

APPLICATION OUTLINE FOR PURCHASE OF REAL PROPERTY
AT PUBLIC BENEFIT ALLOWANCE
FOR OFF-SITE

INSTRUCTIONS: An application for Federal surplus real property will need to provide the information called for under each of the applicable headings listed below. In order that the information can be clearly understood without reference to this outline guide, statements should be made in complete sentences under the appropriate heading in the outline. Disregard any heading which does not apply to the applicant. It is required that an original and two copies of the application be submitted.

Applications should be submitted to the Department of Health and Human Services, Division of Property Management, Program Support Center, Room 5B-41, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

1. Identification of Applicant

- A. Legal name of governmental entity or nonprofit institution to which conveyance is to be made and statement as to whether applicant is a State, political subdivision of the State, or a nonprofit institution, tax-exempt under section 501(c)(3) of the 1986 Internal Revenue Code. (If tax-exempt, include a copy of the formal exemption letter from Internal Revenue Service.)
- B. Person authorized to complete purchase (name, title, and address). Authorized representative must be the same as named in resolution.
- C. Address and telephone number of applicant institution.

2. Federal Installation

Name of Federal installation where property is located.

3. Description of Real Property Desired

- A. Identify buildings and other improvements on the land as follows:

<u>Bldg. No.</u>	<u>Name of Bldg.</u>	<u>Size</u>	<u>Type of Construction</u> <u>(wood frame, one-story, etc.)</u>
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NOTE: Include a statement that the construction of the building(s) desired will meet the State and local building regulations for the proposed program of use when relocated on the new site. Indicate if

funds are available to move, relocate, and reconstruct property. State where property is to be relocated. (If site is not owned by applicant, minimum 5-year lease from date of conveyance is required.)

4. Related personal property included with the available real property may generally be acquired if the need and program of use is specifically included and justified in the application. It is subject to the same discount allowance as the real property applied for. Such related personal property is to be identified by an inventory attached to each copy of the application showing description, serial number, or other adequate identification.
5. Describe need for the property and set forth the program of utilization for each building requested, including salvage or conversion plans.
6. Indicate that applicant is able, willing, and authorized to perform site clearance work as required by the Department and/or holding agency having jurisdiction over the premises. A performance bond may be required to guarantee satisfactory performance of site clearance.
7. Property for off-site use is conveyed at a Public Benefit Allowance. Indicate that the applicant is able, willing and authorized to pay the unearned public benefit allowance.
8. State time required to (1) move property, and (2) to reconstruct and place in use.
9. State that the applicant will not discriminate because of race, color, national origin, religion, sex, or handicap in the use of the property, in keeping with section 606 of the Federal Property and Administrative Services Act of 1949; the Fair Housing Act (42 U.S.C. § 3601-19) and implementing regulations; and as applicable, Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations; Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d to d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations; the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07) and implementing regulations; and the prohibitions against otherwise qualified individuals with handicaps under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and implementing regulations, and all requirements imposed by or pursuant to the Regulations of the Grantor (45 CFR Parts 12, 80, 84, and 91).

10. Environmental Compliance

Submit factors for consideration of anticipated environmental impact, in accordance with the outline, Environmental Questionnaire, furnished herewith.

(Signature) _____

(Title) _____

Date of
Application _____

The application, properly dated, shall be signed by the official authorized by the Governing Board Resolution to act for the applicant institution. A certified copy of the Board Resolution shall be attached to the original and each copy of the application, in the form attached hereto. Certifying Officer cannot be representative authorized to perform actions required to consummate proposed transfer.

NOTE: Approval of any application by the Department of Health and Human Services (HHS) to acquire surplus Federal real property for health purposes does not constitute final authorization of the transaction. Decision whether property should be assigned to HHS for its conveyance for health purposes or whether other disposition of the property will be made is the responsibility of the appropriate disposal agency.

