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Federal Aviation Administration

AERONAUTICS BUREAU
DEPARTMENT OF TRANSPORTATION

Airport Consultant Workshop | 2023

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Lamar S. Woodham, Jr., PE/PLS
Deputy Director, Administration

SASHTO

FLOURISH, CELEBRATE, CONNECT

August 5-9, 2023

Mobile, AL

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Frank Farmer

Chief, Aeronautics Bureau

Aeronautics Bureau Staff

Martha Hutsler

- Aeronautics Specialist/Office Manager

Taylor Janney, P.E.

- Aeronautics Engineering Manager

Jason Hare

- Aeronautics Manager

Paige Mulder, CPA

- Senior Accountant

Vacant

- Accountant

Bennett Head

- Airport Inspector

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State Funding

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Aeronautics Bureau ADECA Funding

	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
ADECA2019		$1,200,000		
ADECA2020			$1,200,000	
ADECA2021			$1,500,000	
ADECA2022				$3,500,000

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Alabama Airport Economic and Infrastructure Program

The Alabama Airport Economic and Infrastructure Program was established last Legislative Session.

- Funding appropriated by the Legislature of Alabama for this program shall be awarded as follows:
  - 40% of the total amount appropriated to the program in a fiscal year shall be awarded to General Aviation Airports
  - 60% of the total amount appropriated to the program in a fiscal year shall be awarded to Commercial Service Airports

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Amount Appropriated for FY2023 - $0

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Aviation Fuel Tax Revenue

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Aviation Fuel Tax Revenue	$2,124,723	$1,680,982	$1,770,264	$2,178,460

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FY2023 State Funding

State Funding Plan Approved By the Transportation Director (January 2023)

- Projects For This Fiscal Year Are Now Set
- Plan Includes Phase II State Pavement Maintenance Program
- State Funding Plan Budget **$7.6 million**
  - Funding From Previous Years of Cancelled Projects
- Funding Plan Includes Matching IIJA Grants
  - Total IIJA Federal Grants To Be Matched **$14.5 million**

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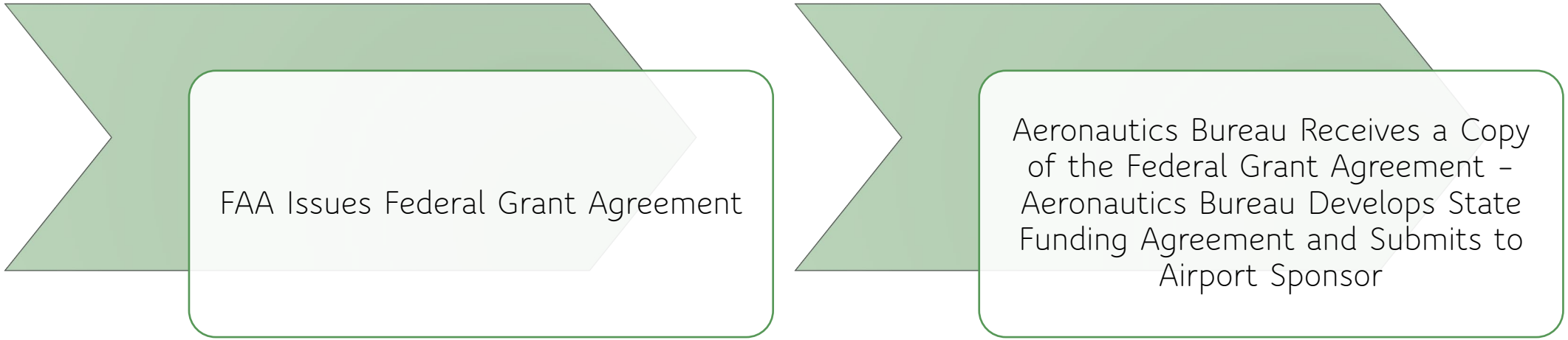
Aeronautics Bureau Project Setup Process

Steps Required to Execute a State Funding Agreement



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Aeronautics Bureau Project Setup Process

Steps Required to Execute a State Funding Agreement

1. Aeronautics Bureau Receives Executed State Agreement From Airport Sponsor
2. The Funding Agreement is Submitted to Legal Bureau for Review and Execution
3. The Funding Agreement is Submitted to ALDOT Administration for Execution

Steps Required to Establish a Project for Payment

1. Aeronautics Bureau Develops an F7b Form for the Project
2. The F7b Form is Submitted to ALDOT Administration for Execution
3. The F7B Form is Submitted to ALDOT Office Engineers for Execution

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Aeronautics Bureau Project Setup Process

Steps Required to Execute a State Funding Agreement

- The State Funding Agreement is Submitted to Governor's Office for Execution
- The State Funding Agreement is Sent Back to Aeronautics Bureau and a Copy is Mailed to the Airport Sponsor

Steps Required to Establish a Project for Payment

- The F7b Form is Sent to the Finance Bureau for Execution
- The Fully Executed F7b Form is Returned to the Aeronautics Bureau
- The Aeronautics Bureau Now Opens the Project in ARGOS

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Last Year, the Aeronautics Bureau Issued

51 State Grants

and Setup

115 Projects In ARGOS

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Unfortunately, We Did Experience Some Delays In Setting Up a Few Projects In ARGOS

The Aeronautics Bureau Will Begin Utilizing Adobe Sign In Fiscal Year 2023

All State Airport Funding Agreements Will Be Executed By E-Signatures

All F7b Forms Will Be Executed By E-Signatures

Electronic Funds Transfer

It is critical for us to transition to the Electronic Funds Transfer to submit grant payments to airports.

- Reduces effort by eliminating “mailing” out checks
- Reduces the amount of time for airports to receive payments (3-5 days)
- Reduces Aeronautics Bureau’s administrative costs

Beginning with Fiscal Year 2023 funded projects, the Aeronautics Bureau will issue all grant payments to airports using Electronic Funds Transfer.

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Electronic Funds Transfer

Abbeville	Cullman	Haleyville	Prattville
Alexander City	Dauphin Island	Hamilton	Reform
Aliceville	Demopolis	Headland	Roanoke
Andalusia	Dothan	Huntsville	Russellville
Atmore	Evergreen	Jackson	Scottsboro
Brewton	Fayette	Lanett	Sylacauga
Butler	Florala	Mobile	Talladega
Camden	Gasden	Monroeville	Troy
Centreville	Geneva	Montgomery	Tuscaloosa
Chatom	Greensboro	Muscle Shoals	Tuskegee
Clayton	Greenville	Ozark	Union Springs
Courtland	Guntersville	Pell City	Wetumpka

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Aeronautics Reimbursement Grant Organization System (ARGOS)

Reminders

- Grant Number Must be on the Invoices
- Make Notes on Invoices to Have a Record
  - Ensures Invoice Does Not Get Overpaid
- Make Sure the FAA Program Manager and ALDOT has the Closeout Documents on Invoices Over 90%

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Communication

Communication Is Important To Ensure Success

- ALDOT Will Continue To Improve Communications With FAA, Airport Sponsors and Consultants
- Please Ensure ALDOT Is Included In All Communications Concerning Airport Projects

Code of Alabama

Section 23-1-361(b) - The department *shall* act as the agent for each municipality, county, and airport authority for the purpose of applying for, receiving, and disbursing federal funds…

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Jason Hare

DEPARTMENT OF TRANSPORTATION

O:334-353-6223

C:334-315-6947

hares@dot.state.al.us

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Inspection Program Update

AMPS

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CIPs, Preapps, and Grant Apps

Competitive Grant Applications

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Airport Planning Kickoff Meetings

USDA Wildlife Update

Aeronautics Bureau Inspection Program Update

New Airport Inspector

Mr. Bennett Head

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Aeronautics Bureau Inspection Program Update

Communication Regarding Inspection Reports

- Airport Managers
- Consultants/Engineers

New Format

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Aeronautics Bureau Inspection Program Update

Alabama Department of Transportation Aeronautics Bureau—Annual Airport Inspection Report

In accordance with the provisions of the Code of Alabama 23-1-357, an inspection of the ***Weedon Field Airport*** was conducted by ***Mr. Jason Hare and Mr. Bennett Head*** with the Alabama Department of Transportation Aeronautics Bureau on ***November 4, 2022***.

The inspection was conducted on the airport under the provisions of the Administrative Code Chapter 450-9-1 for the following areas:

Aeronautics Administrative Code	Inspection Results	Corrective Action	Notes
Approach & Departure Paths Administrative Code 450-9-1-.12 (1)	*In Compliance*	N/A	There are no ALDOT violations. However , there are trees that penetrate the Part 77 Approach surface.
Primary Surface Administrative Code 450-9-1-.12 (2)	*In Compliance*	N/A	N/A
Runway Safety Area Administrative Code 450-9-1-.12 (3)	*In Compliance*	N/A	N/A
Airport Markings Administrative Code 450-9-1-.12 (4)	*In Compliance*	N/A	N/A
Wind Direction Indicator Administrative Code 450-9-1-.12 (5)	*In Compliance*	N/A	N/A
Airport Lighting Administrative Code 450-9-1-.12 (6)	*In Compliance* *Maintenance*	Replace/repair inoperative lights	Inoperable lights: two runway lights, three taxiway lights, three threshold lights.
Runway, Taxiway and Apron Conditions Administrative Code 450-9-1-.12 (7)	*In Compliance*	N/A	N/A
Fueling Area Requirements Administrative Code 450-9-1-.12 (8)	*In Compliance*	N/A	N/A
Prohibited Activities Administrative Code 450-9-1-.16	*In Compliance*	N/A	N/A

*License Status—**COMPLIANCE***

The corrective actions that may be prescribed in this inspection report do not relieve the airport sponsor from compliance with any other Federal, State or local laws, ordinances or regulations that may be applicable. It is the responsibility of the airport sponsor to be aware of and obey all Federal, State or local laws, ordinances or regulations that may have a bearing on the corrective actions that may be specified in this report.

Code of Alabama 23-1-357(a)… a person or municipality may not operate an airport, restricted landing area, or other navigation facility without a license issued by this Department.

Posey Field Airport

Runway, Taxiway and Apron Conditions—RUNWAY

Administrative Code 450-9-1-.12(7)

Runway surface is in ***GOOD*** condition.

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Aeronautics Bureau Inspection Program Update

Obstruction Sketches

- ALDOT Approach and Departure Paths
- FAA Part 77 Approach Surface

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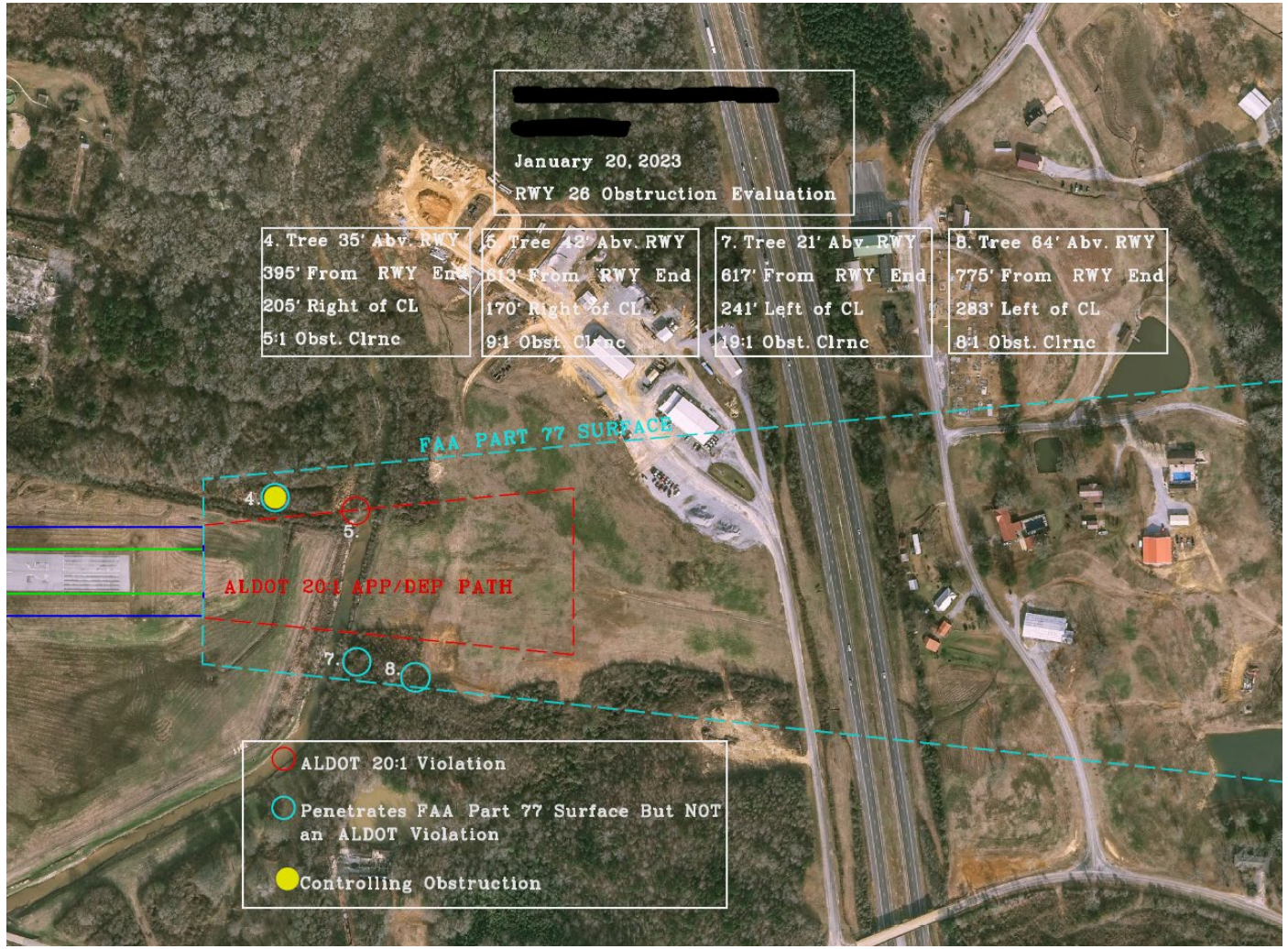
Aeronautics Bureau Inspection Program Update



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Aeronautics Bureau Inspection Program Update

Based Aircraft Counts
- Basedaircraft.com

Operations And Traffic Counts
- Logs
- Virtower

AIRS Update

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AMPS

Why Is It Important To Keep AMPS Information Up To Date?

Here's Why!

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AMPS

"[AMPS] really ties [airport information] together, does it not?"

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Please Keep Contact Information And Documents Up to Date

- Authorized Representative Name & Information
- Airport Manager Name & Information
- Other Airport Contacts Name & Information
- Airport Documents (ALP, Minimum Standards, Etc.)

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AMPS

Why Is It So Important?

- Digital Signatures
- So That The Intended Contacts Are Notified
- Lease Agreements Depend On Minimum Standards
- Versatility And Convenience Are Lost If Information Is Missing

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What A Good CIP, Preapp, App Looks Like

WHY IS IT SO IMPORTANT?

HERE'S WHY!

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What A Good CIP, Preapp, App Looks Like

"[Airport funding decisions] move pretty fast. If you don't [keep the FAA and ALDOT notified of changes and provide good, detailed information about the project], you could miss it."

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What A Good CIP Looks Like

Each Project Listed Separately
- Combine Projects Only If Necessary (Clearing & Grubbing)

Project Type And Title Included With Each Project
- AIP – Runway Reconstruction

Projects Listed In Order Of Priority

Realistic Cost Estimate
- Contact Taylor If You Have Questions Or Need Help

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What A Good CIP Looks Like

Detailed Description And Justification
- Avoid Boilerplate Language
- Be Specific
- Adequately Describe The Project (Say Rehabilitation, Reconstruction, Sealcoat, Etc.; Not Simply Maintenance)

Detailed And Informative Sketch

Any Other Helpful Additional Information Included
- Letters Of Support
- Pilot/Aircraft Owner Comments

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What A Good Preapplication Looks Like

Please Follow The Checklist

Signed SF-424 (Generated By AMPS)

Grant Agreement Engineering Worksheet (Generated by AMPS)

Resolution

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What A Good Preapplication Looks Like

Realistic Cost Estimate

Detailed Description And Justification

Detailed And Informative Sketch

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What A Good Application Looks Like

Signed SF-424 (Generated By AMPS)

Signed Grant Agreement Engineering Worksheet (Generated By AMPS)

Resolution

- Required To Receive State Matching Grant

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What A Good Application Looks Like

- Signed Bid Tab
  - With Signature
- Executed Contract
- Description And Justification
- Sketch
- FAA Certifications

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What A Good Application Looks Like

Is The Airport Signed Up For Electronic Funds Transfer?

- Required For Payment Of FY 2023 Grants
- Please Contact Paige For The List Of Airports That Are Not Currently Receiving Electronic Funds Transfer And Assistance To Have Them Added To The List

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Quick CIP, Preapp, Application Notes

Projects Must Be Included On The Approved Director's Proposed Funding Report To Be Eligible To Receive State Grant

Projects Must Be Included In The Annual Funding Cycle Documents (CIP, Preapp, App)

Notify FAA And ALDOT Of Any Changes To An Airport's Proposed Project

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Quick CIP, Preapp, Application Notes

Hangar Projects

- More Justification Will Be Required
- Details Are Being Finalized
- More Information To Come

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Competitive Grant Applications

Competitive Grant Application Types

- Airport Terminal Grants
- Supplementary Discretionary Grants

ALDOT Should Review To Fulfill Channeling Authority Obligations

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Competitive Grant Applications

Similar To Other Competitive Grants Awarded to Educational Institutions and Research Agencies

- Read And Follow The Instructions Of The NOFO Carefully
- Pay Close Attention To The Deadlines
- Make Sure That All Requirements Are Addressed

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Airport Planning Kickoff Meetings

Why Is It Important?

Here's Why!

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Airport Planning Kickoff Meetings

"[Does] everyone see [this ALP]? Because [we] will not be doing it again [for a very long time]."

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Airport Planning Kickoff Meetings

Please Prepare For Planning Kickoff Meetings

- Airport Layout Plans
- Master Plans
- Planning Studies (Cargo, Runway Extension, Etc.)

