

15 FAM 1000 CAPITAL CONSTRUCTION AND MAJOR REHABILITATION PROJECTS

15 FAM 1010 SCOPE AND POLICY

*(CT:OBO-3; 12-20-2005)
(Office of Origin: OBO)*

15 FAM 1011 SCOPE AND APPLICABILITY

*(CT:OBO-3; 12-20-2005)
(Uniform State/USAID/Commerce/Agriculture/DIA)*

The regulations in this subchapter pertain to those aspects of capital construction and major *rehabilitation* projects *executed by the Bureau of Overseas Buildings Operations (OBO)* that require post support or action. *Subchapter 15 FAM 1020 covers* the responsibilities and restrictions related to construction activities of *the U.S. Agency for International Development (USAID)*. USAID does not follow 15 FAM 1010 unless construction is on *Department of State (DOS)-held land*. *Direct* questions and comments on these policies and regulations *as they relate to State* to OBO's Project Planning Division in the Planning and Development Office (OBO/PD/PPD) or *the* Construction and Commissioning Division in the Project Execution Office (OBO/PE/CC). For *USAID, contact* the Overseas Management *Staff* in the Bureau for Management, USAID/Washington (USAID/W-M/OMS) for USAID.

15 FAM 1012 POLICY

15 FAM 1012.1 Identification and Selection of Projects

*(CT:OBO-3; 12-20-2005)
(Uniform State/USAID/Commerce/Agriculture/DIA)*

- a. Overseas Buildings Operations (OBO) *plans capital* construction and *major rehabilitation* projects after consultation with the regional bureaus (*capital projects*), Bureau of Diplomatic Security (DS), posts, and

interested agencies, using such criteria as security, *fire/life/safety/health/environmental*, building condition, *ability to execute*, and “must-move” situations. *The planning for each project is described in the Long-Range Overseas Buildings Plan, which is updated annually.*

- b. *Projects in the capital security construction programs are selected by the regional bureaus at the annual “Top 80” meeting, in coordination with DS and OBO, and approved by the Under Secretary for Management (M). Selection is predicated primarily on security vulnerability. An annual report is forwarded to Congress identifying the Top 80 posts selected for capital security construction. Regular capital projects are recommended by the regional bureau and supported by business cases submitted to OBO. Major rehabilitation projects are determined by an annual priority ranking by OBO’s Area Management Division in the Operations and Maintenance Office (OBO/OM/AM).*
- c. Posts *must* not incur obligations or make commitments to landowners, architects, engineers, contractors, or other parties in connection with proposals and recommendations for major *rehabilitation or capital* construction projects without specific prior written authorization from OBO.

15 FAM 1012.2 *Project Planning and Controlling Change in the Design and Construction of Diplomatic Facilities*

(CT:OBO-3; 12-20-2005)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. The Bureau of Overseas Buildings Operations (OBO) manages the planning for new facility construction and major *rehabilitation projects*. The post and other interested parties *are* notified of any project proposed for that post. They *are* requested to assist and participate during each phase of project development (i.e., site acquisition; space programming; design; *projection of the ongoing costs of maintaining new facilities including materials, utilities, and maintenance staffing; and construction*). *Posts and their respective regional bureaus must adhere to the Department’s guidelines in developing staffing and capital security cost-sharing projections in support of capital security and regular capital construction projects.*
- b. *Staffing projections:*
 - (1) *Posts scheduled for a major construction project must follow the “Guide to Developing Staffing Projections for New Embassy and Consulate Compound Construction” found in the rightsizing*

section of the Under Secretary for Management's Office of Rightsizing the U.S. Government's Overseas Presence (M/R) home page. Posts, working with current and projected tenant agencies, must obtain validation from agencies of their staffing projections and provide the required data to their bureaus. The bureaus in turn consult with other Department of State bureaus and other agencies' headquarters, and provide the validated staffing to OBO for out-year projects. For budget year projects, approved staffing data comes directly from M/R. OBO uses only approved staffing projections from these sources to determine building sizes and cost estimates;

(2) **USAID only:** *PPC and M/HR will coordinate the USAID Washington headquarters validation process to ensure appropriate ceiling levels and funds are allocated for each respective regional bureau. M/OMS assists PPC and M/HR in an advisory capacity. USAID headquarters (the Assistant Administrator for Management) provides to the Department's regional bureaus the final validated staffing data for their submission to OBO.*