Format of Resolution by Governing Board
For Off-Site Surplus Real Property

Whereas, certain real property owned by the United States, consisting of _____, located in the County _____, (Description of Property) of _____ State of _____, has been declared surplus and is subject to assignment for disposal for public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949, (63 Stat. 377), as amended, and rules and regulations promulgated pursuant thereto; and

Whereas, the _____ (Legal Name of Applicant) has a current need for said property and will promptly utilize the same for public health purposes as set forth in its application and in accordance with the requirements of said Act and the rules and regulations promulgated thereunder;--

Now, Therefore, Be It Resolved That _____ (Legal Name of Applicant) shall make application to the Secretary of Health and Human Services for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health and Human Services, or his authorized representative(s), may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and

Be It Further Resolved That _____ (Legal Name of Applicant) has legal authority, is willing and is administratively and financially able to assume immediate care and maintenance of the property, and that _____ (Name of Official(s))

_____, (Legally Authorized _____ Title of Official(s)) be and he is hereby authorized to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery and recording, if necessary, of agreements and other instruments pertaining to the transfer of said property, and the payment of any and all sums necessary on account of the purchase price thereof or on account of fees (including the service charge, if any, assessed by the State Agency for Surplus Property) or other costs incurred in connection with the transfer of said property, for appraisals, recording of instruments, dismantling and removal, and site clearance guarantee deposits or bonds, transporting and delivery and re-erection.

(Legal Title of Governing Body of Applicant)

(Address)

I, _____, hereby certify that I am the
(Name of Certifying Officer)

_____, of the _____
(Title of Certifying Officer)

_____ ; and that the foregoing resolution is a true and
correct copy of the resolution adopted by the vote of a majority of the number
of said _____ present at a meeting

(Legal Title of Governing Body of Applicant)
of said Board on the _____ day of _____, 19____, at which a quorum was
present.

(Signature of Certifying Officer)

(SEAL)

Department of Health and Human Services

Public Health Service
Federal Property Assistance Program

ENVIRONMENTAL INFORMATION

required for:

FILE NUMBER: _____

PROPERTY NAME: _____

APPLICANT NAME: _____

Why is this information required?

The Department of Health and Human Services (HHS) is required to include environmental information in its decisionmaking activities, including the consideration of applications for the use of excess and surplus real property for public health purposes under the Federal Property Assistance Program. It is therefore necessary for you, the applicant, to submit environmental information for use by HHS in reaching a decision on your application. The following guidance is provided to assist you in that effort. If difficulty is encountered in acquiring the information, or if questions arise, please telephone the Public Health Service Environmental Officer at (301)443-~~2225~~6620.

How will this information be used?

This information will be used by HHS to evaluate the potential environmental impacts of your proposed program of use, as described in your application.

Hasn't this already been done by GSA?

The General Services Administration (GSA), as well as other agencies, have included environmental information in their management of the property, including the decision to make it available for this program.

HHS must now consider your application, including your proposed program of use. Your specific proposal may include various actions and/or activities which were unknown to the other agencies.

Must I repeat what has already been done?

No. Please do not duplicate any efforts that may have been made elsewhere. If an environmental assessment has been prepared on the proposed project for another local, state, or Federal agency which addresses all of the following information requirements, then simply include that assessment in your application package. Otherwise, using the resources available to you, answer the attached questions completely.

What is HHS's responsibility in this?

Because this application is a request for a HHS action, HHS retains the responsibility to evaluate independently the adequacy and accuracy of the information submitted, and to make its own evaluation of the environmental issues which may arise. Therefore, please provide all the information requested. Failure to provide this information will necessitate returning the application for you to complete. Thank you.

DIRECTIONS
for providing
ENVIRONMENTAL INFORMATION

This information is required to determine whether the proposed program will have a significant impact on the environment. For each of the following impact categories, circle the appropriate response number based on this legend:

- 1 - No impact anticipated
- 2 - Potentially adverse impact,
Mitigation required
- 3 - Potentially adverse impact,
Project modification required
- 4 - Not Applicable

For each response, note the source of the information and the date that the contact was made, or the documentation (e.g., a city's master plan, zoning map, site visit, State Historic Preservation Officer, etc.) which was relied on for the response.