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Airport Planning Kickoff Meetings

Airport Sponsor Involvement

- Airport Needs And Direction
- Pilot And Aircraft Owner Priorities
- Growth, Expansion, And Facility/Equipment/Approach Improvements

Community Leaders

- Economic Development
- Regional And Community Planning
- Community And Infrastructure Concerns

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Airport Planning Kickoff Meetings

Prepare The Scope Of Work Before The Grant Is Written

Grant Application Should Be Based On Negotiated Contracts

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USDA Update

New Agreement
- Five Years

Site Visits
- Monroeville
- Clanton

Hazard Assessments
- Abbeville

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USDA Update

USDA Site Visits And Hazard Assessments

- Identify Potential Wildlife Hazards
- Recommendations For Prevention Of Wildlife Accidents
- Recommendations For Fencing
- Other Wildlife Hazard Mitigation

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USDA Update

Mr. Bennett Head Is The Point Of Contact For USDA Matters

Office: 334-242-6831

Cell: 334-312-6748

E-mail: headb@dot.state.al.us

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Questions?

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Department Of Transportation

Taylor Janney, P.E.

Aeronautics Engineering Manager

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- ALDOT Review Requirements
- Use of State Specifications
- Scoping Meeting
- Pre-Construction Meeting
- Project Final Inspection & Closeouts
- Pavement Maintenance Program (PMP) Update

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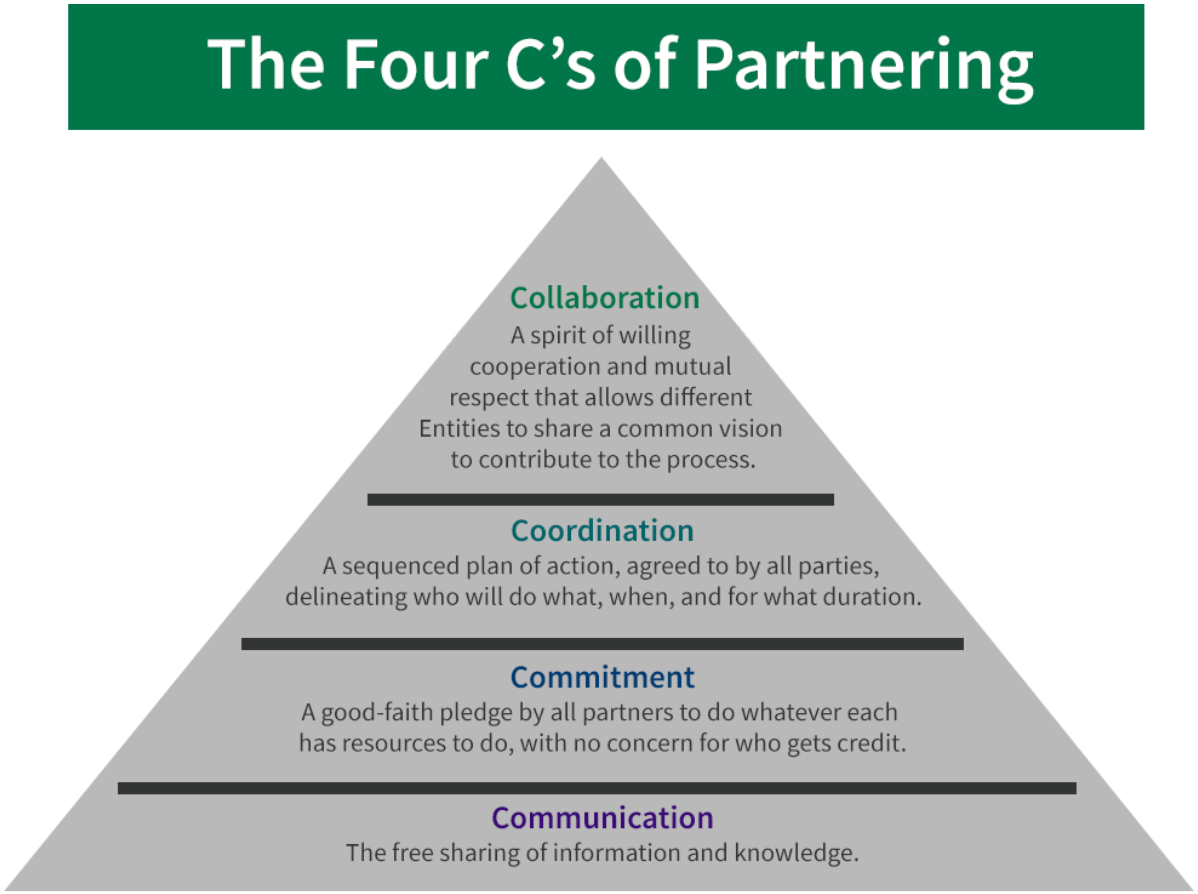
The Four C's of Partnering

Each project/grant is a partnership between the FAA, the Sponsor, ALDOT, and the Consultant

The Four C's of a Partnership

1. Communication is the foundation of a partnership. It is the free sharing of information and knowledge.
2. Commitment is a good faith pledge by all partners to do whatever each has resources to do.
3. Coordination is a sequenced plan of action, agreed to by all parties, delineating who will do what, when, and for what duration.
4. Collaboration is a spirit of willing cooperation and mutual respect that allows different entities to share a common vision to contribute to the process.



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AERONAUTICS@DOT.STATE.AL.US

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ALDOT Review Requirements

FOR A PROJECT TO BE ELIGIBLE FOR STATE FUNDING,

ALDOT AERONAUTICS MUST REVIEW THE FOLLOWING:

- All professional services agreements which will be included in a grant request from ALDOT Aeronautics
- If the agreement is more than $50,000 it must be audited by ALDOT's external Audit section
- If construction grant or design grant the plans must be reviewed and approved by ALDOT Aeronautics
- If planning grant, planning documents must be reviewed and approved by ALDOT

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Independent Fee Estimate (IFE)

- ALDOT Aeronautics Bureau is responsible for reviewing professional service fees in engineering agreements for all State and Federal grants. The contracts must be reviewed prior to execution to ensure all fees are eligible for state funding.
- If the sponsor performs a project in hopes of being reimbursed with entitlement funds or AIG (BIL) later, the professional services agreement MUST BE reviewed by ALDOT to be eligible for future state funding.
- All professional service agreements over $50,000 must be audited by ALDOT's external Audit section.
- Use certified labor rates and the most recent ALDOT audited overhead rates

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IFE Tips

1. The External Audit takes time.
   - ✈ For 2023 projects we will have an elongated schedule to help mitigate the review schedule and give the consultant more time for project design.
   - ✈ Please submit your professional services agreement to ALDOT in a timely manner and work with the ALDOT external Audit section when they request information.
   - ✈ Please include all fees in an excel format for the auditors.
2. Include the entire contract for review.
   - ✈ ALDOT will **NOT** begin the review process until **ALL** of the contract has been submitted.
3. Be detailed in the scope of work and ensure everything is included in the agreement.

If you have any questions regarding the ALDOT Audit process
please contact ALDOT's External Audit Manager.

Rosie Fagg
External Audit Manager
(334) 244-6252
faggr@dot.state.al.us

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Plan Reviews

- 50% SUBMITTALS (if required)
  - Email PDF plans
  - Copy of Engineer's Design Report if required by FAA

- 90% SUBMITTALS
  - Email PDF plans
  - PDF copy of project manual
  - Engineer's Estimate

- ISSUED FOR CONSTRUCTION
  - Email PDF Plans
  - Hard copy of executed project manual

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Asphalt Specification Price Comparison

Price Comparison when FAA P-401 & ALDOT 424 were bid on same project as alternates

YEAR	AIRPORT	PROJECT DESCRIPTION	TONNAGE	Bid with P-401	Bid with ALDOT 424	Percent Difference
2021	Evergreen	Parallel Taxiway Rehabilitation	4,140	$843,224	$653,723.75	22.47%
2022	Fayette	Apron Reconstruction	3,760	$1,724,759	$1,401,615.40	18.74%
2022	Prattville	East Terminal Apron Reconstruction	3,220	$1,348,309	$1,233,477.50	8.52%
					Average:	*16.58%*

FAA P-401 Tonnage Prices

YEAR	AIRPORT	PROJECT DESCRIPTION	TONNAGE	P-401 per Ton
2022	Albertville	Runway Rehabilitation	8,510	$146.70
2022	Decatur	North Taxiway and Access Road Construction	1,720	$205.00
2022	Dothan	Taxilane Reconstruction	2,200	$190.00
2022	Fayette	Apron Reconstruction	3,760	$164.71
2022	Prattville	Terminal Apron Reconstruction	3,220	$173.20
2022	Tuscaloosa	Reconstruct Terminal Apron	9,420	$143.71
		Average:	*4,805*	*$170.55*

ALDOT 424 Tonnage Prices

YEAR	AIRPORT	PROJECT DESCRIPTION	TONNAGE	ALDOT 424 per Ton
2022	Centre-Piedmont	Apron Expansion	1,105	$133.85
2022	Centreville	Reconstruct Parallel Taxiway and Taxilanes	2,330	$132.50
2022	Elba	Construct and Rehabilitate Taxilane	890	$139.00
2022	Fort Payne	T-Hangar Pavement Reconstruction	2,550	$166.90
2022	Greensboro	Runway Overlay	4,000	$113.00
2022	Greenville	Taxiway Rehabilitation	2,835	$168.30
2022	Haleyville	Runway/Taxilway/Apron Rehabilitation	6,630	$174.00
2022	Wetumpka	T-Hangar Taxilanes Phase I	3,120	$161.78
		Average:	*2,933*	*$148.67*

Comparison Results	
P-401 Average	*$170.55*
424 Average	*$148.67*
Per Ton Difference	*$21.89*
Percent Difference	*12.83%*

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Use of State Specifications

- Use of ALDOT 424 Superpave Bituminous Concrete ESAL Range C/D and ALDOT Base Materials is approved and preferred for pavement sections supporting aircraft weighing less than 30,000 lbs.
- Maximum allowable RAP of 20% for all layers, not just surface.
- Must identify use of state specifications in the design report to be eligible

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ALDOT 424 Job Mix Formula

Requirement for Approved Job Mix Formula (JMF).

Work shall not be started under this Section on a specific project until the Contractor has submitted and received approval of a job mix formula from the Materials and Tests Engineer and the job mix formula has been checked by the Area Materials Engineer for use on the project.

- Modify the specification for your company and remove ALDOT specific language
- Do not send any JMF to ALDOT Materials and Tests Bureau. If a JMF needs approval, send it to NCAT. There is no way to pay the ALDOT M&T Bureau for their work.

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Sponsor/Engineer/Funding Agencies Meetings

- Scoping Meeting
- Pre-Construction Meeting
- Final Inspection

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Scoping Meeting

Scoping Meetings are required for projects utilizing State Funds.

What should be discussed at the scoping meeting?

- ✈ Project Scope
- ✈ Project schedule
- ✈ Project phasing (if applicable)
- ✈ Engineering Agreement Scope of Work
- ✈ Any State or Federal Requirements i.e. Environmental
- ✈ Project Expectations

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Pre-Construction Meeting

A Pre-construction meeting is your first and best **chance to manage expectations and clarify project goals**. This way you'll be able to identify potential conflicts and overly-vague specifications and get them resolved before you are forced into a change order or expensive rework.

MAKE SURE YOU HAVE AN AGENDA

An agenda keeps the meeting on track and eliminates surprises.

Agenda Example:

- ✈ Chain of command
- ✈ Quality control roles and responsibilities
- ✈ Introduction to the owner
- ✈ Document review
- ✈ Q&A

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Final Inspection

Final Inspection is the final review of the Work of the Contractor by the Engineer of record, to determine whether issuance of the Certificate of Contract Completion is appropriate.
All parties involved (Sponsor, Engineer of Record, Architect, FAA, ALDOT Aeronautics, Contractor) should receive an invitation to the final construction inspection.

ALDOT Aeronautics will not process the contractor's retainage invoice until the final construction inspection has taken place and a copy of the final inspection report has been received.

On Runway paving projects, ALDOT must inspect the runway prior to opening back up to traffic.

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Project Closeout Documents

- ALDOT State Grant Closeout
  - Once the final invoice is submitted, we will email you a grant closeout checklist on what documents are required. Final payment will be made once the closeout documents are received.
- ALDOT AIP/AIG Matching Grant Closeout
  - Copy ALDOT on all closeout document correspondence.
  - ALDOT will release final payment once the FAA & ALDOT have received the closeout documentation.

    (New Policy Alert)

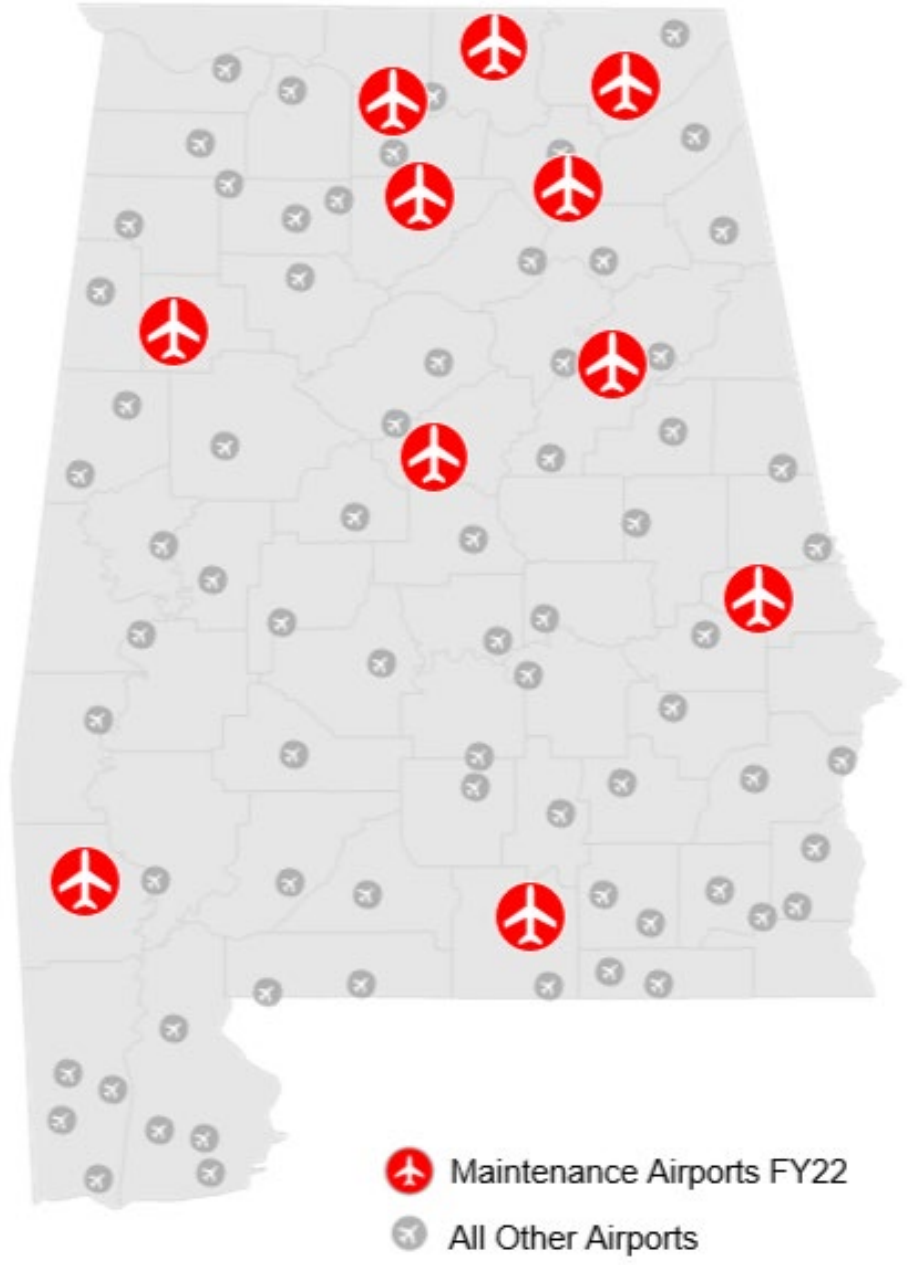
ALDOT AERONAUTICS GRANT CLOSEOUT CHECKLIST FOR AIRPORT SPONSORS

Airport: _____

Grant No.: _____

Grant Description: _____

Documents Required	Required	Received
Closeout Documentation Submittal Letter		
The Sponsor has submitted any applicable deliverable(s)		
Engineering Contract		
Engineering Estimate		
Bid Tabs		
Final Inspection Report		
Summary of Change Orders (if applicable)		
Summary of Test Results (if applicable)		
Exhibit "A" update (NPIAS Airports land acquistion projects only)		
Proof of title (land acquistion projects only)		
Settlement Statement (land acquisition projects only)		
As-built plans (if applicable)		
Final Invoices Submitted and Approved		
Sponsor Final Acceptance Letter		
Additional Requested Documents (list below if applicable)		



Pavement Maintenance Program Round 1 Summary

- Pavement preservation projects at 11 airports with a total funding of $2.1 Million
  - 75% was State funded ($1.575 Million) with a 25% Sponsor Match ($0.525 Million)

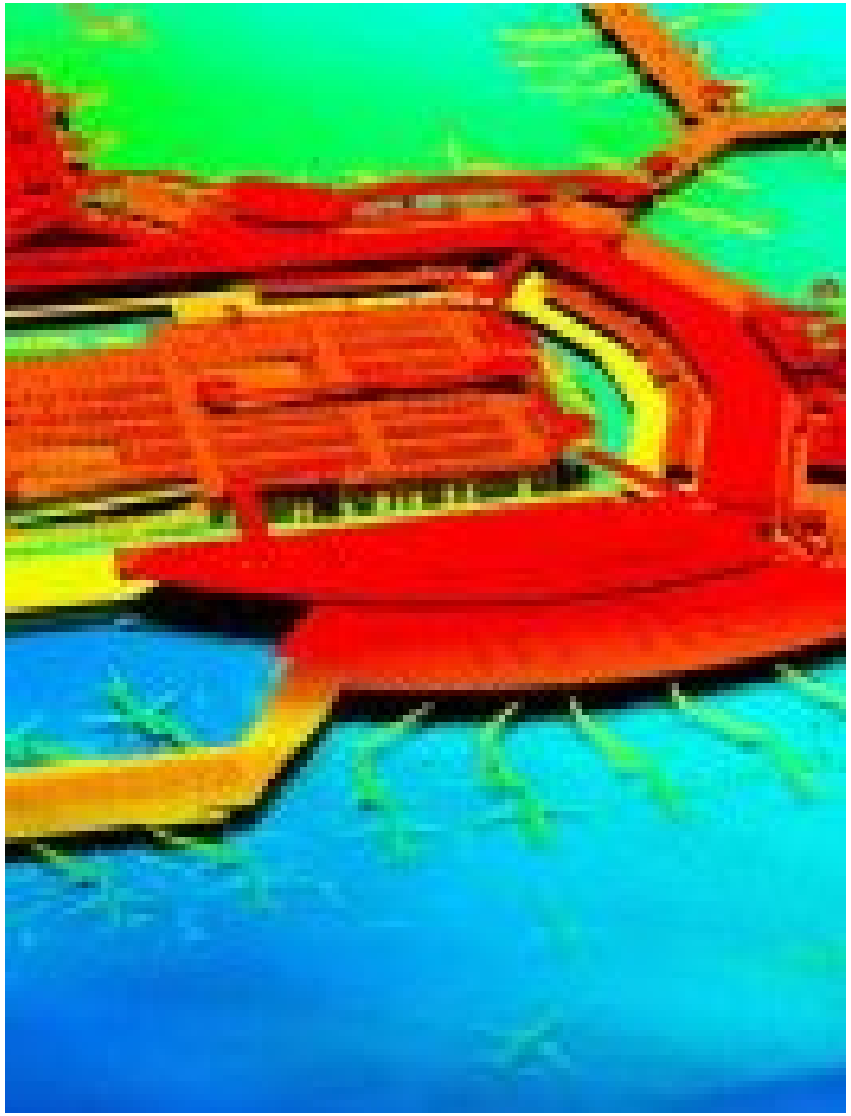
- A total of 245,492 square yards of pavement were preserved
  - 202,242 square yards of pavement utilizing the P-629 specification
  - 43,250 square yards of pavement utilizing the P-608 specification

Pavement Maintenance Program
Round 2 (FY23)

- The program is approved to be a 75% ALDOT funding with a 25% Sponsor Match
- The program will be administered the same as Round 1
- What makes a pavement a good candidate for the program?
  - Pavement with a PCI between 55 and 85 that is structurally sound and would benefit from pavement preservation.
  - Pavement that is lower priority in the AIP program and would have difficulties competing for discretionary funding.
- We are currently putting together a list of potential projects and will be narrowing down the list to match available funding.
- If you know of a good preservation project, please send it to us!
- Projects will consist of sealcoats, crack seals, & Micro-surfacing

ALDOT

AERONAUTICS BUREAU
DEPARTMENT OF TRANSPORTATION



ALDOT LiDAR

- ALDOT has an extensive library of LiDAR for every county in the State
- To request this data, send me a .DGN shape file that is georeferenced of the area being requested
- For use on airport projects only

QUESTIONS?

