awarded noncompetitively or set-aside

competitively for award among certified Women-Owned Small Business (WOSB) eligible under the WOSB Program. Noncompetitive awards may only be made when the anticipated total value of the procurement (including all options) is \$7 million or below for procurements assigned eligible manufacturing NAICS codes and \$4.5 million or below for all other eligible procurements.

3.6.1.3.9 Set-Asides or Noncompetitive Awards to Economically Disadvantaged Women-Owned Small Businesses Revised 4/2024

When appropriate, individual procurements may be awarded noncompetitively or set-aside competitively for award among certified Economically Disadvantaged Women-Owned Small Businesses (EDWOSB) eligible under the WOSB Program. Noncompetitive awards may only be made when the anticipated total value of the procurement (including all options) is \$7 million or below for procurements assigned eligible manufacturing NAICS codes and \$4.5 million or below for all other eligible procurements.

~~3.6.1.3.10 Set-Asides to Small Disadvantaged Businesses~~Reserved Revised 10/2024/2025

~~When appropriate, individual procurements may be set aside competitively for award among small disadvantaged businesses.~~

~~3.6.1.3.10.1 Noncompetitive Awards for New or Replacement Air Traffic Control Towers to Small Disadvantaged Businesses~~ Added 9/2024

~~Individual procurements may be awarded noncompetitively to Small Disadvantaged Businesses (SDB) when the total estimated potential value (TEPV) of the procurement (including all options) is less than or equal to \$70 million for construction of new or replacement of Air Traffic Control Towers. Noncompetitive awards utilizing this increased threshold require a documented rational basis supporting the decision to award, in accordance with AMS Guidance T3.6.1.B.2.e. See AMS Guidance T1.15A4d. for legal coordination guidance.~~

3.6.1.3.10.1 Reserved Revised 4/2025

3.6.1.3.11 Subcontracting with Small Businesses and Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals Added 10/2021

When appropriate, subcontracting opportunities will be encouraged.

3.6.2 Labor Laws

3.6.2.1 Applicability Revised 4/2024/2025

The Davis-Bacon Act (40 U.S.C. § 276a), Convict Labor (18 U.S.C. § 4082-(c)(2)), Copeland Act (18 U.S.C. § 874 and 40 U.S.C. § 276c), Walsh-Healey Public Contracts Act (41 U.S.C. §§ 6501-6511), Service Contract Labor Standards (41 U.S.C. §§ 6701-6707), ~~executive orders (E.O.s) related to equal employment opportunity (E.O. 11246), the minimum wage for Federal Contractors (E.O. 14026), and project labor agreements (E.O. 14063),~~ and other labor laws and regulations apply to acquisitions for products, services, construction, and real property as appropriate.

3.6.2.2 Policy **Revised 9/2020**

The FAA will comply with labor laws when acquiring products, services, construction, and real property consistent with the thresholds established ~~herein~~ in the Acquisition Management System.

3.6.3 Environment and Conservation **Revised 4/2023**

3.6.3.1 Applicability **Revised 4/2009**

This section applies to all FAA Screening Information Requests (SIRs) and contracts performed in the United States.

3.6.3.2 Policy **Revised 1/2024/2025**

It is the policy of FAA to contract with entities that are in compliance with applicable environmental, energy, and safety, ~~and drug-free workplace~~ laws, orders, and regulations.

FAA will ensure that all contract actions and purchases comply with statutory requirements. ~~FAA should prioritize products, services, or real property interests that meet more than one of the applicable requirements and is encouraged to procure products, services, or real property in a cost-effective manner that advance achievement of energy and environmental performance goals. FAA will use Category Management solutions for products or services to the maximum extent practicable, which can help meet sustainability goals and better leverage the government's buying power and effect the policies of Executive Orders.~~

FAA will give purchasing preference to products that:

- (a) Meet minimum requirements for ~~recycled content~~ products containing recovered materials as identified by EPA's Comprehensive Procurement Guideline (CPG) Program; ~~(42 U.S.C. 6962) (40 CFR part 247);~~
- ~~(b) Are designated as biobased or BioPreferred by USDA;~~
- ~~(c)(b)~~ Are certified by ENERGY STAR® or designated by the Federal Energy Management Program (FEMP) as energy efficient products; (42 U.S.C. 8259b) (10 CFR part 436, subpart C); or
- ~~(d) Reduce embodied carbon in construction materials to the greatest extent practicable for FAA-funded projects.~~

- ~~(c) FAA will maximize substitution of alternatives to ozone-depleting substances in its procurements;~~

as Are designated as biobased by USDA (7 U.S.C. 8102) (7 CFR part 4270);
(d) Are identified under EPA's Significant New Alternatives Policy (SNAP) program- (42
U.S.C. 7671k et seq.) (40 CFR part 82, subpart G).