APPLICANT'S ENVIRONMENTAL INFORMATION

Property Name and File Number: _____

I. LAND DEVELOPMENT

A. Conformance with comprehensive land use plans and zoning

1 2 3 4

SOURCE/DOCUMENTATION:

B. Compatibility with local, state, and Federal land use plans

1 2 3 4

SOURCE/DOCUMENTATION:

C. Sedimentation and Erosion Control

1 2 3 4

SOURCE/DOCUMENTATION:

D. Hazards and Nuisances, including site safety

1 2 3 4

SOURCE/DOCUMENTATION:

II. Noise

A. Contribution to community noise levels

1 2 3 4

SOURCE/DOCUMENTATION:

Property Name and File Number: _____

III. Air Quality

A. Contribution to community air pollution levels

1 2 3 4

SOURCE/DOCUMENTATION:

IV. Community Facilities and Services

A. Educational Facilities

1 2 3 4

SOURCE/DOCUMENTATION:

B. Health Care Facilities and Services

1 2 3 4

SOURCE/DOCUMENTATION:

C. Energy Consumption

CIRCLE ALL THAT APPLY: Electricity Gas Oil

1 2 3 4

SOURCE/DOCUMENTATION:

Property Name and File Number: _____

D. Solid Waste Disposal Facilities and Services

1 2 3 4

SOURCE/DOCUMENTATION:

E. Waste Water Treatment Capacity

1 2 3 4

SOURCE/DOCUMENTATION:

F. Storm Water Control Plan

1 2 3 4

SOURCE/DOCUMENTATION:

G. Drinking Water Supply

1 2 3 4

SOURCE/DOCUMENTATION:

H. Transportation Systems - Public Transportation, Parking,
Roads, Vehicles, etc.

1 2 3 4

SOURCE/DOCUMENTATION:

Property Name and File Number: _____

V. Natural Features and Preservation Acts

A. Water Resources (e.g., sole source aquifer, springs, wells)

1 2 3 4

SOURCE/DOCUMENTATION:

B. Surface Water

1 2 3 4

SOURCE/DOCUMENTATION:

C. Floodplains

1 2 3 4

SOURCE/DOCUMENTATION:

D. Wetlands

1 2 3 4

SOURCE/DOCUMENTATION:

E. Coastal Zone Management Act

1 2 3 4

SOURCE/DOCUMENTATION:

Property Name and File Number: _____

F. Wild and Scenic Rivers

1 2 3 4

SOURCE/DOCUMENTATION:

G. Prime Agricultural Land

1 2 3 4

SOURCE/DOCUMENTATION:

H. Threatened or Endangered Species

1 2 3 4

SOURCE/DOCUMENTATION:

VI. Historic Values

Please answer the following questions by circling your response:

A. Historic Properties.

Is the property more than 50 years old?

YES NO

If yes, then is it eligible for listing on the National Register of Historic Places?

YES NO

B. Archeological Protection

Are archeological resources likely to be disturbed by the proposed program of use?

YES NO

SUBPART 101-47.49 ILLUSTRATIONS

101-47.49138(1)(d)

§ 101-47.4912 Regional offices of the Bureau of Outdoor Recreation, Department of the Interior.

Address communications to: Regional Director, Bureau of Outdoor Recreation, Department of the Interior.