ALDOT

AERONAUTICS BUREAU
DEPARTMENT OF TRANSPORTATION

THANK YOU!

AAPA

ALABAMA ASPHALT PAVEMENT ASSOCIATION

LUNCH SPONSOR | MEL A. MONK, P.E.

2023 Alabama Consultant's Conference

FAA Updates

Presented to: 2023 Alabama Consultant's Conference

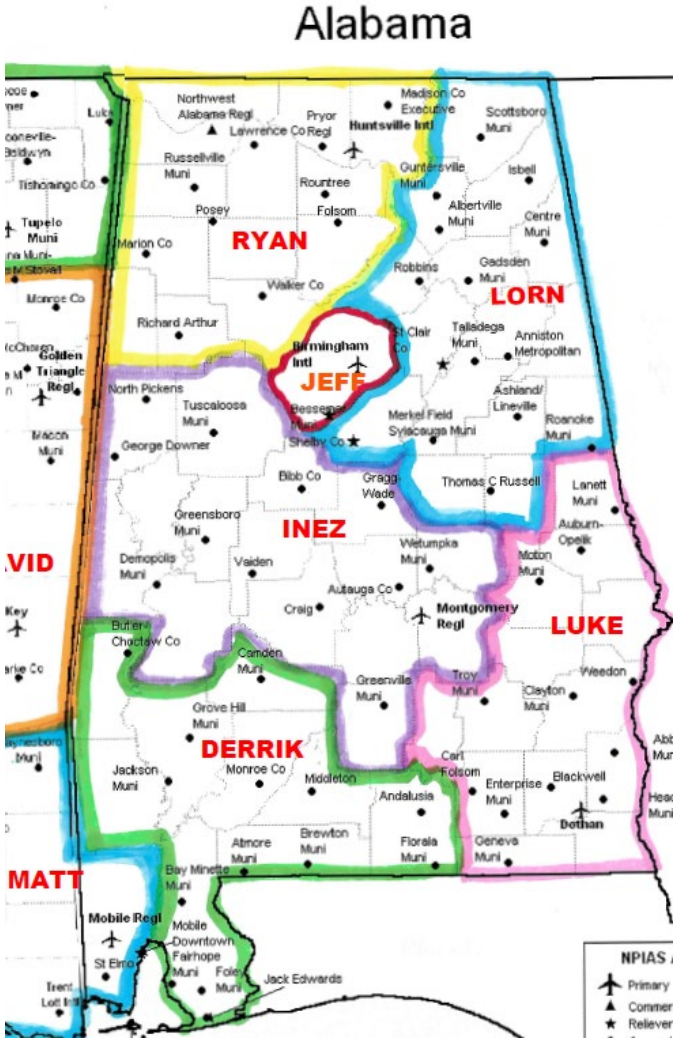
By: JAN-ADO

Date: February 15, 2023

Federal Aviation Administration

We are Airports

JAN-ADO Program Managers



JAN-ADO Agenda

- Design Only Grants , Exhibit A's (Rans)
- Grant Program Information , ACIP's (Will)
- DBE Requirements (Herlinda Bradley)
- Buy American Act (Ryan)
- CSPP's and Airspace (Jeff, Luke, and Inez)
- FAA and NEPA (Eric)
- Questions & Wrap-up (Rans & Frank)

Design Only Grants

- **Generally discouraged, but …**
- **Get FAA/ALDOT approval first**
  - We do not want plans sitting on shelf too long. Priorities, Scope, and Env can change)
- **Need to have an FAA endorsed funding plan for construction before proceeding with a design only project.**
  - FAA silence on a plan does not equal endorsement
  - Suggest getting an email to move forward on design only from JAN-ADO PM with copy to Will Schuller/ALDOT

Design Only Special Condition

- **Design Grant. This Grant Agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of Federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided Federal funding to complete the design for the project, and the Sponsor has not completed the design within four (4) years from the execution of this Grant Agreement, the FAA may suspend or terminate grants related to the design.**

JAN-ADO Policy - Exhibit A's

- **Updated Exhibit A, with planned AIP grant #, required BEFORE land acquisition Grant.**
- **Too many times, we get to the finish line on negotiations with a landowner, but do not have a good Exhibit A.**
- **Include the appropriate $'s in estimate for Exhibit A update. Some are minor updates, and some require extensive work.**
- **See Standard Operating Procedure (SOP) 3 at www.faa.gov/airports/resources/sops**

Exhibit A - Special Condition

- **<u>Update Approved Exhibit "A" Property Map for Land in Project</u>. The Sponsor understands and agrees to update the Exhibit "A" Property Map to standards satisfactory to the FAA and submit it in final form to the FAA. It is further mutually agreed that the reasonable cost of developing said Exhibit "A" Property Map is an allowable cost within the scope of this project.**

Thank You TEAM!!

FUNDING PROGRAMS AND RELATED ITEMS OF INTEREST

Acronyms (1 of 2)

- AIP – Airport Improvement Program
- PFC – Passenger Facility Charge
- BIL – Bi-partisan Infrastructure Law
- AIG – BIL Airport Improvement Grant
- ATP – BIL Airport Terminal Program
- FCT – BIL Federal Contract Tower Program

Acronyms (2 of 2)

- NOFO – Notice of Funding opportunity
- GA – General Aviation
- ACIP/CIP – Airport Capital Improvement Plan
- FY – Fiscal Year
- NPIAS – National Plan of Integrated Airport Systems
- AO – Acronymic Obfuscation

Funding Types (1 of 2)

- **AIP Entitlement**

- **AIP Discretionary**

- **Supplemental Discretionary**
- **(a) Community Development Grants**
- **(b) Competative Grants (NOFO)**
- **(b.1) NOFO provides criteria for consideration in application**

Funding Types (2 of 2)

- **PFC – available only at airports with scheduled service**
- **BIL AIG**
- **BIL ATP**
- **BIL FCT**

AIP

- (1) This is the last year of the 5-year AIP Authorization.
- Which means
- (a) we will not be able to do multi-year grants and
- (b) Congress will be working on AIP reauthorization.
- (2) 2023 Appropriation for AIP = $3,350,000,000

AIP

- **(3) 2023 Appropriation for Supplemental Discretionary = $558,000,000 of which $283,000,000 is directed spending for Community Development projects.**
- **In Alabama there is $45,785,000 in Community Development projects for FY23**
- **Unassigned Supplemental Discretionary is allocated through a competitive process. Look for a NOFO.**

AIP Entitlement (1 of 2)

- **Federal Register Notice for AIP Entitlement was published on 1/30/2023 for FY23.**
  - March 10, 2023: Carry over entitlement for all airports that did not submit intent to use entitlement.
  - May 5, 2023: Application, based on bids, due for all entitlement-only grants.
  - June 9: Carryover all entitlement funds for sponsors that do not have application based on bid.

AIP Entitlement (2 of 2)

- **Entitlement amounts are basically the same as last year.**
- **Entitlement rules unchanged from prior years.**
- **Airside needs must be met before doing revenue generating projects.**

AIP Discretionary (1 of 2)

- **Funds are tight. No guarantee that a discretionary project will get funded this FY.**
- **Planning for discretionary funds begins two to three years before the target funding year.**
- **Coordinate closely with your FAA Program Manager when planning a discretionary funding request.**

AIP Discretionary (2 of 2)

- **Due to tight funds Coordinate with your Program Manager on appropriate bid open dates for FY2023 discretionary.**

- **Don’t open bids too early on discretionary grants.**

Supplemental Discretionary

- **All Supplemental Discretionary projects must still be AIP eligible and follow all procurement requirements of regular AIP.**
- **Community Development projects specifically named in legislation do not require full justification as they might under other AIP funding.**
- **Competitive (NOFO) FY22 Supplemental Discretionary projects are to be identified by June 2023.**

PFC

- **PFC is a source of funding for air carrier airports.**
- **Only eight airports in Alabama collect and expend PFC funds.**
- **PFC funds generally follow AIP eligibility except with slightly expanded eligibility for terminal building work.**

BIL Grants General info

- **Standard Airport Sponsor Assurances, which require airports to meet standards and specifications approved by the FAA, will apply to BIL grants**

- **Standard Airport Sponsor Assurances, will apply to BIL grants.**

BIL AIG

- **AIG funds are available year round.**
- **AIG federal share same as AIP (90%)**
- **AIG funds for primary airports distributed by formula**
- **AIG funds for GA airports based on NPIAS classification**

BIL ATP

- Competitive process – must apply each year
- ATP NoFo - Closed on October 24, 2022
- Project eligibility for terminal projects in line with PFC.
- Must meet all AIP procurement requirements
- Federal share is 95%

BIL FCT

- **Competitive process – must apply each year**
- **FCT NoFo - Closed on December 6, 2022**
- **$20M available for grants for tower construction, replacement, or refurbishment to sponsors participating in the FAA Contract Tower Program.**
- **Must meet all AIP procurement requirements**
- **Federal share is 100%**

Companion Grants

- **For using different fund types for one project.**
- **FAA requires a useable unit of work, which may not always fit in one pot of money.**
- **Grants are a percentage of a useable unit of work.**

Companion Grants

- **All eligible project costs are distributed between the companion grants based on the proration as described in the grant offers.**
- **always enter reimbursement requests for each companion grant at the same time.**
- **The invoice summary for each companion grant must include the invoiced cost, eligible cost, any non-eligible cost, the Federal share and local match.**

Campanion Grant Pay Requests

CONTRACTOR'S PERIODIC PAY REQUEST

AIRPORT NAME PROJECT DESCRIPTION AIP PROJECT NUMBER	9/1/2022	Estimate No.: ?
AIG PROJECT NUMBER CONTRACTOR'S NAME CONTRACTOR'S ADDRESS	Through: 9/30/2022	Percent of Physical Completion: ?%

BASE BID (AIP at 86%, AIG AT 14%)

ITEM NO.	SPEC. NO.	DESCRIPTION	CONTRACT AMOUNT				WORK THIS MONTH		TOTAL WORK TO DATE		
			AWARD QTY	UNIT	UNIT PRICE	TOTAL	QUANTITY	TOTAL	QUANTITY	TOTAL	% COMP
1.	C-100	Contractor Quality Control Program (CQCP)	1	LS	$100,000.00	$100,000.00	0.25	$25,000.00	0.25	$25,000.00	25
2.	C-102-5.1a	Temporary Seeding and Mulching	68600	SQ YD	$0.40	$27,440.00	0	$0.00	0.00	$0.00	0
3.	C-102-5.1d	Fertilizing	11	TON	$1,065.00	$11,715.00	0.00	$0.00	0.00	$0.00	0
4.	C-102-5.1e	Installation and Removal of Silt Fence	13600	LIN FT	$5.30	$72,080.00	12335	$65,375.50	12335.00	$65,375.50	90.70
5.	C-102-5.1f	Installation and Removal of Wattle	100	LIN FT	$10.00	$1,000.00	100	$1,000.00	100.00	$1,000.00	100
6.	C-102-5.1g	Installation and Removal of Inlet Protection	7	EACH	$450.00	$3,150.00	7	$3,150.00	7.00	$3,150.00	100
7.	C-105	Mobilization	1	LS	$401,251.40	$401,251.40	0.25	$100,312.85	0.25	$100,312.85	25
8.	P-101-5.1	Pavement Removal	4900	SQ YD	$7.00	$34,300.00	0.00	$0.00	0.00	$0.00	0
9.	P-101-5.7a	Removal of Pipe and other Buried Structures (Taxiway Duct Bank)	1	EACH	$2,034.13	$2,034.13	0.00	$0.00	0.00	$0.00	0
10.	P-101-5.7b	Removal of Pipe and other Buried Structures (Runway Duct Bank)	1	EACH	$2,034.13	$2,034.13	0	$0.00	0.00	$0.00	0
11.	P-152-4.1	Unclassified Excavation	13600	CU YD	$9.38	$127,568.00	2046	$19,191.48	2046.00	$19,191.48	15.04
12.	P-152-4.2	Borrow Excavation	2900	CU YD	$25.00	$72,500.00	0	$0.00	0.00	$0.00	0
13.	P-207-5.1	In-Place Full Depth Recycled (FDR) Asphalt Aggregate Base Course (6" Minimum)	66600	SQ YD	$3.92	$261,072.00	0	$0.00	0.00	$0.00	0
14.	P-207-5.2	Corrective aggregate Material (As Directed)	300	TON	$41.82	$12,546.00	0	$0.00	0.00	$0.00	0
15.	P-207-5.3	Cement	1660	TON	$230.64	$382,862.40	0	$0.00	0.00	$0.00	0
16.	P-207-5.4	Micro-Cracking (See Specification P-207 Section 3.11)	66600	SQ YD	$0.06	$3,996.00	0	$0.00	0.00	$0.00	0
17.	P-401-8.1	2" Bituminous Surface Course (3/4" Max Aggregate Size)	7300	TON	$105.19	$767,887.00	0	$0.00	0.00	$0.00	0
18.	P-401-8.2	2" Bituminous Binder Course (3/4" Aggregate Size)	7300	TON	$104.89	$765,697.00	0	$0.00	0.00	$0.00	0
19.	P-602-5.1	Emulsified Asphalt Prime Coat	19800	GAL	$4.30	$85,140.00	0	$0.00	0.00	$0.00	0
20.	P-603-5.1	Emulsified Asphalt Tack Coat	6600	GAL	$4.90	$32,340.00	0	$0.00	0.00	$0.00	0
21.	P-620-5.1a	Surface Preparation	1	LS	$5,050.00	$5,050.00	0	$0.00	0.00	$0.00	0
22.	P-620-5.2b	Marking (Reflective Yellow) (Including Reflective Material)	870	SQ FT	$1.70	$1,479.00	0	$0.00	0.00	$0.00	0
23.	P-620-5.2c	Marking (Reflective White)(Including Reflective Material)	34000	SQ FT	$1.00	$34,000.00	0	$0.00	0.00	$0.00	0
24.	P-620-5.4d	Temporary Runway and Taxiway Marking (Yellow)	870	SQ FT	$1.15	$1,000.50	0	$0.00	0.00	$0.00	0
25.	P-620-5.4e	Temporary Runway and Taxiway Marking (White)	34000	SQ FT	$0.55	$18,700.00	0	$0.00	0.00	$0.00	0
26.	P-621-5.1	Grooving	51100	SQ YD	$1.71	$87,381.00	0	$0.00	0.00	$0.00	0
27.	T-901-5.1	Seeding	14	ACRE	$1,053.00	$14,742.00	0	$0.00	0.00	$0.00	0
28.	T-904-5.1	Sodding	4000	SQ YD	$5.00	$20,000.00	0	$0.00	0.00	$0.00	0
29.	T-905-5.1	Topsoiling (Obtained on Site or Removed from Stockpile)	5700	CU YD	$9.50	$54,150.00	0	$0.00	0.00	$0.00	0
30.	T-908-5.1	Mulching	14	ACRE	$1,053.00	$14,742.00	0	$0.00	0.00	$0.00	0
31.	659-C	Erosion Control Product, Type S4 (Hydraulic Applied Seed & Mulch)	3250	SQ YD	$3.00	$9,750.00	0	$0.00	0.00	$0.00	0
		BASE BID TOTAL AMOUNT				$3,427,607.56		$214,029.83		$214,029.83	6.24%
		AIP ELIGIBLE (86%)				$2,947,742.50		$184,065.65		$184,065.65	
		AIG ELIGIBLE (14%)				$479,865.06		$29,964.18		$29,964.18	

	AIP PORTION	AIG PORTION	TOTAL
FEDERAL SHARE (90%)	$165,659.09	$26,967.76	$192,626.85
STATE SHARE (5%)	$9,203.28	$1,498.21	$10,701.49
LOCAL SHARE (5%)	$9,203.28	$1,498.21	$10,701.49

	AIP PORTION	AIG PORTION	TOTAL
TOTAL WORK PERFORMED TO DATE	$184,065.65	$29,964.18	$214,029.83
TOTAL AMOUNT OF STORED MATERIAL	$0.00	$0.00	$0.00
SUBTOTAL	$184,065.65	$29,964.18	$214,029.83
LESS RETAINAGE @ 10%	$18,406.57	$2,996.42	$21,402.98
LESS PREVIOUS PAYMENTS	$0.00	$0.00	$0.00
TOTAL AMOUNT OF THIS PAY REQUEST	$165,659.08	$26,967.76	$192,626.85

CERTIFICATION OF CONTRACTOR - I hereby certify that the work performed, the materials supplied to date, and the payments made to DBE subcontractors as shown with this pay request, represent the actual value of payments and accomplishments under the terms of this contract in conformity with the approved plans and specifications; that the quantities shown were properly determined and are correct; and that there has been full compliance with all labor provisions included in the contract identified above, and in all subcontracts made under this contract.

