

# DIRECTIVE

MRP 5101.1

2/5/01

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## REAL PROPERTY MANAGEMENT

### 1. PURPOSE

This Directive states the policy for Agency-owned real property management and maintenance in the Marketing and Regulatory Programs (MRP).

### 2. AUTHORITY

Authority to acquire real property by purchase, donation, or lease is granted by Congress through specific legislation and the Federal Property and Administrative Services Act of 1949, as amended. Implementing regulations include Title 41, Code of Federal Regulations, Chapter 101 and the Agriculture Property Management Regulation, Subchapter N.

### 3. REPLACEMENT HIGHLIGHTS

This Directive replaces APHIS Directive 5101.1, Real Property Management, dated 3-10-93, and FGIS Directive 5100.1, Real Property Management, dated 12-28-93.

### 4. DEFINITIONS

- a. Real Property. Any interest in land, together with the improvements, structures, fixtures, and accessories.
- b. Management of Real Property. Development and implementation of uniform policies, standards, techniques, and procedures pertaining to the overall management of real property actions. This includes acquisition, construction, utilization, maintenance, control and accountability, disposition, and conformance to State and local codes and regulations.

- c. Preventive Maintenance. The planning, budgeting, and scheduling of repairs within a set time frame on a recurring basis so the property is always in good condition and emergency repair situations are precluded. This includes maintenance of all building machinery and equipment to ensure that they are in safe and efficient operating condition. Competent personnel are secured to perform maintenance and specialists are utilized for electrical and other hazardous work. This applies to Agency-owned temporary buildings, fences, walls, and all other parts of the property.
- d. Accountable Real Property Officers. Local officers in charge or facility managers.

## 5. POLICY

It is MRP policy to:

- a. Acquire real property when it is needed for effective program operation and suitable Government-owned or private facilities are not available. A cost analysis will be performed before the acquisition of real property is made.
- b. Construct improvements when they are needed for effective program operation. Construction improvements are allowable only if suitable Government-owned facilities are not available and the work cannot be performed competitively by the private sector or universities.
- c. Ensure that property is fully utilized and maintained on a preventive basis.
- d. Dispose of unneeded or underutilized property through excess property or other authorized disposal procedures.
- e. Recover a proportionate share of common administrative services, including real property maintenance costs, from non-MRP tenants and reinvest the income in remedial and preventive maintenance.
- f. Ensure facility manager, building engineer, and related positions in MRP-owned facilities are filled with highly qualified candidates.

## 6. RESPONSIBILITIES

- a. Administrative Services Enhancement Unit (ASEU) is responsible for:

- (1) Developing uniform policies, standards, techniques, and procedures pertaining to the overall management of real property and building construction. This includes acquisition, utilization, disposition, maintenance, accountability, and control.
  - (2) Serving as the MRP liaison with the U.S. Department of Agriculture, Office of Procurement, Property, and Emergency Preparedness, and the General Services Administration on real property management policy matters.
  - (3) The ASEU Director serves as the Head of the Real Property Leasing Activity (HRPLA) for MRP with overall responsibility for managing the real property leasing activity.
  - (4) Verifies the need for a warranted real property leasing officer (RPLO).
  - (5) Ensuring that building construction, additions, or improvements are made in accordance with local codes and regulations.
  - (6) Participating in the revaluation of potential candidates for key facility management and engineering positions in all MRP-owned facilities.
  - (7) Providing architectural and engineering services to inspect the facilities and to develop facility condition assessment reports for major MRP field/regional facilities.
  - (8) Notifying and providing information on Agency-owned property to Minneapolis Business Site (MBS) on new constructions, improvements, and repairs for capitalization and inventory purposes.
  - (9) Directly provide, or provide resources for architectural and engineering services for the planning, design, and construction of new facilities, alterations, and major repair of facilities required by MRP.
- b. MBS is responsible for overseeing operational and procedural functions in the real property management program including:
- (1) Entering into, administering, amending and/or terminating real property leasehold contracts in accordance with Federal acquisition and property laws and regulations for MRP field/regional offices.
  - (2) Submitting to the HRPLA nominations for Real Property Leasing Officers (RPLO).

- (3) Maintaining pertinent data (inventory, maintenance, etc.) on MRP-owned real property, including repairs and improvements.
  - (4) Providing guidance and technical advice to designated Accountable Real Property Officers in coordination with the regional administrative officers.
  - (5) Conducting and participating in periodic real property utilization surveys to ensure proper use and maintenance of property in the field.
  - (6) Negotiating cost recovery with non-MRP tenants in MRP-owned space.
- c. Accountable Real Property Officers are responsible for:
- (1) Maintaining accountability control and proper custody over real property assigned.
  - (2) Conducting or participating in real property inventories and making the necessary reports to MBS.
- d. Officers in charge of field/regional offices are responsible for executing a preventive maintenance program to include the following:
- (1) Ensuring that space alterations, repairs and improvements are sufficient to meet the MRP mission (41 CFR 101.20.002-1).
  - (2) Ensuring that modifications do not exceed the building design loads, will not adversely alter the performance of building systems, or create unsafe or hazardous conditions.
  - (3) Ensuring that structural features and mechanical and electrical systems are adequate to meet the MRP mission.
  - (4) Ensuring compliance with accident and fire prevention policies, all other agency safety and health policies and issuances, local and State safety and environmental regulations and Occupational Safety and Health Administration and EPA regulations.
  - (5) Ensuring that competent personnel will perform plumbing, electrical, or other work requiring specialized technical skills or licenses.
  - (6) Ensuring that identified facility deficiencies are corrected in a timely manner.

(7) Ensuring that buildings, building equipment, utilities, and infrastructure are maintained either by maintenance staff or by contract maintenance services.

## **7. INQUIRIES**

Direct inquiries regarding real property policy to the Procurement and Property Policy Team, ASEU at 301-734-8468. Operational questions or inquiries should be directed to MBS at 612-370-2388.

MRP directives are accessible on the Internet at *[www.aphis.usda.gov/library](http://www.aphis.usda.gov/library)* and *[www.ams.usda.gov/issuances](http://www.ams.usda.gov/issuances)*.

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