~~FAA should also seek sustainable products and services identified by other EPA programs, including WaterSense®, Safer Choice®, and SmartWay® as well as non-federal specifications, standards or labels that meet or exceed those recommended by EPA or meet criteria developed or adopted by consensus standards bodies.~~

3.6.3.3 Environmental Performance and Sustainability Factors **Revised 10/2016**

3.6.3.3.1 ~~Recycled-Content Products~~Recovered Material Preference **Revised 1/2024/2025**

~~In order Pursuant to meet the objectives Resource Conservation and Recovery Act of Executive Order (EO) 14057, 1976 (42 U.S.C. 6962), FAA will prioritize purchase of products that can be reused, refurbished, or recycled and procure products composed of recycled content, which are biobased, or are energy and water efficient. Therecovered materials to the maximum extent practicable. FAA will prioritize purchase of sustainable products identified by the EPA. utilize EPA's Comprehensive Procurement Guideline (CPG) Program (40 CFR part 247).~~

3.6.3.3.2 Energy ~~Conservation~~ and Water Efficiency **Revised 1/2024/2025**

In order to meet the objectives of ~~EO 14057, the National Energy Conservation Policy Act (NECPA),~~ the Energy Policy Act of 2005 (EPA 2005), the Energy Independence and Security Act of 2007 (EISA 2007), and the Energy Act of 2020, ~~and FAA Order 1053.1 (series),~~ FAA will procure ENERGY STAR®-labeled and FEMP-designated products, where life-cycle cost-effective, and reasonably available (42 U.S.C. 8259b). ~~FAA will lease space in ENERGY STAR-labeled buildings, unless the space requirement is exempted by EISA 435. Section 435 (42 U.S.C. 17091).~~

~~FAA will also promote electronics stewardship throughout the acquisition life cycle and ensure a procurement preference for environmentally sustainable electronic products in accordance with statutory mandates such as Electronic Products Assessment Tool (EPEAT)-registered products. These considerations will be identified in the procurement planning and SIR/contract documents when procuring products or services affecting FAA energy consumption. The decision not to procure such items will be based on a determination that such procurement items:~~

- ~~1. Are not reasonably available within a reasonable period of time;~~
- ~~2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or~~
- ~~3. Are only available at an unreasonable price.~~

~~To reduce scope 1 and 2 greenhouse gas emissions and achieve net-zero emissions buildings, the FAA will implement the Council on Environmental Quality Guiding Principles for Sustainable Federal Buildings (Guiding Principles), as amended, for building design, construction, and operation of all new or renovated Federal buildings greater than 25,000 gross square feet entering the planning~~

~~phase after January 31, 2022.~~

In order to meet the objectives of NECPA, EISA 2007, and Energy Act of 2020, FAA will implement water conservation measures in its facilities, unless such measures are not life cycle cost-effective (42 U.S.C. 8253). In order to meet the objectives of EPAct 2005 and EISA 2007, as codified at 42 U.S.C. 6834, the FAA will implement water efficiency measures and apply sustainable design principles to all new buildings and major renovations.

3.6.3.3.3 ~~BioPreferred and Biobased Designated Products~~ Revised 1/2024/2025

In order to meet the objectives of ~~EO 14057~~, the Farm Security and Rural Investment Act of 2002, the Food Conservation and Energy Act of 2008, and the Agricultural Act of 2014, FAA will purchase and use USDA ~~BioPreferred and biobased designated products, which are products derived from plants and other renewable agricultural, marine, and forestry materials and provide an alternative to conventional petroleum derived products. biobased-designated products under the BioPreferred program (7 U.S.C. 8102) (7 CFR part 4270).~~ FAA will give preference to products composed of the highest percentage of biobased material practicable. ~~These considerations will be identified in procurement planning, SIR/contract documents. The decision not to procure such items will be based on a determination that such products within a product category:~~

- ~~1. Are not reasonably available within a reasonable period of time;~~
- ~~2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or~~
- ~~3. Are only available at an unreasonable price.~~