Region and jurisdiction	Address and telephone
Northeast region: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and District of Columbia.	Federal Bldg., 600 Arch St., Philadelphia, Pa. 19106. Code 215, 597-7989.
Southeast region: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and Virgin Islands.	148 Cain St., Atlanta, Ga. 30303. Code 404, 526-4405.
Lake Central region: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.	3853 Research Park Dr., Ann Arbor, Mich. 48104. Code 313, 769-3211.
Midcontinent region: Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming.	Building 41, Denver Federal Center, P.O. Box 25387, Denver, Colo. 80225. Code 303, 234-2634.
South Central region: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.	Patio Plaza Bldg., 5000 Marble Ave., NE, Albuquerque, N. Mex. 87110. Code 505, 843-3314.
Northwest region: Alaska, Idaho, Oregon, and Washington.	United Pacific Bldg., 1000 Second Ave., Seattle, Wash. 98104. Code 206, 442-4706.
Pacific Southwest region: American Samoa, Arizona, California, Guam, Hawaii, and Nevada.	Box 35062, 450 Golden Gate Ave., San Francisco, Calif. 94102. Code 415, 556-0182.

§ 101-47.4913 Outline for protection and maintenance of excess and surplus real property.

A. *General.* In protecting and maintaining excess and surplus properties, the adoption of the principle of "calculated risk" is considered to be essential. In taking what is termed a "calculated risk," the expected losses and deteriorations in terms of realizable values are anticipated to be less in the overall than expenditures to minimize the risks. In determining the amount of protection to be supplied under this procedure, a number of factors should be considered; such as, the availability of, and the distance to, local, public, or private protection facilities; the size and value of the facility; general characteristics of structures; physical protection involving fencing, number of gates, etc.; the location and availability of communication facilities; and the amount and type of activity at the facility. Conditions at the various excess and surplus properties are so diverse that it is impracticable to establish a definite or fixed formula for determining the extent of protection and main-

tenance that should be applied. The standards or criteria set forth in B and C, below, are furnished as a guide in making such determinations.

B. *Protection Standards.* The following standards are furnished as a guide in determining the amount and limits of protection.

1. *Properties not Requiring Protection Personnel.* Fire protection or security personnel are not needed at:

(a) Facilities where there are no structures or related personal property;

(b) Facilities where the realizable or recoverable value of the improvements and related personal property subject to loss is less than the estimated cost of protection for a one-year period;

(c) Facilities of little value located within public fire and police department limits, which can be locked or boarded up;

(d) Facilities where the major buildings are equipped with automatic sprinklers, supervised by American District Telegraph Company or other central station service, which do not contain large quantities of

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101-47.49138(i)(6)

readily removable personal property, and which are in an area patrolled regularly by local police; and

(e) Facilities where agreements can be made with a lessee of a portion of the property to protect the remaining portions at nominal, or without additional cost.

2. Properties Requiring a Resident Custodian. A resident custodian or guard only is required at facilities of the following classes:

(a) Facilities containing little removable personal property but having a considerable number of buildings to be sold for off-site use when (a) the buildings are of low realizable value and so spaced that loss of more than a few buildings in a single fire is improbable, or (b) the buildings are so located that water for firefighting purposes is available and municipal or other fire department services will respond promptly;

(b) Small, inactive industrial and commercial facilities which must be kept open for inspection and which are so located that public fire and police protection can be secured by telephone;

(c) Facilities where the highest and best use has been determined to be salvage; and

(d) Facilities of little, or salvage, value but potentially dangerous and attractive to children and curiosity seekers where the posting of signs is not sufficient to protect the public.

3. Properties Requiring Continuous Guard Service. One guard on duty at all times (a total of 5 guards required) is required at facilities of high market value which are fenced; require only one open gate which can be locked during patrols; all buildings of which can be locked; and where local police and fire protection can be secured by telephone.

4. Properties Requiring High Degree of Protection. More than one firefighter-guard will be required to be on duty at all times at facilities of the classes listed below. The number, and the assignment, of firefighter-guards in such cases should be determined by taking into consideration all pertinent factors.

(a) Facilities of high market value which are distant from public assistance and require an on-the-site firefighting force adequate to hold fires in check until outside assistance can be obtained.

(b) Facilities of high market value which can obtain no outside assistance and require an on-the-site firefighting force adequate to extinguish fires.