DATE:	CONTRACTOR'S SIGNATURE:
DATE:	SIGNATURE, SPONSOR'S ENGINEER:

Companion Grants – Close Out

- **Funds for amendments for AIP, BIL, or other programs are not guaranteed. The AIP amendment limits apply to both AIP and BIL grants.**
- **Two methods for amending companion grants: (1) split costs at same percentage, or (2) put costs in one grant and amend grant description of both grants.**
- **Amendments for both must be filed at the same time.**

Contract Provisions

- **Procurements made under AIP or BIL must adhere to the provisions outlined in Title 2 CFR part 200. Sections 200.317-200.326 address procurement standards.**
- **a sponsor must apply these standards to their procurement actions in order to maintain eligibility under AIP or BIL.**
- **Applies to procurements for construction, equipment and selection of professional services.**

Contract Provisions

- **Contract Provisions Guide is available online at faa.gov\Airports\AIP\Procurement.**

- **It is still up to Airport Sponsor/Consultant to be sure latest changes in laws are being followed.**

Period of Performance (POP)

- **Sponsors have only four years to incur all expenses under a grant**
- **Sponsors then have 90 days to submit final invoices after the end of the POP.**
- **Any request for extensions must be filed a minimum 30 days before the end of the period of performance. Do NOT miss these dates. The airport is stuck with any expenses incurred after the POP end date.**

Web Sites

- **https://www.faa.gov/sites/faa.gov/files/BIL_FAQS_10_17_2022.pdf**

- **faa.gov\Airports\AIP\Procurement**

QUESTIONS???

- **Check out FAA.GOV website**
- **Reach out to your FAA Program Manager**
- **Reach out to AL DOT Aeronautics**

Federal Aviation Administration

Office of Civil Rights

Introduction to the DBE Program

Office Of Civil Rights

ACHIEVING SAFETY
THROUGH DIVERSITY

Herlinda Bradley
DBE/ACDBE Compliance Specialist

Training Objectives

- Who must have a DBE Program?
- What is a DBE?
- Program Objectives
- Disadvantaged Business Enterprise Liaison Officer (DBELO)
- DBE Program
- Goal Setting
- Good-Faith Efforts (GFE)
- Monitoring and Compliance/Prompt Payment/Uniform Report

Who Must Have a DBE Program?

- FAA recipients receiving grants for airport planning or development who will award prime contracts exceeding $250,000 in FAA funds in a Federal fiscal year

What is a DBE?

- *Disadvantaged business enterprise* or *DBE* means a for-profit small business concern –

  - (1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and
  - (2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it

What are the Objectives of the USDOT's DBE Program?

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
- To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law
- To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs

What are the Objectives of the USDOT's DBE Program?

- To help remove barriers to the participation of DBEs in DOT-assisted contracts
- To promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by Recipients
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program
- To provide appropriate flexibility to Recipients of Federal financial assistance in establishing and providing opportunities for DBEs

DBE Program Recipient Responsibilities

- Implementation of program is a legal obligation and failure to carry out its terms shall be treated as a violation.

  - Implement program in good faith
  - Stay up-to-date on regulations and guidance
  - Apply good practices to ensure airport compliance

What is the Role of the DBELO?

- The DBELO is responsible for:

  - Developing
  - Implementing and
  - Monitoring the DBE Program - In coordination with other appropriate staff and organizational officials

What is a Recipient's DBE Program?

- A written document that meets regulatory requirements of Part 26 – Sample template
- Explains how the Recipient will implement the DBE Program at its airport(s)
- Identifies the DBE Liaison Officer

What is the Role of the DBELO in Developing the Program?

- Set meetings
- Include all affected areas or departments
- Get organizational buy-in
- Ensure others know what changes they need to make, if any.

What is the Role of the DBELO in Developing the Program?

- Update document as needed for “significant changes”

- Why it matters:
  - Recipient is not eligible to receive DOT financial assistance unless DOT has approved the DBE Program and Recipient is in compliance with its own Program and Part 26 (§26.21(c))

What Resources are Available for Developing the Civil Rights Program?

- www.faa.gov/about/office_org/headquarters_offices/acr/bus_ent_program/dbe_program_adm
- https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/official-questions-and-answers-qas-disadvantaged
- https://www.transportation.gov/sites/dot.gov/files/docs/2014%20DBE%20Final%20Rule%20Highlights.pdf
- https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/dbe-guidance
- https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/prompt-payment-section-sample-template

DBE Overall Goal-Setting

- Except as provided in paragraph (a)(2) of section 49 CFR Part 26.45, recipients must set an overall goal for DBE participation in your DOT-assisted contracts
- FAA recipients who reasonably anticipate awarding $250,000 or less in FAA funds in prime contracts in a Federal fiscal year, are not required to develop an overall goal FAA for that fiscal year. However, if recipients have an existing DBE program, it must remain in effect and the recipient must seek to fulfill the objectives outlined in § 26.1

What is a DBE Overall Goal?

- The DBE Goal is NOT your DBE Program – Goal methodology often included as an appendix or attachment to the Program
- Based on demonstrable evidence of the availability of ready, willing & able DBEs
- Represents DBE participation the Recipient would expect to see in the absence of discrimination
- Sample goal methodology includes approaches that you may take to calculate goal
- Due every three years; schedule based on airport size

DBE Overall Goals for Airport Grant Recipients: Due by August 1

Airport Type	Region	Due	Period Covered	Next Goal Due
Large and Medium Hub Primary	ALL	2022	2023/2024/2025	2025 (2026/2027/2028)
Small Hub Primary	ALL	2023	2024/2025/2026	2026 (2027/2028/2029)
Non-Hub Primary	ALL	2024	2025/2026/2027	2027 (2028/2029/2030)
Non-Primary including GAs, Relievers, and State DOTs	Alaskan, Eastern, and Great Lakes	2022	2023/2024/2025	2025 (2026/2027/2028)
Non-Primary including GAs, Relievers, and State DOTs	New England, Northwest Mountain, and Southern	2023	2024/2025/2026	2026 (2027/2028/2029)
Non-Primary including GAs, Relievers, and State DOTs	Central, Southwest, and Western-Pacific	2024	2025/2026/2027	2027 (2028/2029/2030)

What is the Role of the DBELO in Developing the Overall DBE Goal?

- Obtain list of all projects/procurements expected to receive FAA funding
  - ➢Include studies, design, engineering, construction, professional services
  - ➢Ensure projects broken down into relevant scopes with appropriate NAICS codes
- Conduct proper consultation
- Make sure goal is posted to website
- Is the contact person for the program for FAA and community

What Resources are Available for Goal Setting?

- Goal-setting tool in FAA Civil Rights Connect
- Tips for Goal Setting
- Official Questions and Answers (Q&A's) Disadvantaged Business Enterprise Program Regulations (49 CFR 26)
- Western States Paving Q&A for States in the 9th Circuit Court Jurisdiction

Good Faith Efforts (GFE) in the DBE Program

- Preserves the constitutionality of the DBE Program
- Critical component of oversight and compliance
- Protects the DBE program's integrity

Good Faith Efforts

- All bidders must make good faith efforts to meet a contract goal. GFE are achieved when:

  - The bidder commits to subcontracting with DBEs in a sufficient amount to meet the goal

  or

  - In the event a bidder falls short of the goal with DBE subcontracting commitments, it submits documentation that demonstrates it made sufficient good faith effort to meet the goal

GFE Timing of Submission

- Information must be submitted either:
  - At time of bid (Responsiveness)
  - 5 days after bid opening (Responsibility)
- Extensions are not permitted
  - Recipients must choose one method which should be in the program plan
  - For a design-build procurement, the bidder/offeror may make a contractually binding commitment to meet the goal at the time of bid or with its response to a request for proposals

Pre-award GFE Documentation

- If a bidder is unable to meet the contract goal with sufficient DBE subcontracting, it MUST provide the recipient with documentation supporting its GFEs
- The documentation of GFEs must include copies of each DBE and non-DBE subcontractor quotes submitted to the bidder when a non-DBE subcontractor was selected over a DBE for the same work item

Good Faith Efforts Basics

- Documented GFEs must demonstrate that the bidder "took all necessary and reasonable steps to achieve a DBE goal… which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful."
- Fair and reasonable judgment considering the quality, quantity, and intensity of the different kind of efforts.

Good Faith Effort Basics

- The efforts…should be those that one could reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain DBE participation sufficient to meet the DBE contract goal.(49 CFR Appendix A)
- No “extra points” for exceeding goals
- Do not rank bids based on amount of DBE participation

Good Faith Effort Basics

- Proposed DBEs must be certified in NAICS code(s) of work to be performed
- Must ONLY award to bidder who made GFE to meet goal.
- Goals are targets, NOT quotas; failure to meet goal not automatic disqualifier
- Must award to bidder if GFEs are determined sufficient, even if insufficient subcontracting

Good Faith Effort Actions

- The Recipient must evaluate the commitments and documentation submitted by all bidders
- NO quantitative formula or point system should be used
- Emphasize holistic nature of review

Good Faith Effort Actions

- Appendix A provides EXAMPLES of actions a recipient may consider as part of a contractor's Good Faith Effort to obtain DBE Participation
- This is NOT a mandatory checklist
- This is NOT an all-inclusive list
- Performing all these examples of actions does NOT automatically ensure a GFE has been made

Good Faith Effort Actions

- Conducting research to identify small business contractors and suppliers
- Soliciting DBEs through all reasonable and available means
- Examples:
  - ➢Phone calls
  - ➢Emails
  - ➢Advertisements (radio, TV, news/trade papers, website)
  - ➢Pre-bid meetings
  - ➢DBE networking events

  Ensure the solicitation to DBEs is early enough to allow time for a proper response!!

Good Faith Effort Actions

- Did bidder break out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate DBE participation?
- Did bidder consider items that it normally self performs?
- Was bidder flexible in delivery schedule (if possible)?
- Did bidder provide meaningful follow up with DBEs after initial contact?

Good Faith Effort Actions

- Bidder must negotiate with interested DBEs in good faith
  - ➢Use good business judgment and document the negotiation
  - ➢Evaluate a DBE's price and capabilities in consideration to achieving the contract's goal
  - ➢Lowest price alone not a sufficient reason to reject DBE if price is reasonable
  - ➢Regulations purposely refrain from identifying what percentage differential between DBE and non-DBE quotes is considered "unreasonable" (Most common question asked!)

Examples of Insufficient Good Faith Efforts

- Soliciting DBEs that do not perform work relevant to the subcontracting opportunities (suggest pro forma efforts)
- Examples that could be considered insufficient Good Faith Efforts include:
  - ➢Rejecting DBEs without having a sound reason based on the DBE's capability
  - ➢Rejecting DBEs based on their:
    - ✓Standing in the industry
    - ✓Memberships in organizations or groups
    - ✓Political and social affiliations

Examples of Insufficient Good Faith Efforts

- Including firm(s) not DBE certified in your state prior to bid due date
- Including firm(s) not certified in the applicable program
- Including firm(s) not certified in the NAICS code of the work to be performed
- Promises to obtain DBE participation after contract award

Other Important GFE Actions

- GFE Administrative Reconsideration
- Good Faith Efforts: After Award

Monitoring the DBE Program

- Prevent fraud and report if suspected
- Improve organization's potential to meet its DBE goals
- Ensure compliance by all participants
  - Recipient
  - Contractors/consultants/primes
  - DBE and non-DBE Subcontractors

Monitoring and the DBE Program?

- Recipient to keep a running tally of actual DBE commitments and attainments to:
  - Monitor proper use of contract goals
- Report annually by December 1
  - awards/commitments payments
  - on on-going contracts
  - payments on contracts completed

Monitoring the DBE Program?

- Prompt payment and release of retainage
  - Primes must pay subs no later than 30 days after receipt of payment from recipient
  - Applies to all AIP-funded agreements, even when no DBE contract goals
  - Applies to both DBE and non-DBE subcontractors
  - Addresses requirements for release of retainage
- Prompt payment must be actively monitored
  - Do NOT rely solely on complaints
  - Use automated system, website, or other affirmative steps to confirm prompt pay and release of retainage

Monitoring the DBE Program?

- Reporting Prompt Payment Complaints
  - 2018 FAA Reauthorization (Public Law No. 115- 254)
  - Airport sponsors must track and report subcontractors' allegations of non-compliance
  - Report complaints and related data directly to FAA Complaints
  - Report only valid complaints, and report only after complaint is resolved

Monitoring the DBE Program?

- Shortfall Analysis – When You Don't Meet Your Goal
- Analyze in detail reasons for difference between overall goal and awards/commitments
- Establish specific steps and milestones to correct problems identified in the analysis
- Prepare and retain or submit for approval (if Core 30), within 90 days of the end fiscal year, the analysis and corrective actions and due dates/milestones for approval by FAA

What Resources are Available for Monitoring the DBE Program?

- Guidance for the Uniform Report
- OIG “Red Flag” Indicators
- Goal Shortfall Analysis Tips
- Advisory Circular 150/5370-10G – (see partial payment (retainage) language in Section 90-06)

Questions

Thank You

- **Contact Information:**

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FAA Buy American Preference Program and BABA (Build America Buy America)

Ryan Constans

Program Manager

Currently assigned to North Alabama

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FAA Buy American Preference Program and BABA (Build America Buy America)

- Background / Existing Policy
- BABA – What does not change
- BABA – What has changed
- Waiver Example

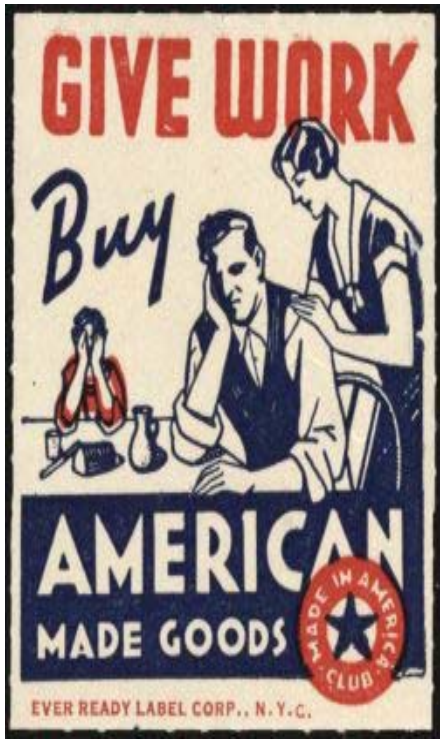
Background: FAA Buy American (BA) Preference

- **49 USC § 50101**

– Exclusive to FAA.

– Permits use of AIP funds only if **ALL** the steel or manufactured goods are produced in the US, unless waivered.

- **Different than other DOT agencies.**
  - Requires 60% not 50% US materials
  - Does not include NAFTA or International Treaties.
  - Cannot be substituted by other DOT statutes or regulations.
  - FAA Policy summarized in Appendix X of AIP Handbook.



Background: Existing Statutes

- **49 U.S.C. § 50101**
  - Requires use of 100% domestic steel and manufactured goods; 4 waivers provided
- **Section 167 of the FAA Reauthorization of 2018**
  - Waivers to be made available on FAA website, including justification and informal public notice and comment opportunity. Annual report to Congress
- **Executive Order 14005 (1/25/2021)**
  - Policy: “maximize the use of goods, products, and materials produced in the U.S.
  - Revoked EO 13788 and EO 13858. Creates “Made in America” office in OMB. Centralizes waiver review, requires advance OMB determination and reports.

Section 50101(b)(1)-(4) FAA waivers:

1. Public interest;
2. Insufficient quantity or quality of domestic steel or manufactured goods;
3. When the cost of components and subcomponents produced in the U.S. is more than 60 percent of the cost of all components *of* ***the facility or equipment*** procured and ***final assembly of the facility or equipment*** has occurred in the U.S.; or
4. Including domestic material increases cost of project by more than 25 percent

Nationwide waivers:

- HQ has approved Type 3 waivers in place for many individual equipment / material items typically required on AIP projects.
- The individual manufacturers have submitted material sourcing information to HQ in the past for a Type 3 waiver approval showing that the item was assembled in U.S. and is 60% U.S. sourced.
- Nationwide Buy American conformance list is posted on the FAA Airports Buy American website https://www.faa.gov/airports/aip/buy_american/
- If project/facility under grant is only comprised of U.S. sourced products and equipment on the Nationwide list, then a waiver request is **not** required.

BABA: What is it??

The Build America, Buy America Act (the Act), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.

- Strengthens domestic place of manufacture requirement to require at least 55% of cost of all components to occur in U.S. § 70912(6).
- Waivers of general applicability- reviewed every 5 years. § 70914(d)
  - FAA Nationwide Waivers
- Reporting. The foreign country of origin must be identified.

BABA: What is it??

- New preferences apply to all **iron**, steel, manufactured products **and construction materials**. Apply to all federal agencies.
  - For FAA, adds iron and “defines construction materials § 70914(a)
  - “construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:
  - non-ferrous metals;
  - plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
  - • glass (including optic glass); lumber; or drywall

BABA: Impact to AIP Projects

- **Very little real world impact on AIP projects**

- Preserves FAA's requirements under § 50101
  - Section 70917(a): new preferences only apply "to the extent" there are no existing preferences for iron, steel, manufactured products or construction materials.
  - FAA statute ALREADY requires that all components of an AIP building project be U.S. sourced.
- More than 60% domestic content still required for type 3 waivers.
- Construction materials. 60% requirement applies, if it is a manufactured good or used in AIP funded facility or equipment.
- Notification period. 10 days public notice of waiver required under FAA 2018 Reauthorization Act

Updated Contract Provision (11/18/2022)

A4.3.2 Certification of Compliance with FAA Buy American Preference – Construction Projects

As a matter of bid responsiveness, the bidder or offeror must complete, sign, date, and submit this certification statement with its proposal. The bidder or offeror must indicate how it intends to comply with 49 USC § 50101, BABA and other related Made in America Laws, U.S. statutes, guidance, and FAA policies, by selecting one of the following certification statements. These statements are mutually exclusive. Bidder must select one or the other (i.e., not both) by inserting a checkmark (✓) or the letter "X".