3.6.3.3.4 Alternatives to Ozone-Depleting Substances and Hydrofluorocarbons Revised 1/2024/2025

In order to meet the objectives of ~~EO 14057 and~~ the Clean Air Act, FAA will procure Significant New Alternative Policy (SNAP) chemicals or other alternatives to ozone-depleting substances and hydrofluorocarbons, where feasible, as identified by SNAP. ~~FAA will ensure that the product complies with statutory mandates (e.g., biobased) if applicable to the product category. These considerations will be identified in the procurement planning and SIR/contract documents. (42 U.S.C. 7671k et seq.) (40 CFR part 82, subpart G).~~

3.6.3.3.5 ~~Water Conservation and Efficiency~~ Reserved Revised 1/2024/2025

~~In order to meet the objectives of EISA 2007, Energy Act of 2020, EO 14057, and FAA Order 1053.1 (series), FAA will purchase WaterSense certified products and services, unless not life-cycle cost effective. These considerations will be identified in the procurement planning and SIR/contract documents when procuring products or services affecting FAA water consumption.~~

3.6.3.3.6 ~~Chemicals~~ Integrated Pest Management Revised 1/2024/2025

~~FAA should purchase Safer Choice labeled products to reduce the overall quantity of chemicals and toxic materials acquired, used, and disposed of. FAA will ensure that the product~~

~~complies~~In accordance with ~~the statutory mandates (e.g., biobased)~~ if applicable to the product category. ~~These considerations will be identified in the procurement planning and SIR/contract documents.~~

~~Additionally~~7 U.S.C. 136r-1, FAA will ~~implement~~promote EPA's Integrated Pest Management Principles ~~and Water Efficient Landscaping in its procurement practices to reduce and eliminate the use of toxic and hazardous chemicals and materials, where applicable.~~

3.6.3.4 Environmental Review Added 9/2020

The National Environmental Policy Act (NEPA) requires agencies to consider the environmental impact of major federal actions, including certain procurement actions. FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, provides policies and procedures to ensure agency compliance with NEPA (42 ~~United States Code~~ U.S.C., §§ 4321-4335), the requirements set forth in the Council on Environmental Quality (CEQ), Title 40, Code of Federal Regulations (CFR), parts 1500-1508, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (CEQ Regulations), and Department of Transportation (DOT) Order 5610.1C, Procedures for Considering Environmental Impacts. The FAA uses the NEPA process to conduct environmental review required by other statutes, such as the Endangered Species Act and the National Historic Preservation Act.

3.6.3.5 Environmental Due Diligence and Real Property Revised 1/2024

FAA real property transactions are subject to the requirements of FAA Order 1050.19 (series), Environmental Due Diligence in the conduct of FAA Real Property Transactions and Paragraph 2-7 of Order 1050.1 (series), in order to identify and minimize potential environmental liabilities associated with the condition of the property and past activities at the site. Environmental due diligence requirements must be completed prior to executing contracts for the initial acquisition or disposal of real property, including the conveyance, sale or transfer of any FAA land, buildings, and structures. This also includes "outgrants", as defined in Appendix C.

3.6.3.6 Delivery of Electronic and Paper Documents Revised 9/20204/2025

Contractors must submit acquisition-related documents electronically, to the maximum extent practicable. ~~When paper documents are submitted to the FAA, they must be printed or copied double-sided. Refer to the Recycled Content Products~~Refer to the Recovered Material Preference Policy above for additional requirements for delivery of paper documents.

3.6.3.7 Reserved Revised 4/2023

3.6.3.8 Hazardous and Radioactive Materials Revised 9/2020

3.6.3.8.1 Hazardous Material Identification and Safety Data Revised 1/2024

It is FAA policy to comply with Occupational Safety and Health Administration (OSHA) regulations on hazardous materials, conditions and precautions. To comply with these regulations, FAA must obtain information from contractors when hazardous materials are provided to FAA. Contractors are required to identify any hazardous materials delivered under a contract, as defined in Federal Standard 313 (FED-STD-313 series); and must provide Safety Data Sheets for all identified hazardous materials.

3.6.3.8.2 Notice of Radioactive Material Revised 9/2020

The contractor is required to notify the FAA, prior to delivery, of radioactive material that requires specific licensing under the Atomic Energy Act of 1954; or material with a specific activity that is greater than 0.002 microcuries per gram, or a specific activity per item exceeds 0.01 microcuries.

