

## Acquisition, Use, and Disposal of Real Estate



### Guiding Principles

- DOE Order 430.1B, Real Property Asset Management applies.
- DOE Order 413.3B, Program and Project Management for the Acquisition of Capital Assets may apply.
- For DOE actions, always coordinate with the Office of Engineering and Construction Management.
- For NNSA actions, always coordinate with the Service Center, Office of Business Services, Acquisition Planning Department.

### References

#### DEAR

- 917.74 - Acquisition, Use, and Disposal of Real Estate

#### DOE Directives

- DOE Order 413.3B, Program and Project Management for the Acquisition of Capital Assets, or current version
- DOE Order 430.1B, Real Property Asset Management, or current version

### Overview

This section provides internal Departmental information and DOE and NNSA points of contact for issues dealing with real estate acquisition, use, and disposal for cost reimbursement and fixed price contracts when in performance of the contract, the contractor will acquire or proposes to acquire use of real property.

### Background

DEAR Subpart 917.74 - Acquisition, Use, and Disposal of Real Estate provides the policy and procedures to be followed in the acquisition, use, and disposal of real estate. The acquisition of real estate requires the involvement of a DOE or NNSA Certified Realty Specialist. In accordance with DEAR clause 970.5244-1, entitled "Contractor Purchasing System," Management and Operating, contractors are to follow DEAR 917.74 when acquiring interests in real property.

Regardless of contract type, the contractor may be required to acquire an interest in real estate during contract performance. Real estate interests include purchases, leases, easements, permits, and licenses. In accordance with DOE Order 430.1B, Real Property Asset Management, (or its current version) all real estate actions require the approval of a DOE or NNSA Certified Realty Specialist. For DOE, if a DOE Certified Realty Specialist is not available on-site, the approval is referred to the Senior Realty Officer in Office of Engineering and Construction Management. For NNSA, the NNSA Certified Realty Specialists at the Service Center are the approvers.

Where a cost type contract will be used for other than the management and operation of a DOE facility, and will involve the acquisition of an interest in real estate, the purchase or lease must be disclosed in the solicitation to the extent the requirement is known.

The plan to acquire an interest in real estate may be subject to approval through the project management process in DOE Order 413.3B, Program and Project Management for the Acquisition of Capital Assets, following CD-0 and up to approval of Mission need at CD-1. The project management process, including approval of the Mission Need and Alternative Selection and Cost Range will be approved by DOE prior to issuing a solicitation for real estate interests.

### **Coordination Contacts**

For DOE actions, contact the Office of Engineering and Construction Management at 202-586-8658 for additional information and procedures governing the acquisition, use, and disposal of the Department's real estate. For NNSA actions, contact the Service Center, Office of Business Services, Acquisition Planning Department at 505-845-5005 or 505-845-4252.