(c) Facilities of high market value at which the patrolling of large areas is necessary.

(d) Facilities of high market value not fenced and containing large quantities of personal property of a nature inviting pilferage

(e) Facilities of high market value at which several gates must be kept open for operating purposes.

5. Standards for All Protected Properties.

(a) All facilities within the range of municipal or other public protection, but outside the geographic limits of such public body, should be covered by advance arrangements with appropriate authorities for police and fire protection services, at a monthly or other service fee if necessary.

(b) Patrolling of all facilities with large areas to be protected should be accomplished by use of automotive vehicles.

(c) At fenced facilities, a minimum number of gates should be kept open.

6. Firefighter-Guards. Firefighters and guards are the normal means for carrying out the fire protection and security programs at excess and surplus real properties where both such programs are required. The duties of firefighters and guards should be combined to the maximum extent possible in the interest of both economy and efficiency. Such personnel would also be available in many cases for other miscellaneous services, such as, removing grass and weeds or other fire hazards, servicing fire extinguishers, and other activities related to general protection of property.

7. Operating Requirements of Protection Units.

Firefighter-guards or guards, should be required to make periodic rounds of facilities requiring protection. The frequency of these rounds would be based upon a number of factors: such as, location and size of the facility, type of structures and physical barriers, and the amount and type of activity at the facility. There may be instances where some form of central station supervision, such as American District Telegraph Company, will effect reduction in costs by reducing the number of firefighter-guards, or guards, required to adequately protect the premises.

8. Watchman's Clock. To insure adequate coverage of the entire property by the guards, or firefighter-guards, an approved watchman's clock should be provided, with key stations strategically located so that, in passing from one to the other, the guards will cover all portions of the property.

9. Protection Alarm Equipment. Automatic fire detection devices and allied equipment and services may materially assist in minimizing protection costs. However, use of devices of this type, like guards, are purely secondary fire protection and are primarily a means of obtaining fire and police protection facilities at the property in an emergency. There are various types of devices, each of which can be considered separately or in combination as supplementing guard patrols, which may assist in reduction of costs and, in some instances, it may be possible to eliminate all guards.

10. Sentry Dogs. Frequently there are facilities of high market value, or which cover large areas, or are so isolated that they invite intrusion by curiosity seekers, hunt-

ers, vagrants, etc., which require extra or special protection measures. This has usually been taken care of by staffing with additional guards so that the "buddy system" of patrolling may be used. In such cases, the use of sentry dogs should be considered in arriving at the appropriate method of offsetting the need for additional guards, as well as possible reductions in personnel. If it is determined to be in the Government's interest to use this type of protection, advice should be obtained as to acquisition (lease, purchase, or donation), training, use, and care, from the nearest police department using sentry dogs. When sentry dogs are used, the property should be clearly posted "Warning—This Government Property Patrolled by Sentry Dogs."

C. Maintenance Standards. The following standards or criteria are furnished as a guide in connection with the upkeep of excess and surplus real properties:

1. Temporary Type Buildings and Structures. Temporary buildings housing personal property which cannot be readily removed to permanent type storage should be maintained only to the extent necessary to protect the personal property. Vacant temporary structures should not be maintained except in unusual circumstances.

2. Permanent Type Buildings and Structures.

(a) No interior painting should be done. Where exterior wood or metal surfaces require treatment to prevent serious deterioration, spot painting only should be done when practicable.

(b) Carpentry and glazing should be limited to: work necessary to close openings against weather and pilferage; making necessary repairs to floors, roofs, and sidewalls as a protection against further damage; shoring and bracing of structures to preclude structural failures; and similar operations.

(c) Any necessary roofing and sheet metal repairs should, as a rule, be on a patch basis.

(d) Masonry repairs, including brick, tile, and concrete construction, should be undertaken only to prevent leakage or disintegration, or to protect against imminent structural failure.