- c. Once the design of a new building or major rehabilitation has reached the *end of the planning* stage, its siting, appearance, size, configuration, and functions *are* fixed *and the* space *is* allocated. *In addition, at that time,* electrical, communications, heating, air conditioning, and security systems *are* determined *and identified as part of the overall building layout.* Any changes made after this stage *and during the design and construction phases* are costly. For this reason, after *completion of planning,* changes in project design will not be considered unless there is a major change in circumstances. Any changes *after planning* that affect *scope, schedule, or budget* must be approved *by OBO.*

15 FAM 1012.3 Construction Security

(CT:OBO-3; 12-20-2005)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Under *Section 160 of* the Foreign Relations Authorization Acts for FY 1988 and 1989, *as amended,* and 12 FAM 360, the Department must certify project security to Congress, or confirm it internally. *This certification must occur* before undertaking any new construction or renovation projects in a facility abroad that is intended for the storage of classified material or the conduct of classified activities when such projects affect controlled access area (CAA) space or public access controls (PACs). For all new office buildings and other projects costing \$1 million or more, the Secretary must certify to Congress the security of the project, before and after construction, and *prepare* plans to evaluate and maintain security.

For projects costing less than \$1 million but more than \$100,000, the Assistant Secretary for Diplomatic Security or designee is required to confirm the project security (see 12 FAM 362).

- b. The proponent of a project (post, Department organization, or tenant agency) must provide the Security Management Division in the Project Execution Office of the Bureau Overseas Buildings Operations (OBO/PE/SM) with complete project information. After assembling this information, OBO/PE/SM will provide the Bureau of Diplomatic Security (DS) with a Construction Security Plan (CSP), and DS will initiate the certification or confirmation process *if required*. No new construction or renovations requiring either certification or confirmation *are permitted to* take place until appropriate project approval is obtained from DS (see 12 FAM 361).

15 FAM 1012.4 Onsite Supervision

(CT:OBO-3; 12-20-2005)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Overseas Buildings Operations (OBO) assigns a full-time, onsite project director (PD) and technical support staff for capital construction and major *rehabilitation* projects. *The PD is responsible for the construction management and engineering oversight of the project and is the contracting officer's representative (COR)*. The Office of the Procurement Executive in the Bureau of Administration (A/OPE) *may appoint the PD as an administrative contracting officer (with defined limits) and send the warrant appointment certificate* to post explaining *the extent of the PD's* authority. The PD *will coordinate* all communications between the post and OBO *that relate to the project*.
- b. *A/OPE may give authority to the PD* to execute change orders for modifications to *assigned* State Department construction contracts. *This authority will be provided in writing, to include the specific limits determined by the Department*. The contract modification limitations, *which are unique to each project*, may not be used to change the scope or design intent of the contract.

15 FAM 1013 POST ADMINISTRATIVE RESPONSIBILITIES

(CT:OBO-3; 12-20-2005)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. The costs of U.S. citizen employees assigned abroad *in support of an Overseas Buildings Operations (OBO) project*, including regular salary, differential, benefits, and post assignment transfer costs, are funded

domestically by the Bureau of Overseas Buildings Operations (OBO). *OBO issues* allotments to post to cover premium compensation (see 3 FAM 3130), educational allowances, and local costs such as housing and related costs, travel, supplies and materials, consultant fees, and the salaries and benefits of locally hired employees *or personal services contractors*.

- b. *If required, OBO will provide vehicles for the project director (PD) and PD staff. This requirement will be satisfied either by sending funds to the PD for the local procurement of vehicles, or by transferring vehicles from the continental United States or another project abroad.* The vehicles are for the exclusive use of the PD *and PD staff* for official travel during *their* assignment to the project *for their 24-hour response to the job site. These vehicles will* belong to OBO and may not be included in the post motor pool. However authorized use, not business use, is subject to chief of mission guidance under 6 FAM 228.
- c. *Except under exceptional circumstances, ICASS is the service provider of choice for the PD and PD staff. (See the ICASS Handbook, 6 FAH-5 H-405.2-10, covering the treatment of distinctive costs for OBO PDs and other related project personnel.)* The PD and PD's U.S.-hired staff are usually assigned to short-term *lease* (STL) quarters (commensurate with their grades and family *sizes*) and provided furniture, furnishings, appliances, and equipment (FFA&E) *for residences*, both funded out of OBO project supervision funds. Consistent with 15 FAM and the post's housing policy, the PD should be consulted in the selection of housing for the PD and PD staff (see 15 FAM 230, 15 FAM 225, and 15 FAM 250).
- d. No post official has the authority to *modify* contracts *awarded by the Office of Acquisitions, Office of Logistic Management in the Bureau of Administration (A/LM/AQM) for OBO projects.*

15 FAM 1014 THROUGH 1019 UNASSIGNED