☐ Bidder or offeror hereby certifies that it will comply with 49 USC § 50101, BABA and other related U.S. statutes, guidance, and policies of the FAA by:

a) Only installing iron, steel and manufactured products produced in the United States;

b) Only installing construction materials defined as: an article, material, or supply – other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives that are or consist primarily of non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber or drywall that have been manufactured in the United States.

c) Installing manufactured products for which the Federal Aviation Administration (FAA) has issued a waiver as indicated by inclusion on the current FAA Nationwide Buy American Waivers Issued listing; or

d) Installing products listed as an Excepted Article, Material or Supply in Federal Acquisition Regulation Subpart 25.108.

By selecting this certification statement, the bidder or offeror agrees:

a) To provide to the Airport Sponsor or the FAA evidence that documents the source and origin of the iron, steel, and/or manufactured product.
b) To faithfully comply with providing U.S. domestic products.
c) To refrain from seeking a waiver request after establishment of the contract, unless extenuating circumstances emerge that the FAA determines justified.
d) Certify that all construction materials used in the project are manufactured in the U.S.

Updated Contract Provision (11/18/2022)

☐ The bidder or offeror hereby certifies it cannot comply with the 100 percent Buy American Preferences of 49 USC § 50101(a) but may qualify for a Type 3 or Type 4 waiver under 49 USC § 50101(b). By selecting this certification statement, the apparent bidder or offeror with the apparent low bid agrees:

a) To the submit to the Airport Sponsor or FAA within 15 calendar days of being selected as the responsive bidder, a formal waiver request and required documentation that supports the type of waiver being requested.

b) That failure to submit the required documentation within the specified timeframe is cause for a non-responsive determination that may result in rejection of the proposal.

c) To faithfully comply with providing U.S. domestic products at or above the approved U.S. domestic content percentage as approved by the FAA.

d) To furnish U.S. domestic product for any waiver request that the FAA rejects.

e) To refrain from seeking a waiver request after establishment of the contract, unless extenuating circumstances emerge that the FAA determines justified.

Applying for a FAA Buy American Preference Waiver

- **Construction Projects**
  - Examples: Roads, Runways, Taxiways, etc.
  - Minimum - 2 Required Forms
    - Content Percentage Worksheet
      - Applicant Information
      - Project Information
      - FAA Buy American Preference/BABA Compliance
      - Non-domestic Justifications
      - Bill of Materials
    - Final Assembly Questionnaire

- **Equipment / Building Projects**
  - Examples: Roads, Runways, Taxiways, etc.
  - Minimum - 2 Required Forms
    - Equipment/Building Content Percentage Worksheet
      - Applicant Information
      - Project Information
      - FAA Buy American Preference/BABA Compliance
      - Non-domestic Justifications
      - Bill of Materials
    - Final Assembly Questionnaire

Type 3 Waiver Example

NOT SUBJECT TO DISCLOSURE UNDER EXEMPTION # 4 OF THE FREEDOM OF INFORMATION ACT

Buy American Preference Equipment and Building Project Content Percentage Calculation Worksheet

General Instructions/Information:

This form is intended for use by applicants for FAA Buy American Preference waiver for eligible equipment and/or building airport development projects. This form and the Final Assembly Questionnaire (FAA form 137) must be submitted together for waiver requests for FAA eligible equipment and buildings. To make a determination of the product's/project's compliance to FAA Buy American Preference requirements, the FAA may request additional information as necessary. The information provided is used to make a determination of FAA Buy American Preference compliance, not on award amounts. Any proprietary information provided is protected from public disclosure by the Freedom of Information Act (FOIA) exemption # 4. Applicants may elect to send proprietary information directly to the FAA to ensure confidentiality. All waiver determinations are subject to mandatory publication on the FAA's website, where it will be available for public comment, before becoming effective for use by a grant recipient or sub-recipient. For additional information on completing this form, visit the FAA Airport Improvement Program Buy American Requirements webpage, or contact the FAA regional or airport district office associated with the airport worksite, or for assistance for other waivers, contact FAA headquarters.

Applicant Information:		Product /Project Information	
Contractor	Example, Inc.	Eligible Project/Product – Model:	Terminal Building and Parking Lot
Business Address:	Address	FAA Item Number or Award Number:	AIP Project Number
Point of Contact (Frist, Last):	POC	Total Material Cost:	$12,000,000
Email:		Total U.S. Material Content Cost Percentage:	%94.8
Telephone: ( ) -		Total Non U.S. Material Content Cost Percentage:	%5.2
		Final Assembly Location:	Airport in United States

The undersigned certifies that this information is true and accurate to the best of their knowledge. A false certification represents a violation of 18 U.S.C § 1001 and 49 U.S.C § 47126. Signatory has the burden of proof to establish compliance.

Signature: _____ Date: 2022

Print Name/Title: Contractor Project Manager

Type 3 Waiver Example

Level (0, 1, 2)	Part Number	Item Description	Quantity Per Unit	Unit of Measure	Price/Unit of Measure	US Origin Price/Unit of Measure	US Origin Cost/Each	Other Price/Unit of Measure	Other Cost/Each	Country of Non U.S. Materials
0		Terminal Building and Parking Lot	1	Each	$12,598,652	$11,787,444	$11,787,444	$811,208	$811,208	Multiple, see below
1		Structural Steel – xx Steel	1	Each	$1,505,809	$1,505,809	$1,505,809	$0	$0	Not Applicable
1		Structural Concrete -xxxx	1	Each	$910,928	$910,928	$910,928	$0	$0	Not Applicable
1		Waterproofing – xxxx Waterproofing	1	Each	$35,400	$35,400	$35,400	$0	$0	Not Applicable
1		Drywall, Framing and Ceilings – XXXX Contracting Inc.	1	Each	$698,315	$676,178.41	$676,178.41	$22,136.59	$22,136.59	Austria, Germany, Mexico, China
1		Roofing	1	Each	$349,050	$349,050	$349,050	$0	$0	Not Applicable
1		Skin Envelope -	1	Each	$648,035	$462,048.96	$462,048.96	$185,986.05	$185,986.05	Canada
1		Sliding Metal Grilles - xxxx	1	Each	$15,900	$15,900	$15,900	$0	$0	Not Applicable
1		Flooring and Tile – xxxx	1	Each	$102,910	$102,910	$102,910	$0	$0	Not Applicable
1		Building Accessories – xxxx (Toilet partitions, corner guards, mail boxes)	1	Each	$262,950	$262,950	$262,950	$0	$0	Not Applicable
1		Signage (site and Building) – xxxx Signage	1	Each	$76,500	$76,500	$76,500	$0	$0	Not Applicable
1		Hvac and Plumbing complete – XX Mechanical	1	Each	$1,552,754	$1,413,005.99	$1,413,005.99	$139,747.85	$139,747.85	Mexico, Netherlands, Canada, Italy, China

Type 3 Waiver Example

Level (0, 1, 2)	Part Number	Item Description	Quantity Per Unit	Unit of Measure	Price/Unit of Measure	US Origin Price/Unit of Measure	US Origin Cost/Each	Other Price/Unit of Measure	Other Cost/Each	Country of Non U.S. Materials
1		Earthwork and Site Utilities – Sub Contractor	1	Each	$1,950,000	$1,950,000	$1,950,000	$0	$0	Not Applicable
1		Site Concrete – XXX Concrete	1	Each	$174,000	$174,000	$174,000	$0	$0	Not Applicable
1		Decorative Fencing – XXX Farm and Fence	1	Each	$67,121	$67,121	$67,121	$0	$0	Not Applicable
1		Baggage Handling Equipment –xxxx	1	Each	$340,000	$314,840	$314,840	$25,160	$25,160	China, Mexico
1		Polished Concrete – XXX Decorative Concrete	1	Each	$30,782	$30,782	$30,782	$0	$0	Not Applicable
1		Masonry – XXX Masonry	1	Each	$51,185	$51,185	$51,185	$0	$0	Not Applicable
1		Doors, Frames and Hardware – Builders Hardware	1	Each	$116,666	$53,666.40	$53,666.40	$62,999.60	$62,999.60	China, Taiwan
1		Overhead Sectional Doors – XXX Doors	1	Each	$29,337	$29,337	$29,337	$0	$0	Not Applicable
1		Paint and Coatings	1	Each	$37,915	$37,915	$37,915	$0	$0	Not Applicable
1		Aluminum Storefront, Curtainwall and entrances	1	Each	$319,061	$319,061	$319,061	$0	$0	Not Applicable

Type 3 Waiver Example

U.S. Department of Transportation
Federal Aviation Administration

OMB CONTROL NUMBER: 2120-0569
EXPIRATION DATE: 6/30/2023

-- CONFIDENTIAL –
NOT SUBJECT TO DISCLOSURE UNDER EXEMPTION # 4
OF THE FREEDOM OF INFORMATION ACT

Buy American Preferences – Final Assembly Questionnaire

To assist the Federal Aviation Administration (FAA) in making the determination of whether final assembly of the product occurs in the United States, please complete and submit this questionnaire when requesting a Buy American Waiver under 49 USC § 50101(b)(3)(A).

Company Name: Prime Contractor Date:

FAA Eligible Item: Terminal Building and Parking Lot FAA Item Number (if applicable): AIP Project Number

Address of Final Assembly Location: Airport in United States

1. Provide a description of the assembly process occurring at the specified final location in the United States.
   a. Describe the final assembly process and its various operations.
      Construction of a New Terminal Facility consisting of terminal building and parking lot
   b. How long does the final assembly process take to complete?
      12 Months
2. Provide a description of the resources used to conduct the assembly of the product at the specified location in the United States.
   a. How many employees are involved in the final assembly process and what is the general skill level of those employees?
      Several Hundred Craft workers will cycle through the job from start to finish. from laborers to skilled journeymen workers.
   b. What type of equipment is used during the final assembly process?
      Everything from small tools, to heavy earth moving equipment.
   c. What is a rough estimate of the associated cost to conduct final assembly of the product at the specified location in the United States?
      Total Construction Cost less total material cost = $10,877,475

The undersigned certifies that this information is true and accurate to the best of their knowledge. A false certification represents a violation of 18 U.S.C § 1001 and 49 U.S.C § 47126. Signatory has the burden of proof to establish compliance.

Signature: _____

Name: Prime Contractor Representative

FAA Form 5100-137 (8/20) SUPERSEDES PREVIOUS EDITION

Key Takeaways for Alabama Projects

- Ensure latest contract provisions (updated November 2022) is included in bid documents of all FY23 projects.
- Type 3 Project Waivers are relatively common nationwide on many building projects (hangars, terminal, etc). Do not be afraid of the waiver request process if one is necessary!!
- Estimated time for full FAA approval of a Type 3 waiver is 3-4 weeks. The ADO will first notify sponsor that the waiver is approved, and then there is a 10 day period for comments on the website.
- All guidance, past approved waivers, and any Buy American updates will be on this website https://www.faa.gov/airports/aip/buy_american/
- **Questions?**

Construction Safety and Phasing Plan (CSPP)

Policy and Guidance

Requirements and Objectives

Roles and Responsibilities

Jeff Orr
Lead Civil Engineer/Program Manager
Jackson ADO

U.S. Department
of Transportation
Federal Aviation
Administration

Advisory Circular

Subject: Operational Safety on Airports During Construction	**Date:** 12/13/2017 **Initiated By:** AAS-100	**AC No:** 150/5370-2G **Change:**

1 **Purpose.**

This AC sets forth guidelines for operational safety on airports during construction.

2 **Cancellation.**

This AC cancels AC 150/5370-2F, *Operational Safety on Airports during Construction,* dated September 29, 2011.

3 **Application.**

This AC assists airport operators in complying with Title 14 Code of Federal Regulations (CFR) Part 139, *Certification of Airports*. For those certificated airports, this AC provides one way, but not the only way, of meeting those requirements. The use of this AC is mandatory for those airport construction projects receiving funds under the Airport Improvement Program (AIP). See Grant Assurance No. 34, *Policies, Standards, and Specifications*. While we do not require non-certificated airports without grant agreements or airports using Passenger Facility Charge (PFC) Program funds for construction projects to adhere to these guidelines, we recommend that they do so to help these airports maintain operational safety during construction.

4 **Related Documents.**

ACs and Orders referenced in the text of this AC do not include a revision letter, as they refer to the latest version. Appendix A contains a list of reading material on airport construction, design, and potential safety hazards during construction, as well as instructions for obtaining these documents.

5 **Principal Changes.**

The AC incorporates the following principal changes:

1. Notification about impacts to both airport owned and FAA-owned NAVAIDs was added. See paragraph 2.13.5.3, NAVAIDs.

CHAPTER 1. PLANNING AN AIRFIELD CONSTRUCTION PROJECT

1.1 Overview.

Airports are complex environments, and procedures and conditions associated with construction activities often affect aircraft operations and can jeopardize operational safety. Safety considerations are paramount and may make operational impacts unavoidable. However, careful planning, scheduling, and coordination of construction activities can minimize disruption of normal aircraft operations and avoid situations that compromise the airport's operational safety. The airport operator must understand how construction activities and aircraft operations affect one another to be able to develop an effective plan to complete the project. While the guidance in this AC is primarily used for construction operations, the concepts, methods and procedures described may also enhance the day-to-day airport maintenance operations, such as lighting maintenance and snow removal operations.

1.2 Plan for Safety.

Safety, maintaining aircraft operations, and construction costs are all interrelated. Since safety must not be compromised, the airport operator must strike a balance between maintaining aircraft operations and construction costs. This balance will vary widely depending on the operational needs and resources of the airport and will require early coordination with airport users and the FAA. As the project design progresses, the necessary construction locations, activities, and associated costs will be identified and their impact to airport operations must be assessed. Adjustments are made to the proposed construction activities, often by phasing the project, and/or to airport operations to maintain operational safety. This planning effort will ultimately result in a project Construction Safety and Phasing Plan (CSPP). The development of the CSPP takes place through the following five steps:

1.2.1 Identify Affected Areas.

The airport operator must determine the geographic areas on the airport affected by the construction project. Some, such as a runway extension, will be defined by the project. Others may be variable, such as the location of haul routes and material stockpiles.

1.2.2 Describe Current Operations.

Identify the normal airport operations in each affected area for each phase of the project. This becomes the baseline from which the impact on operations by construction activities can be measured. This should include a narrative of the typical users and aircraft operating within the affected areas. It should also include information related to airport operations: the Aircraft Approach Category (AAC) and Airplane Design Group (ADG) of the airplanes that operate on each runway; the ADG and Taxiway Design Group (TDG)[1] for each affected taxiway; designated approach visibility minimums;

CHAPTER 2. CONSTRUCTION SAFETY AND PHASING PLANS

2.1 **Overview.**

Aviation safety is the primary consideration at airports, especially during construction. The airport operator's CSPP and the contractor's Safety Plan Compliance Document (SPCD) are the primary tools to ensure safety compliance when coordinating construction activities with airport operations. These documents identify all aspects of the construction project that pose a potential safety hazard to airport operations and outline respective mitigation procedures for each hazard. They must provide information necessary for the Airport Operations department to conduct airfield inspections and expeditiously identify and correct unsafe conditions during construction. All aviation safety provisions included within the project drawings, contract specifications, and other related documents must also be reflected in the CSPP and SPCD.

2.2 **Assume Responsibility.**

Operational safety on the airport remains the airport operator's responsibility at all times. The airport operator must develop, certify, and submit for FAA approval each CSPP. It is the airport operator's responsibility to apply the requirements of the FAA approved CSPP. The airport operator must revise the CSPP when conditions warrant changes and must submit the revised CSPP to the FAA for approval. The airport operator must also require and approve a SPCD from the project contractor.

2.3 **Submit the CSPP.**

Construction Safety and Phasing Plans should be developed concurrently with the project design. Milestone versions of the CSPP should be submitted for review and approval as follows. While these milestones are not mandatory, early submission will help to avoid delays. Submittals are preferred in 8.5 × 11 inch or 11 × 17 inch format for compatibility with the FAA's Obstruction Evaluation / Airport Airspace Analysis (OE / AAA) process.

2.3.1 Submit an Outline/Draft.

By the time approximately 25% to 30% of the project design is completed, the principal elements of the CSPP should be established. Airport operators are encouraged to submit an outline or draft, detailing all CSPP provisions developed to date, to the FAA for review at this stage of the project design.

2.3.2 Submit a CSPP.

The CSPP should be formally submitted for FAA approval when the project design is 80 percent to 90 percent complete. Since provisions in the CSPP will influence contract costs, it is important to obtain FAA approval in time to include all such provisions in the procurement contract.

CHAPTER 3. GUIDELINES FOR WRITING A CSPP

3.1 General Requirements.

The CSPP is a standalone document written to correspond with the subjects outlined in paragraph 2.4. The CSPP is organized by numbered sections corresponding to each subject listed in paragraph 2.4, and described in detail in paragraphs 2.5 - 2.23. Each section number and title in the CSPP matches the corresponding subject outlined in paragraph 2.4 (for example, 1. Coordination, 2. Phasing, 3. Areas and Operations Affected by the Construction Activity, and so on). With the exception of the project scope of work outlined in Section 2. Phasing, only subjects specific to operational safety during construction should be addressed.

3.2 Applicability of Subjects.

Each section should, to the extent practical, focus on the specific subject. Where an overlapping requirement spans several sections, the requirement should be explained in detail in the most applicable section. A reference to that section should be included in all other sections where the requirement may apply. For example, the requirement to protect existing underground FAA ILS cables during trenching operations could be considered FAA ATO coordination (Coordination, paragraph 2.5.3), an area and operation affected by the construction activity (Areas and Operations Affected by the Construction Activity, paragraph 2.7.1.4), a protection of a NAVAID (Protection of Navigational Aids (NAVAIDs), paragraph 2.8), or a notification to the FAA of construction activities (Notification of Construction Activities, paragraph 2.13.5.3.2). However, it is more specifically an underground utility requirement (Underground Utilities, paragraph 2.15). The procedure for protecting underground ILS cables during trenching operations should therefore be described in 2.4.2.11: "The contractor must coordinate with the local FAA System Support Center (SSC) to mark existing ILS cable routes along Runway 17-35. The ILS cables will be located by hand digging whenever the trenching operation moves within 10 feet of the cable markings." All other applicable sections should include a reference to 2.4.2.11: "ILS cables shall be identified and protected as described in 2.4.2.11" or "See 2.4.2.11 for ILS cable identification and protection requirements." Thus, the CSPP should be considered as a whole, with no need to duplicate responses to related issues.