(e) No buildings should be heated for maintenance purposes except in unusual circumstances.

3. Mechanical and Electrical Installations. These include plumbing, heating, ventilating, air conditioning, sprinkler systems, fire alarm systems, electrical equipment, elevators, and similar items.

(a) At facilities in inactive status, maintenance of mechanical and electrical installations should be limited to that which is necessary to prevent or arrest serious deterioration. In most cases, personnel should not be employed for this work except on a temporary basis at periodic intervals when it is determined by inspections that the work is necessary. Wherever possible electrical systems should be deenergized, water drained from all fixtures, heat turned off, and buildings secured against unauthorized entry. Sprinkler systems should be drained during freezing weather and reactivated when danger of freezing has passed.

(b) At facilities in active status, such as multiple-tenancy operations, equipment should be kept in reasonable operating condition. Operation of equipment to furnish services to private tenants, as well as the procurement of utility services for distribution to tenants, should be carried on only to the extent necessary to comply with lease or permit conditions, or in cases where it is impracticable for tenants to obtain such services directly from utility companies or other sources.

(c) At facilities where elevators and/or high-pressure boilers and related equipment are in operation, arrangements should be made for periodic inspections by qualified and licensed inspectors to insure that injury to personnel, loss of life, or damage to property does not occur.

(d) Individual heaters should be used, when practicable, in lieu of operating heating plants.

4. Grounds, Roads, Railroads, and Fencing.

(a) Maintenance of grounds should be confined largely to removal of vegetation where necessary to avoid fire hazards and to control poisonous and noxious plant growth in accordance with local and State laws and regulations; plowing of fire lanes where needed; and removal of snow from roads and other areas only to the extent necessary to provide access for maintenance, fire protection, and similar activities. Wherever practicable, hay crops should be sold to the highest bidder with the purchaser performing all labor in connection with cutting and removal. Also, agricultural and/or grazing leases may be resorted to, if practicable, as other means of reducing the cost of grounds maintenance. Any such leases shall be subject to the provisions of § 101-47.203-9 or § 101-47.312.

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101-47. 4913C4(b)

(b) Only that portion of the road network necessary for firetruck and other minimum traffic should be maintained. The degree to which such roads are to be maintained should be only that necessary to permit safe passage at a reasonable speed.

(c) Railroads should not be maintained except as might be required for protection and maintenance operations, or as required under the provisions of a lease or permit.

(d) Ditches and other drainage facilities should be kept sufficiently clear to permit surface water to run off.

(e) Fencing, or other physical barrier, should be kept in repair sufficiently to afford protection against unauthorized entry.

5. Utilities.

(a) At inactive properties, water systems, sewage disposal systems, electrical distribution systems, etc., should be maintained only to the extent necessary to provide the minimum services required. Buildings or areas not requiring electrical service or water should be deenergized electrically and the water valved off. Utilities not in use, or which are serving dismantled or abandoned structures, should not be maintained.

(b) At active properties, water supply, electrical power, and sewage disposal facilities frequently must be operated at rates

much below designed capacities. Engineering studies should determine the structural and operating changes necessary for maximum economy. Where leakage is found in water distribution lines, such lines may be valved off rather than repaired, unless necessary for fire protection or other purposes.

(c) Where utilities are purchased by contract, such contracts should be reviewed to determine if costs can be reduced by revision of the contracts.

6. Properties to be Disposed of as Salvage. No funds should be expended for maintenance on properties where the highest and best use has been determined to be salvage.

D. Repairs. Repairs should be limited to those additions or changes that are necessary for the preservation and maintenance of the property to deter or prevent excessive, rapid, or dangerous deterioration or obsolescence and to restore property damaged by storm, flood, fire, accident, or earthquake only where it has been determined that restoration is required.

E. Improvements. No costs should be incurred to increase the sales value of a property, and no costs should be incurred to make a property disposable without the prior approval of GSA. (See § 101-47.401-5.)