3.6.3.9 Waste Management Revised 1/2024/2025

~~In order to meet the objectives of EO 14057, FAA will reduce the generation of non-hazardous solid waste (including construction and demolition (C&D) waste) that requires treatment and disposal by supporting markets for recycled products and promoting a transition to a circular economy. The FAA will divert 50% of non-hazardous solid waste (including C&D debris) sent to treatment and disposal facilities by 2025 and 75% of such non-hazardous solid waste by 2030. Contractors must comply with the waste reduction and reporting requirements set forth by FAA with regard to the diversion of non-hazardous solid waste and C&D debris. Waste management will further be accomplished through employing source reduction strategies (such as purchasing items that can be reused, refurbished, or recycled). Waste management factors must be considered, to the maximum extent practicable, in acquisitions where their application would be meaningful and consistent with meeting FAA requirements. These factors must be identified in the procurement planning and SIR/ contract documents.~~

Pursuant to the Resource Conservation and Recovery Act of 1976 (RCRA), FAA will comply with federal, state, interstate, and local requirements for management and disposal of non-hazardous solid waste and hazardous waste. (42 U.S.C. 6961)

3.6.3.10 Seismic Safety Revised 9/2021

Buildings, or space, acquired for the FAA or constructed on FAA property must meet current seismic safety requirements as provided in E.O. 13717 & P.L. 101-614. It is FAA's policy to mitigate seismic hazards in FAA occupied buildings in order to ensure the safety of its employees. Every effort should be made in the space acquisition process to ensure that FAA employees are housed in seismically safe buildings. New or succeeding leases are to be for space in buildings that comply with seismic standards as described in the most recently published version of the National Institute of Standards and Technology (NIST), Standards for Seismic Safety for Existing Federally Owned or Leased Buildings. Every new building constructed by the FAA must comply with the earthquake-resistant design provisions of the International Building

Code.

3.6.4 Foreign Acquisition Revised 4/2014

3.6.4.1 Buy American Act Revised 9/2020

The FAA will comply with the tenets of the Buy-American Act to maximize the use of the products and construction materials produced in the United States (41 U.S.C. §§ 8301-8305) as well as the obligation set forth by the Act to use only steel and manufactured goods produced in the United States (49 U.S.C. § 50101) as part of the agency's best value determination during the contractor selection process.

3.6.4.2 Export Control Added 4/2014

The FAA will comply with all U. S. Export Control laws and regulations, including the International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130 and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 774.

3.6.5 Indian Incentive Program Revised 4/2025

The FAA is subject to the requirements of ~~paragraph 1544 of~~ 25 U.S.C. ~~that establishes 1544,~~ which allows an incentive payment for contractors of Federal agencies that subcontract with or use suppliers who are Indian organizations or Indian-owned economic enterprises in performing the contract. -This incentive payment may be equal to 5 percent of the amount paid, or to be paid, to a qualifying subcontractor or supplier that is an Indian organization or Indian-Owned economic enterprise.

3.6.6 Drug Free Workplace Revised 4/2023

The FAA must deem any offer unqualified and ineligible for award unless the offeror has certified that it is a drug free workplace. -After contract award, if there is adequate evidence to suspect that the contractor submitted a false certification or failed to comply with the certification, the FAA may suspend payments, terminate the contract for default, debar or suspend the contractor, or take other appropriate action to obtain quality performance by a lawfully operating contractor.

3.6.7 Fastener Quality Act Revised 4/2023

The FAA must comply with Pub. L. 101-592, as amended by Pub. L. 104-113 in equipment and construction applications which require the use of high-strength fasteners.

3.6.8 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR Part 24) Revised 4/2023

To the extent that it is applicable to FAA real property transactions, Cos must comply with the

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (promulgated in 49 CFR Part 24). Provisions of the Uniform Act are mandatory and are applicable to each Federal agency that administers programs or provides financial assistance for projects, which involve land acquisition or relocation assistance. The FAA must (1) provide uniform, fair and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects; (2) ensure relocation assistance is provided to displaced persons to lessen the emotional and financial impact of displacement; (3) ensure that no individual or family is displaced unless decent, safe and sanitary housing is available within the displaced person's financial mean; (4) help improve the housing conditions of displaced persons living in substandard housing; and (5) encourage and expedite acquisition by agreement and without coercion.