3.3 Graphical Representations.

Construction safety drawings should be included in the CSPP as attachments. When other graphical representations will aid in supporting written statements, the drawings, diagrams, and/or photographs should also be attached to the CSPP. References should be made in the CSPP to each graphical attachment and may be made in multiple sections.

FAA
Airports

ARP SOP 1.00

Effective Date:
October 1, 2013

Standard Operating Procedure (SOP)

FAA Evaluation of Sponsor's Construction Safety and Phasing Plans Funded by the AIP or PFC Programs

1. PURPOSE

Establish uniform procedures for the Federal Aviation Administration (FAA) Office of Airports (ARP) that address receiving, evaluating, processing, approving/disapproving and archiving Construction Safety and Phasing Plans (CSPPs) for construction projects within the Airport Operations Area (AOA).

2. SCOPE

This SOP applies to all CSPPs for airfield construction projects funded in whole or part under the Airport Improvement Program (AIP) or the Passenger Facility Charge (PFC) program.

3. CANCELLATION

This is the initial version of the SOP.

4. LIMITATIONS OF THIS SOP

The following limitations apply to this SOP:

a. The procedures outlined in this SOP only address actions necessary for the review of safety measures for the temporary construction state. These procedures do not address a review of the proposed improvements for the end-state development.

b. The requirements established within this SOP do not supersede or modify the Airport Certification Safety Inspector's (ACSI) oversight requirements of a certificate holder's compliance with Title 14 Code of Federal Regulation (CFR) Part 139.

c. The requirements established within this SOP do not supersede or modify the obligations and responsibilities of FAA ARP personnel or Airport Sponsors as they relate to compliance with applicable statutory and regulatory requirements.

d. This SOP addresses procedures necessary for complying with existing FAA policy. This SOP does not establish or modify FAA policy.

WHEN IS A CSPP REQUIRED FOR AN AIRPORT PROJECT?

Federally Funded Projects within the AOA:

Part 139 – Required.

Non-Part 139 airports - Required.

Non-Federally Funded Projects:

Non-Part 139 airports – Not Required.

Part 139 Airports – Not Required, but a CSPP is one way to meet the Part 139 requirements.

CSPP REVIEW REQUIREMENTS AND OBJECTIVES

The FAA review of a Sponsor's CSPP involves two distinct objectives that assure operation safety during airfield construction.

a. To determine conformance of the CSPP with the standards of AC 150/5370-2G.

b. To identify and mitigate any potential adverse effects construction activity may have on air navigation

CSPP REVIEW - ROLES AND RESPONSIBILITIES

Airports (ARP)

- The Project Manager (PM) assumes the lead role in receiving, reviewing, coordinating and approving CSPP submittals from the airport Sponsor.
- Reviews CSPP for conformance to AC 150/5370-2.

Airport Certification Safety Inspector (ACSI)

- The primary role of the ACSI is to provide appropriate oversight of a certificate holder's compliance with 14 CFR Part 139. Their review provides a valuable perspective that may help identify CSPP deficiencies prior to commencement of construction operations.

Air Traffic – Operations Support Group, Obstruction Evaluation Group, ATCT

- **a.** Identifying the effect on existing aeronautical operations, air traffic control procedures, and airport traffic patterns including pavement closures, revised taxi routes, traffic flow, and line of sight.
- **b.** Making recommendations for mitigating adverse effect including marking and lighting recommendations.
- **c.** Identifying whether construction objects will adversely affect published helicopter route operations and notify Flight Standards.

Flight Procedures

- **a.** Identifying the effect upon terminal area IFR operations, including transitions; radar vectoring; holding; instrument departure procedures; any segment of a standard instrument approach procedure (SIAP).
- **b.** Indicating what adjustments can be made to the procedure or object to mitigate or eliminate any adverse effects of the object structure on an instrument flight procedure.

Flight Standards

- **a.** Identifying the effect on fixed−wing and helicopter VFR routes, terminal operations, and other VFR traffic.
- **b.** Reviewing any proposal with runways, taxiways, and/or ramp surfaces underlying threshold−siting surfaces and proposals for declared distance concepts.
- **c.** When requested by air traffic, evaluate the mitigation of adverse effect on VFR operations for marking and/or lighting of structures

Technical Operations

- **a.** Identifying any electromagnetic or physical effect on air navigation and communications facilities, including underground cables.
- **b.** Reviewing and evaluating ATCT line of sight shadow studies.

Military

Military Services (Air Force, Army and Navy) evaluate the effect on airspace and routes used by the military.

F.1. Checklist for FAA CSPP Review

Airport Name: _____ LOCID: _____

Associate City: _____

Project No. _____

F.1.1. AC 150/5370-2F

This checklist identifies the main elements and sub-elements established under Section 2, Chapter 2 of Advisory Circular 150/5370-2F. Project Managers (PM) are encouraged to use this checklist as an aid when reviewing a Sponsor's CSPP for conformance to the safety standards. Because the PM's approval/disapproval letter represents the official FAA action, a completed checklist is not a required record the PM must sign or archive in the grant file.

CSPP Element	Element Addressed?			Remarks
	Yes	No	N/A	
Coordination (Section 205)				
– Contractor Progress Meetings				
– Addresses necessary actions when changes are proposed to CSPP				
– Provisions for FAA ATO Coordination				
Phasing (Section 206)				
– Phase Elements				
– Construction Safety Drawings				
Area and Operations Affected by Construction Activity (Section 207)				
– Identification of affected Areas				
– Mitigation Affects				
Navigation Aid Protection (Section 208)				
– Operational NAVAID Critical areas				
Contractor Access (Section 209)				
– Location of Stockpiles Construction Material				
– Vehicle and Pedestrian Operations				
Wildlife Management (Section 210)				
– Trash				
– Standing Water				
– Tall Grass				
– Fencing and Gates				
– Disruption of Wildlife Habitat				
Foreign Object Debris (Section 211)				
– FOD Control Measures				
Hazardous Material Management (Section 212)				
– Hazardous Material Controls				

CSPP Element	Element Addressed?			Remarks
	Yes	No	N/A	
Notification of Construction Activities (Section 213)				
– List of Responsible Representatives				
– NOTAMs				
– Emergency Notification Procedures				
– Coordination with ARFF				
– Notification to the FAA (Part 77, NAVAIDs….)				
Inspection Requirements (Section 214)				
– Daily Inspections				
– Final Inspections				
Underground Utilities (Section 215)				
– Procedures for protecting existing underground utilities				
Penalties (Section 216)				
– Penalty provisions for noncompliance with safety plan provisions				
Special Conditions (Section 217)				
– Unique conditions that may affect the operation of the airport				
Runway and Taxiway Visual Aids (Section 218)				
– General – Convey Clear Meaning; Secured from movement; Frangible				
– Markings				
– Lighting and Visual NAVAIDs				
– Signage				
Access Routes - Marking and Signage (Section 219)				
– Haul Road Demarcation				
Hazard Marking, Lighting and Signage (Section 220)				
– Areas Impacted by Construction Operations				
– Equipment				
Protection Runway and Taxiway Areas, Zones and Surfaces (Section 221)				
– Runway Safety Area (RSA)				
– Runway Object Free Area (ROFA)				
– Taxiway Safety Area (TSA)				
– Taxiway Object Free Area (TOFA)				
– Obstacle Free Zone (OFZ)				
– Approach and Departure Surfaces				
Other Limitations on Construction (Section 222)				
– Prohibitions				
– Restrictions				

F.1.2. 14 CFR Part 139

This listing highlights sections of 14 CFR Part 139 that specifically address requirements of a certificate holder whenever construction operations occur on their airfield. This listing was established by searching 14 CFR Part 139 for the following key terms; "construct", "contract" and "protect". The provision of this listing does not preclude or diminish the ACSI's enforcement of other Part 139 requirements.

While the PM shall be cognizant of these Part 139 requirements when reviewing the CSPP for conformance to the standards presented under AC 150/5370-2, such review does not supersede the ACSI's oversight of the certificate holder's compliance with Part 139.

14 CFR Part 139 Section	Element Addressed?			Remarks
	Yes	No	N/A	
§139.327 Self-inspection program				
– Daily Inspection				
– Final Inspection				
§ 139.329 Pedestrians and ground vehicles – Training				
– Safe and orderly access to work area				
– Communication with ATCT				
– Training – Vehicle and Pedestrian				
§139.333 Protection of NAVAIDs				
– Protection of NAVIADS against Damage				
– Prevent interruption of visual or electronic signal from NAVAID				
§ 139.335 Public protection				
– Safeguards to prevent inadvertent entry to the movement area by unauthorized persons or vehicles				
– Protection of persons and property from aircraft blast				
§ 139.339 Airport condition reporting (NOTAMs)				
– Notify airport users of construction or maintenance activity on movement areas, safety areas, or loading ramps and parking areas				
§ 139.341 Identifying, marking, and lighting construction and other unserviceable areas				
– Mark (and light) construction areas and unserviceable areas				
– Mark (and light) equipment and haul route				
– Mark (and light) NAVAID critical areas.				
– Locate and protect existing utilities				

CSPP Narrative Report

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Project Manager/Civil Engineer
Airports Division
Federal Aviation Administration
Email: Inez.Williams@faa.gov
Phone: 601-664-9886

CSPP Narrative Report

- **Aviation safety is the primary consideration at airports, especially during construction.**
- **The airport operator's CSPP and the contractor's Safety Plan Compliance Document (SPCD) are the primary tools to ensure safety compliance when coordinating construction activities with airport operations.**

CSPP & SPCD

- **CSPP –** Construction Safety and Phasing Plans
- **SPCD –** Safety Plan Compliance Document
- These documents identify all aspects of the construction project that pose a potential safety hazard to airport operations and outline respective mitigation procedures for each hazard.
- They must provide information necessary for the Airport Operations department to conduct airfield inspections and expeditiously identify and correct unsafe conditions during construction.

*** It is important to note, that details that cannot be determined at the stage of CSPP, are to be included in the SPCD**

Structure of the CSPP

1. Coordination – *Include a detailed description of conferences and meetings held before and during the project*

a) Contractor progress meetings

b) Scope or schedule changes

c) FAA ATO coordination

2. Phasing – *Include a detailed scope of work for the whole project, and each phase of work covered by the CSPP*

a) Phase elements

b) Construction safety drawings

3. Area and operations affected by the construction activity – *Focus on identifying the areas and operations affected by construction. Describe corresponding mitigation that isn't covered thoroughly in the CSPP*

a) Identification of affected areas

b) Mitigation of effects

4. Protection of navigation aids (NAVAIDs) – *List all NAVAID facilities that will be affected by the construction. Identify NAVAID facilities that will be placed out of service at any time prior to or during construction activities.*

Structure of the CSPP

5. Contractor access – *This will be the most extensive section of the CSPP. Provide sufficient detail so that a contractor not experienced in working on airports will understand the unique restrictions.*

6. Wild Life Management – *Discuss wildlife management procedures. Describe the maintenance of the existing wildlife mitigation devices and procedures to limit wildlife attractions.*

a) Trash
b) Standing Water
c) Tall grass and seeds
d) Poorly maintained fencing and gates.
e) Disruption of existing wildlife habitat

7. Foreign Object Debris (FOD) Management – *Discuss methods to control and monitor FOD: worksite housekeeping, ground vehicle tire inspections, runway sweeps, and so on.*

8. Hazardous materials (HAZMAT) management – *Describe HAZMAT management procedures: fuel deliveries, spill recovery procedures, safety data sheet, Material safety data sheet or product safety data sheet.*

Structure of the CSPP cont.

9. Notification of construction activities – *List the names and telephone numbers of points of contact for all parties affected by the construction project.*

a) Maintenance of a list of responsible representatives/ points of contact.
b) NOTAM
c) Emergency notification procedures
d) Coordination with ARFF Personnel
e) Notification to the FAA

10. Inspection Requirements – *Describe inspection requirements to ensure airfield safety compliance. Include a requirement for routine inspections by the resident engineer or other airport operator's representative and the construction contractors.*

a) Daily (or more frequent) Inspections
b) Final Inspections

11. Underground Utilities – *Explain how existing underground utilities will be located and protected. Identify each utility owner and include information for each company/ agency in the master list.*

Structure of the CSPP cont.

12. Penalties – *Describe specific penalties imposed for noncompliance with airport rules and regulations, including the CSPP: SIDA violations, VPD, and others*

13. Special conditions – *Identify any special conditions that may trigger specific safety mitigation actions outlined in this CSPP: low visibility operations, snow removal, aircraft in distress etc.*

14. Runway and taxiway visual aids. Marking, lighting, signs, and visual NAVAIDS – *Include marking, lighting, signs, and visual NAVAIDS*

a) General
b) Markings
c) Lighting and visual NAVAIDs
d) Signs, temporary, including orange construction signs, and permanent signs.

15. Markings and signs for access routes – *Detail plans for marking and signs for vehicle access routes.*

16. Hazard marking and lighting – *Specify all marking and lighting equipment, including when and where each type of device is to be used.*

a) Purpose
b) Equipment

Structure of the CSPP cont.

17. Work zone lighting for nighttime construction (if applicable) – *If work is to be conducted at night, specify all lighting equipment, including when and where each type of device is used.*

18. Protection of runway and taxiway safety areas, object free areas, obstacle free zones, and approach/departure surfaces – *This sections should focus exclusively on procedures for protecting all safety areas, including those altered by the construction: methods of demarcation, limit of access, movement within safety areas, stockpiling and trenching restrictions, etc*

a) Runway Safety Area (RSA)

b) Runway Object Free Area (ROFA)

c) Taxiway Safety Area (TSA). Provide details for any adjustments to Taxiway Safety Area width to allow continued operation of smaller aircraft. See paragraph 2.22.3

d) Taxiway Object Free Area (TOFA). Provide details for any continued aircraft operations while construction occurs within the TOFA. See paragraph 2.22.4.

e) Obstacle Free Zone (OFZ).

f) Runway approach/ departure surfaces

Structure of the CSPP cont.

19. Other limitations on construction – *Describe what limitations must be applied to each area of work and when the limitation should be applied: limitations due to airport operations, height restrictions, areas which cannot be worked at simultaneously, day/ night work restrictions etc.*

a) Prohibitions

b) Restrictions

FAA

Office of Airports

Topic:

Airspace Analysis and Construction Safety Phasing Plans

Presented to:

By:

Luke Flowers, Program Manager
FAA/Airports District Office
Jackson, MS

February 15, 2023

Airspace Analysis

- **Notice of Proposed Construction or Alteration (FAA Form 7460-1)**
  - Required to be submitted for all construction off and on airport that exceed the heights established in **Part 77.9 Construction or alteration requiring notice.**
  - Equipment for permanent proposals.
  - FAA coordinates the proposed construction with all LOBs to determine what effects it may have on airspace and landing areas.

Notice of Construction On Airport

- **It is imperative that all new structures that are planned to be constructed on airport be studied to determine effect to airspace.**
- **7460-1 must be filed no later than 45 days prior to allow time for review and determination.**
- **Failure to provide these notices of construction is a violation of grant assurances as required by Order 5190.6B - FAA Airport Compliance Manual**
- **Chapter 20 of this Order, Compatible Land Use and Airspace Protection, provides additional information relating to Grant Assurance 20, Hazard Removal and Mitigation, and obstruction protection.**

NRA Case Proposals Required for:

- ❑ Buildings
- ❑ Temporary Cranes
- ❑ Fences & Power Lines
- ❑ Solar Facilities
- ❑ Construction Safety Phasing Plans (CSPP)
- ❑ Airport Layout Plans
- ❑ Modification of airport design standards
- ❑ Any other airport case when deemed necessary to assess the safe and efficient use of the navigable airspace by aircraft and/or the safety of persons and property on the ground.

Temporary Construction Objects

Submit separate study for all vertical projects

Examples

- **Construction access routes**
- **Staging areas**
- **Equipment (cranes, signage, etc.)**
- **Material stockpiles**
- **Batch plants**

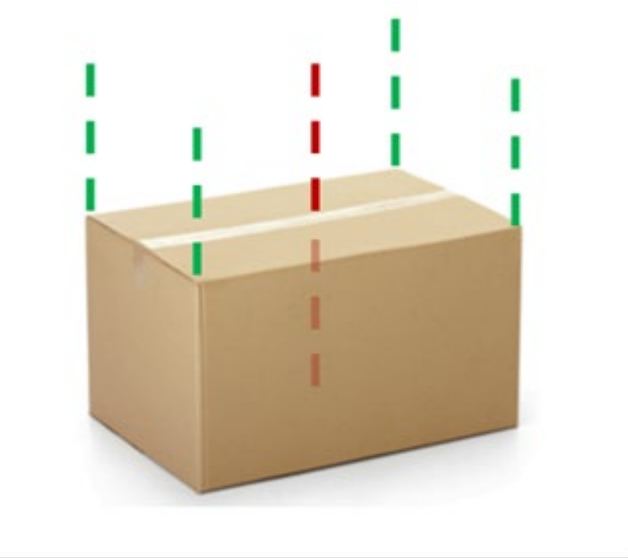
7460 studies should be completed prior to CSPP development to allow early identification of aeronautical impacts.

Do not wait until after bids to submit temporary object studies

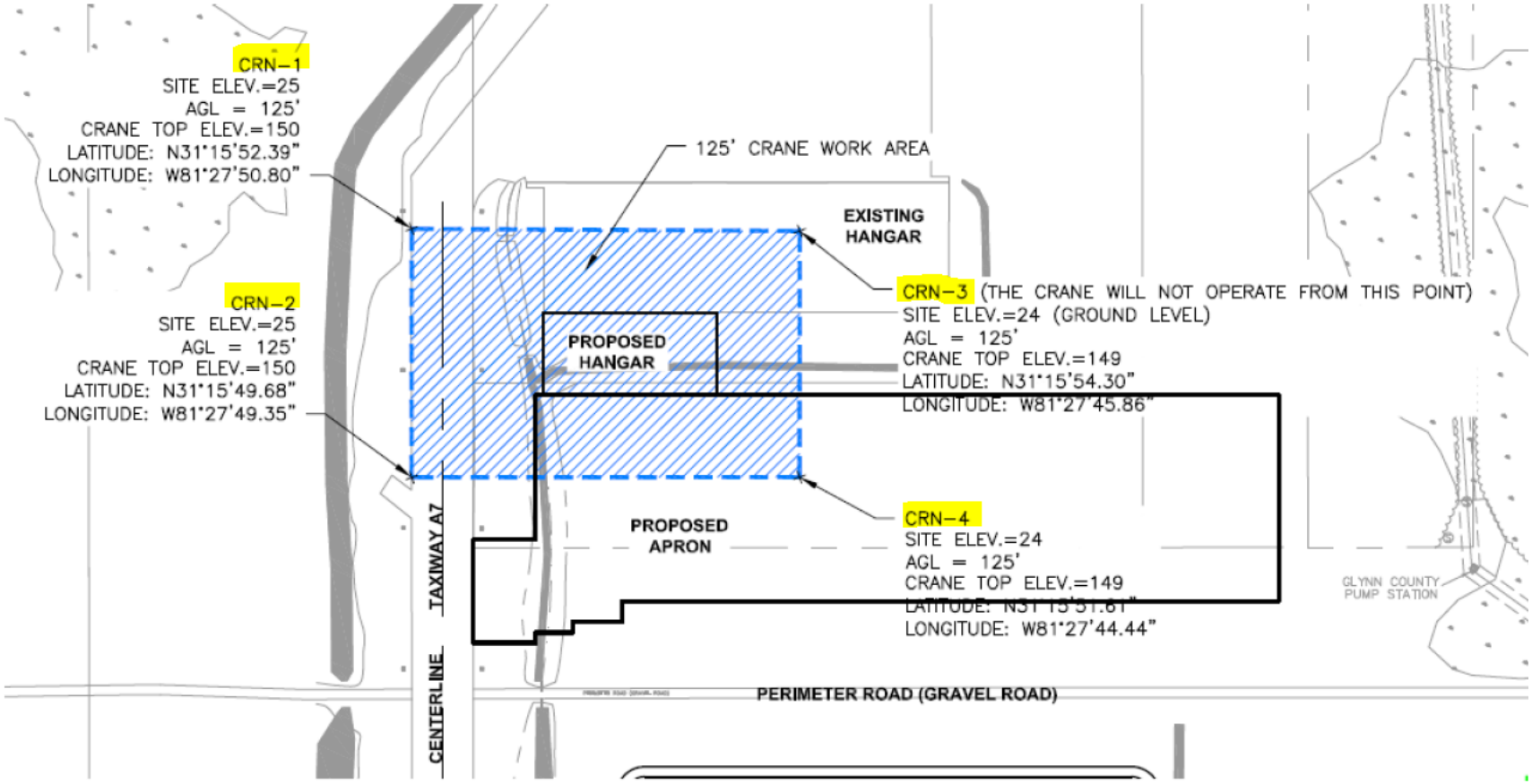
Identifying Objects

Object/Group	Points-of-Interest	Height	Remarks
Work Site Area	– Corners of work area boundary – Phase boundary limits – Select points based on terrain change or proximity to other airfield elements	– Height of highest piece of equipment (as extended) that is anticipated to operate in various locations of the work area (e.g. 25' agl)	– Encourage Sponsor to initiate these studies prior to submittal of CSPP to FAA – If project is phased, identify the area boundaries per phase limits – Identify areas that may still have work activities **after** runway is re-opened
Equipment Parking	– Corners of parking area	– Height of highest piece of equipment (e.g. 15' agl)	– Encourage Sponsor to initiate these studies prior to submittal of CSPP to FAA – May be combined with staging area
Staging area	– Corners of staging area	– Height of highest piece of equipment or material stockpile	– Encourage Sponsor to initiate these studies prior to submittal of CSPP to FAA – May include batch plant information
Stockpile	– Corners of area designated for material stockpiles	– Height of anticipated stockpile (e.g. 25' agl) – If equipment operates on top or above stockpile, add height of equipment to stockpile elevation	– Encourage Sponsor to initiate these studies prior to submittal of CSPP to FAA – Recommend Sponsor establish contractual limits on stockpile heights (e.g. "must not exceed 25' agl")
Batch Plant	– Corners of area reserved for batch plant.	– Height of the highest appurtenance on the	– Typically submitted by contractor – Assume highest point occurs at all

Determining points for Temporary Cranes



Determining points for Temporary Cranes



Best Practices for submitting Temporary Cranes

- **The highest site elevation, or finished grade elevation in the box area should be recorded as the site elevation (SE).**
- **The tallest point on the crane boom(s) should be recorded as the above ground elevation (AGL), and the closest point of the crane boom to the nearest runway should be recorded as the latitude/longitude for the case.**
- **In the Description of Proposal field, state that the data submitted is the point of the crane boom that is closest to the nearest runway and the tip of the boom.**

Survey Accuracy Codes

- Survey Accuracy Code is 4D for all cases entered by the proponent
- ADO can change Accuracy Code if proponent provides stamped survey
- Recommend proponent obtain 1A survey when necessary
- Accuracy Code 4D: + 250’ Horizontal
  + 50’ Vertical
- Accuracy Code 2C: + 50’ Horizontal
  + 20’ Vertical
- Accuracy Code 1A: + 20’ Horizontal
  + 3’ Vertical

Permanent Construction Objects

Examples

- **Buildings**
- **Vaults**
- **Pole**

7460 permanent object studies should be completed prior to CSPP development to allow early identification of aeronautical impacts.

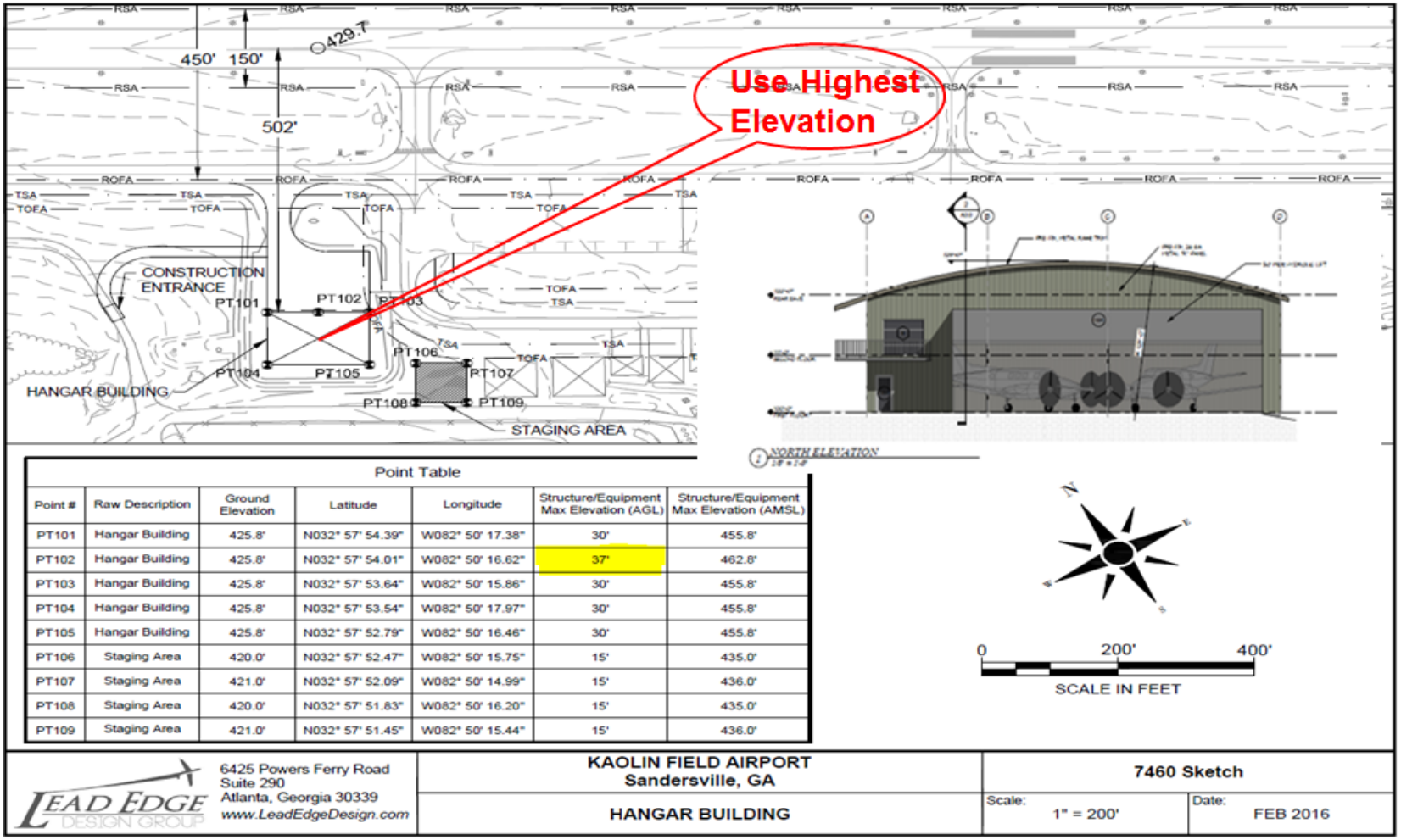
AIP funded development should submit the Part 77 notification for permanent objects early in the design phase.

Best Practices for submitting Buildings

FAA JO 7400.2K provides for a efficient method by allowing the proponent to submit one case point in iOE/AAA. This information would be considered worst case. Here's what is needed when you can process the case with one point:

- **The highest site elevation, or finished ground elevation should be recorded as the site elevation (SE).**
- **The tallest point on the building should be recorded as the above ground elevation (AGL).**
- **Plan view drawing indicating the building corners Lat/Log w/elevations.**
- **In the Description of Proposal field, state that the data submitted is the point of the building that is closest to the nearest runway and the tallest point of the building.**

Determining points for Buildings



Point Table

Point #	Raw Description	Ground Elevation	Latitude	Longitude	Structure/Equipment Max Elevation (AGL)	Structure/Equipment Max Elevation (AMSL)
PT101	Hangar Building	425.8'	N032° 57' 54.39"	W082° 50' 17.38"	30'	455.8'
PT102	Hangar Building	425.8'	N032° 57' 54.01"	W082° 50' 16.62"	37'	462.8'
PT103	Hangar Building	425.8'	N032° 57' 53.64"	W082° 50' 15.86"	30'	455.8'
PT104	Hangar Building	425.8'	N032° 57' 53.54"	W082° 50' 17.97"	30'	455.8'
PT105	Hangar Building	425.8'	N032° 57' 52.79"	W082° 50' 16.46"	30'	455.8'
PT106	Staging Area	420.0'	N032° 57' 52.47"	W082° 50' 15.75"	15'	435.0'
PT107	Staging Area	421.0'	N032° 57' 52.09"	W082° 50' 14.99"	15'	436.0'
PT108	Staging Area	420.0'	N032° 57' 51.83"	W082° 50' 16.20"	15'	435.0'
PT109	Staging Area	421.0'	N032° 57' 51.45"	W082° 50' 15.44"	15'	436.0'

LEAD EDGE DESIGN GROUP
6425 Powers Ferry Road
Suite 290
Atlanta, Georgia 30339
www.LeadEdgeDesign.com

KAOLIN FIELD AIRPORT
Sandersville, GA

HANGAR BUILDING

7460 Sketch

Scale: 1" = 200'

Date: FEB 2016

Additional Data items may be requested for Building Cases

- **Site plan depicting building footprint and also depicting location of where filed latitude/longitude coordinates are located on site plan with orientation reference to True North.**
- **Site plan with airport layout showing orientation to runway(s).**
- **Physical building dimensions.**
- **Vertical profile drawing for each building side.**
- **Reference CSPP SOP Table 1 for CSPP review requirements. (Note: the CSPP will still need to be submitted as a separate study for a separate determination) Type of roof construction with vertical profile detail showing pitch, orientation with respect to the building footprint.**
- **Material Composition of roof and exterior facade of building.**
- **Identify any additional exterior metallic roof top or lateral building appurtenances such as air handlers, duct-work, railing systems, and antenna systems, lightning protection, etc.**

Best Practices for submitting Fences

Fence cases should be submitted with the following information:

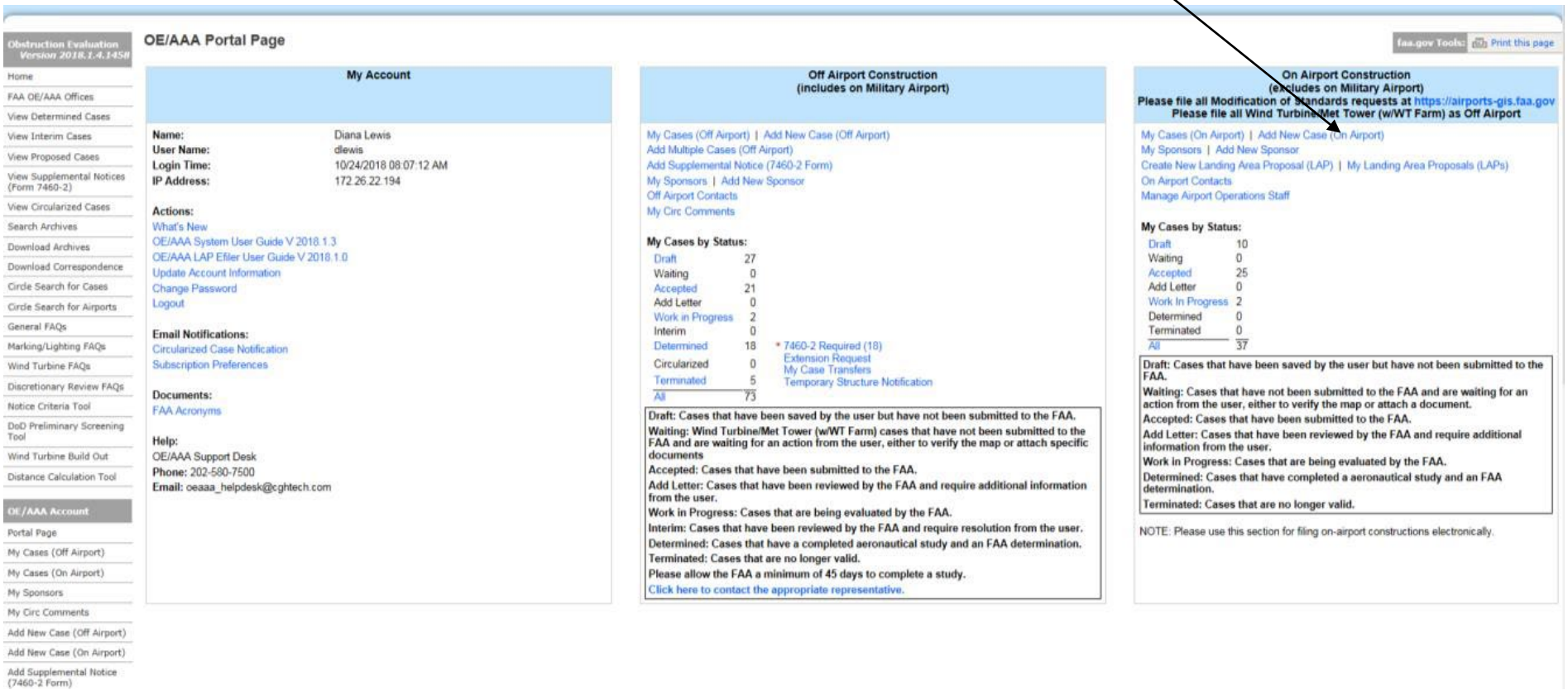
Do not submit every fence post.

Process for Fence Cases:

- **Obtain a site plan depicting the fence alignment.**
- **Each transition point of the alignment should be entered on a plan sheet.**
- **ADO should screen drawing to assess if specific points may be needed by LOBs**
  - If shielded by trees, buildings, etc…then evaluation is not needed for that fence section.
  - If fence in approach is below threshold elevation, evaluation may not be need for that fence section.
- **Contact LOB if required**
- **Determine number of cases required**

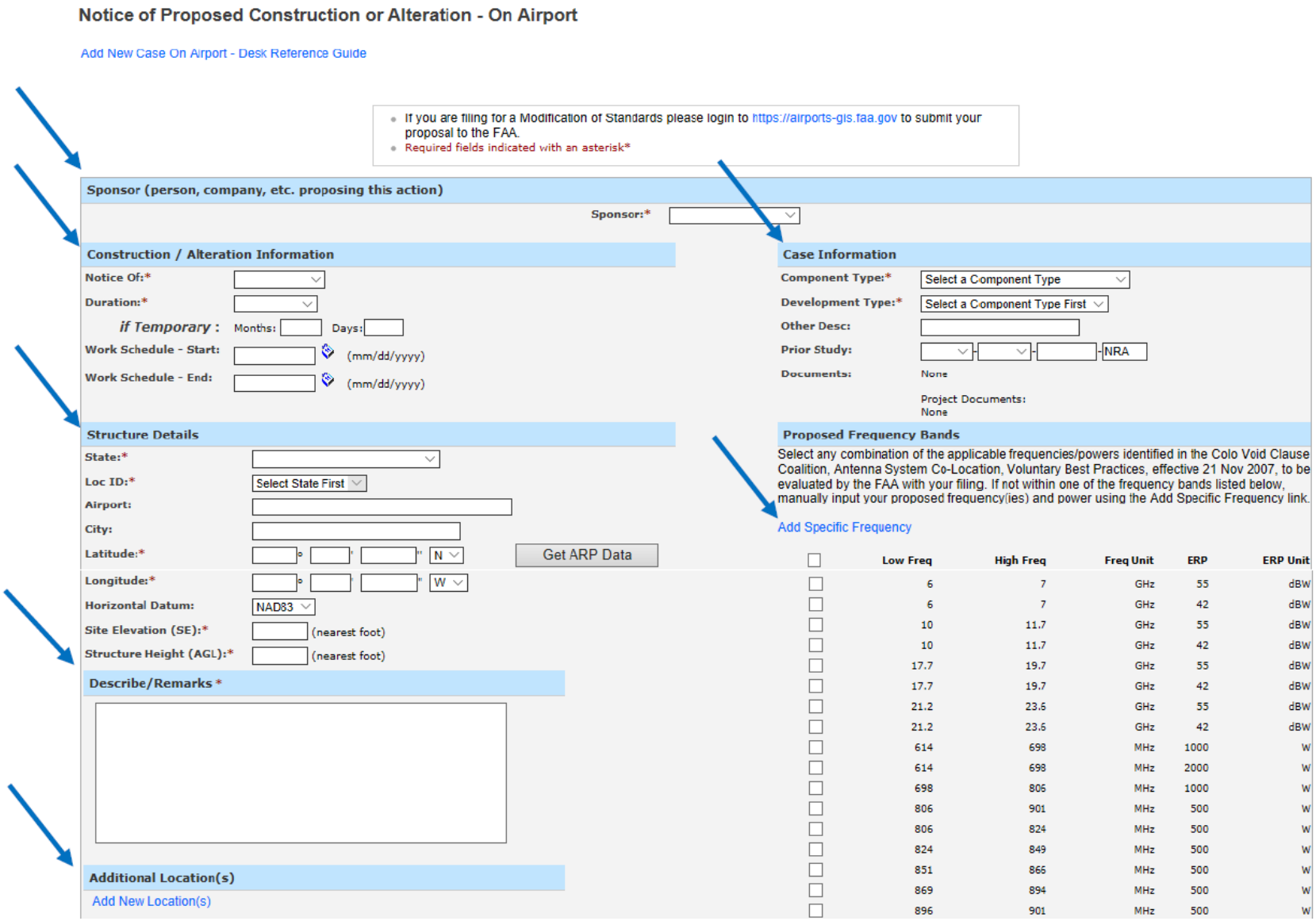
Additional recommend submittals with case

- **Fabrication material and fence detail sheet.**
- **Case remarks should accurately describe proposal fence project.**
- **Fence sections in runway approach areas, near NAVAIDS or at hub airports may require multiple points of interest for responding LOB evaluators.**


Obstruction Evaluation
Version 2018.1.4.1458
Home
FAA OE/AAA Offices
View Determined Cases
View Interim Cases
View Proposed Cases
View Supplemental Notices (Form 7460-2)
View Circularized Cases
Search Archives
Download Archives
Download Correspondence
Circle Search for Cases
Circle Search for Airports
General FAQs
Marking/Lighting FAQs
Wind Turbine FAQs
Discretionary Review FAQs
Notice Criteria Tool
DoD Preliminary Screening Tool
Wind Turbine Build Out
Distance Calculation Tool
OE/AAA Account
Portal Page
My Cases (Off Airport)
My Cases (On Airport)
My Sponsors
My Circ Comments
Add New Case (Off Airport)
Add New Case (On Airport)
Add Supplemental Notice (7460-2 Form)
OE/AAA Portal Page
faa.gov Tools:
Print this page
My Account
Name: Diana Lewis
User Name: dlewis
Login Time: 10/24/2018 08:07:12 AM
IP Address: 172.26.22.194
Actions:
What's New
OE/AAA System User Guide V 2018.1.3
OE/AAA LAP Efiler User Guide V 2018.1.0
Update Account Information
Change Password
Logout
Email Notifications:
Circularized Case Notification
Subscription Preferences
Documents:
FAA Acronyms
Help:
OE/AAA Support Desk
Phone: 202-580-7500
Email: oeaaa_helpdesk@cghtech.com
Off Airport Construction
(includes on Military Airport)
My Cases (Off Airport) | Add New Case (Off Airport)
Add Multiple Cases (Off Airport)
Add Supplemental Notice (7460-2 Form)
My Sponsors | Add New Sponsor
Off Airport Contacts
My Circ Comments
My Cases by Status:
Draft 27
Waiting 0
Accepted 21
Add Letter 0
Work in Progress 2
Interim 0
Determined 18
Circularized 0
Terminated 5
All 73
* 7460-2 Required (18)
Extension Request
My Case Transfers
Temporary Structure Notification
Draft: Cases that have been saved by the user but have not been submitted to the FAA.
Waiting: Wind Turbine/Met Tower (w/WT Farm) cases that have not been submitted to the FAA and are waiting for an action from the user, either to verify the map or attach specific documents
Accepted: Cases that have been submitted to the FAA.
Add Letter: Cases that have been reviewed by the FAA and require additional information from the user.
Work in Progress: Cases that are being evaluated by the FAA.
Interim: Cases that have been reviewed by the FAA and require resolution from the user.
Determined: Cases that have a completed aeronautical study and an FAA determination.
Terminated: Cases that are no longer valid.
Please allow the FAA a minimum of 45 days to complete a study.
Click here to contact the appropriate representative.
On Airport Construction
(excludes on Military Airport)
Please file all Modification of Standards requests at https://airports-gis.faa.gov
Please file all Wind Turbine/Met Tower (w/WT Farm) as Off Airport
My Cases (On Airport) | Add New Case (On Airport)
My Sponsors | Add New Sponsor
Create New Landing Area Proposal (LAP) | My Landing Area Proposals (LAPs)
On Airport Contacts
Manage Airport Operations Staff
My Cases by Status:
Draft 10
Waiting 0
Accepted 25
Add Letter 0
Work In Progress 2
Determined 0
Terminated 0
All 37
Draft: Cases that have been saved by the user but have not been submitted to the FAA.
Waiting: Cases that have not been submitted to the FAA and are waiting for an action from the user, either to verify the map or attach a document.
Accepted: Cases that have been submitted to the FAA.
Add Letter: Cases that have been reviewed by the FAA and require additional information from the user.
Work in Progress: Cases that are being evaluated by the FAA.
Determined: Cases that have completed a aeronautical study and an FAA determination.
Terminated: Cases that are no longer valid.
NOTE: Please use this section for filing on-airport constructions electronically.

Add New Case On Airport

- Important: You must complete all required fields (indicated with an asterisk *) to successfully save your case.
- Missing data will result in a message at the top of your page identifying the required information.


Notice of Proposed Construction or Alteration - On Airport
Add New Case On Airport - Desk Reference Guide
If you are filing for a Modification of Standards please login to https://airports-gis.faa.gov to submit your proposal to the FAA.
Required fields indicated with an asterisk*
Sponsor (person, company, etc. proposing this action)
Sponsor:*
Construction / Alteration Information
Notice Of:*
Duration:*
if Temporary :
Months:
Days:
Work Schedule - Start:
(mm/dd/yyyy)
Work Schedule - End:
(mm/dd/yyyy)
Structure Details
State:*
Loc ID:*
Select State First
Airport:
City:
Latitude:*
N
Get ARP Data
Longitude:*
W
Horizontal Datum:
NAD83
Site Elevation (SE):*
(nearest foot)
Structure Height (AGL):*
(nearest foot)
Describe/Remarks *
Additional Location(s)
Add New Location(s)
Case Information
Component Type:*
Select a Component Type
Development Type:*
Select a Component Type First
Other Desc:
Prior Study:
NRA
Documents:
None
Project Documents:
None
Proposed Frequency Bands
Select any combination of the applicable frequencies/powers identified in the Colo Void Clause Coalition, Antenna System Co-Location, Voluntary Best Practices, effective 21 Nov 2007, to be evaluated by the FAA with your filing. If not within one of the frequency bands listed below, manually input your proposed frequency(ies) and power using the Add Specific Frequency link.
Add Specific Frequency
Low Freq
High Freq
Freq Unit
ERP
ERP Unit
6 7 GHz 55 dBW
6 7 GHz 42 dBW
10 11.7 GHz 55 dBW
10 11.7 GHz 42 dBW
17.7 19.7 GHz 55 dBW
17.7 19.7 GHz 42 dBW
21.2 23.6 GHz 55 dBW
21.2 23.6 GHz 42 dBW
614 698 MHz 1000 W
614 698 MHz 2000 W
698 806 MHz 1000 W
806 901 MHz 500 W
806 824 MHz 500 W
824 849 MHz 500 W
851 866 MHz 500 W
869 894 MHz 500 W
896 901 MHz 500 W

Cloning Cases & Creating Projects

- **Cloning**
  - Decreases the amount of data entry necessary to create a new case that has many of the same attributes as an existing case.

- **Projects**
  - Links individual cases together as a group.
  - Gives the reviewers a better understanding of project
  - Determination letter can include multiple ASN's.

Clone a Case

- **Another way to add a case to the project is to clone a new case from an existing case.**
- **E-filers can clone cases from the Project Summary screen of cases in their account regardless of the status (i.e. Draft/Submitted).**
- **To clone a case, click the Clone link. The cloning feature will copy most of the information over into a new Case Data Entry screen and link the cases together in a project.**
- **You may add as many cloned cases to your project as necessary.**
- **Once all of the maps for the project have been verified, the [Submit] button will appear on the Project Summary screen so that the entire project can be submitted to the FAA.**

Grouping Projects

- One or more cases can be grouped into a Project. For example, each of the four building corner points can be a Case of a building Project. Project makes it easier to file, evaluate, manage, and approve related cases.

Project Summary: Bric-144483208-11

Add Another Case to this Project

Structure	City, State	Lat/Long	Map	Document	Actions	Latest Letter
ROCKY SPRINGS AIRPARK Draft	BREMEN, AL	34°04'25.00"N 86°56'44.00"W	✕ Verify Map	✕	Upload a PDF Clone Delete	None
ROCKY SPRINGS AIRPARK Draft	BREMEN, AL	34°04'11.00"N 86°56'12.00"W	✕ Verify Map	✕	Upload a PDF Clone Delete	None
ROCKY SPRINGS AIRPARK Draft	BREMEN, AL	34°04'11.02"N 86°56'12.11"W	✕ Verify Map	✕	Upload a PDF Clone Delete	None
ROCKY SPRINGS AIRPARK Draft	BREMEN, AL	34°04'11.07"N 86°56'12.13"W	✕ Verify Map	✕	Upload a PDF Clone Delete	None

Mapping - Desk Reference Guide V_2014.2.0 Attaching Documents - Desk Reference Guide V_2014.2.0

Upload a PDF to the Test Project

To submit this project, you must verify the coordinates and attach a Document for each case listed above.

Construction Safety Phasing Plans (CSPP)

- Required for all on-airfield projects
  - Reference AC 150/5370-2F, Operational Safety on Airports During Construction
- OE/AAA Airspace Study
  - Allow minimum 45 days for coordination
  - Complete with FAA determination prior to pre-construction conference
  - On Airport & Off Airport
- Please use SOP 1 and checklist:

https://www.faa.gov/airports/resources/sops/media/arp-SOP-100-CSPP-Eval.pdf

CSPP

- **The review of a CSPP through the OE/AAA system is unlike the review of a specific object or structure.**
- **The review of a CSPP in OE/AAA typically addresses the general location, character and overall safety mitigation detail of the proposed project.**
- **Identify possible unacceptable adverse effects on existing aeronautical operations, air traffic control procedures, and airport traffic patterns including:**

(1) Pavement closures

(2) Revised taxi routes

(3) Traffic flow

(4) Line of sight

(5) Resource limitations (facilities, equipment and personnel)

CSPP Coordination via iOE/AAA

The review of a CSPP through the iOE/AAA system does not fully establish whether or not construction objects will have an adverse effect on navigable airspace.

ARP Responsibilities

Responsible for reviewing, coordinating, and approving CSPPs with the other FAA lines of businesses

CSPP SOP – Review Requirements

	AIP Funded Projects (Includes partial AIP participation) [1]		PFC Funded Projects (100%)	Non-Federally Funded Projects	
	Part 139	Non-Part 139	Part 139	Part 139	Non-Part 139
Part 77 Notice (Construction Objects) [2]					
Within AOA	Required	Required	Required	Required	Required
Outside of AOA	Required	Required	Required	Required	Required
Sponsor Preparation and Submittal of a CSPP [3]					
Within AOA	Required	Required	Required	Certificate holder must comply with §139 requirements4	Not Required
Outside of AOA	Not Required	Not Required	Not Required	Not Required	Not Required
PM Review of CSPP for Conformance to AC 150/5370-2 Standards [5]					
Within AOA	Required	Required	Not Required[6]	Not required	Not Required
Outside of AOA	Not Required	Not Required	Not Required	Not Required	Not Required
ACSI Review of CSPP for Compliance with Part 139 [7]					
Within AOA	ACSI Discretion	Not Required	ACSI Discretion	ACSI Discretion	Not Required
Outside of AOA	Not Required	Not Required	Not Required	Not Required	Not Required

Process via iOE/AAA

- **Proponent creates NRA airspace case**
  - Enter the Airport Reference Point for Lat./Long.
  - Enter “0” for site elevation (SE)
  - Enter “0” for above ground level (AGL)
- **Input Case Information:**
  - **Component Type:** Construction Safety Plan
  - **Development Type:** Constr. Safety Plan – Miscellaneous
  - **Describe/Remarks:** Add a brief description of study. Example: *Airspace review of the construction safety phasing plan for an apron reconstruction project at XYZ airport. Additional airspace studies included in the associated project which includes the work site area, equipment parking, and staging area.*

Importance of Following the CSPP

- **Must adhere to all the requirements approved on the CSPP**
- **Please read and follow all comments in the 7460 determination letter! These comments come from all LOBs.**
- **We have found many instances when contractor and engineer are not following the CSPP.**
- **Violations:**
  - Aircraft / construction accidents could result in injuries and fatalities
  - Assurance 20, Hazard Removal and Mitigation, and obstruction protection could result in possible civil penalties from FAA
- **Safety is the most important on all airport projects and should be taken serious by all parties.**
- **All CSPPs should be developed in accordance with the SOP and AC 150/5370-2F, Operational Safety on Airports During Construction**

Questions

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FAA & NEPA

for Sponsors and Consultants

Eric Tomasovic

Environmental Protection Specialist (EPS)

JAN ADO, Jackson, MS

National Environmental Policy Act of 1969

(C) include in every recommendation…

…a detailed statement by the responsible official on—

- (i) the environmental impact of the proposed action;
- (ii) any adverse effects that cannot be avoided;
- (iii) alternatives to the proposed action;
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and
- (v) any irreversible and irretrievable commitments of resources that would be involved in the proposed action.

42 U.S.C. 4332(2)(C)

NEPA ensures agencies consider the significant environmental consequences of their proposed actions and inform the public about their decision making.

Administrative Procedure Act of 1946

- There is no NEPA basis for legal action. Challenges to an agency decision not made in accordance with NEPA are brought under the Administrative Procedure Act (APA) under the "Arbitrary and Capricious" standard.

The Administrative Procedure Act (APA) governs the process by which federal agencies develop and issue regulations and decisions.

How to Start the Process

- Determine the **Purpose and Need** for the project. This is how alternatives will be evaluated.
- Plan the project and determine alternatives and construction footprints. Involving the EPS can expedite the process and assist in evaluating alternatives.
- Prepare a **Project Description and Map** with the construction footprint for each alternative. Use the map and legend to describe the project.
- Use the **Project Description and Map** for consultations.

Document Types at the FAA

- Simple Written Record Categorical Exclusion (SWR CatEx)
- Documented CatEx – Up to two consultations with no mitigation
- “Short form” Environmental Assessment – Final document is a FONSI
- Environmental Assessment – Final document is a Mitigated FONSI
- Environmental Impact Statement – Final document is a Record of Decision. Requires multiple public involvement actions.

How to Determine the Documentation.

Appendix D. National Environmental Policy Act Process Flowcharts

Exhibit D-1. Typical Categorical Exclusion Process

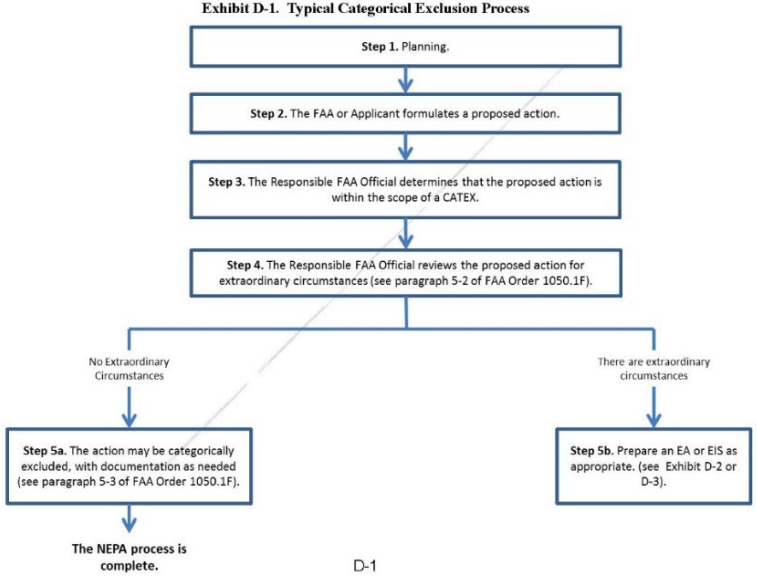
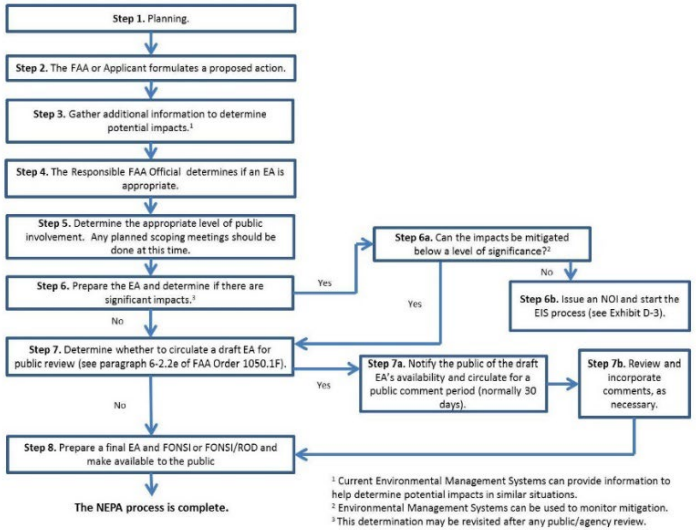


Exhibit D-2. Typical Environmental Assessment Process



How to Determine the Documentation.

Start with the CatEx Checklist…

If the proposed action is within the scope of a CatEx
– Simple Written Record Categorical Exclusion

If there are potential extraordinary circumstances
– Documented Categorical Exclusion

If extraordinary circumstances exist
– “Short form” Environmental Assessment (FONSI)

If mitigation is required and no alternative exists
– Environmental Assessment (FONSI)

If there is no way to mitigate an impact
– Environmental Impact Statement (ROD)

Questions?