

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Mike Monroney Aeronautical Center Policy

AC N 1050.1A

Effective Date:
June 30, 2008
Cancellation Date:
May 31, 2009

SUBJ: Mike Monroney Aeronautical Center Plan for Implementing the MMAC EMS into Contractor Activities

1. Purpose of this Notice. The integration of the Mike Monroney Aeronautical Center's (MMAC) Environmental Management System (EMS) requirements into on-site contractor activities is an essential element of the Center's ISO 14001 certification efforts due to the integral role that on-site service contractors hold related to MMAC operations. The Notice also assists in the implementation of the requirements of Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, and FAA Order 1050.21, Environmental Management Systems. This Notice provides organizations located at the MMAC with information concerning the roles, responsibilities, and processes necessary to integrate the MMAC EMS requirements into future contracts for on-site services.

This Notice also serves as a supplement to FAA Order 1050.21, Environmental Management Systems, and the MMAC EMS Manual. It clearly delineates the respective roles and responsibilities for all involved parties, ensures timely implementation of the applicable requirements, and provides a means of notification for all affected MMAC personnel. The Notice will later be incorporated into the FY-09 revision of the MMAC EMS Manual. These requirements could potentially increase contract costs; but the MMAC has determined that these requirements will result in a reduction of liabilities and operating costs.

2. Audience. This Notice applies to all new on-site service contracts issued through the Office of Acquisition Services (AMQ) for all organizations that reside on the MMAC campus. This includes organizations that report to the Office of the Director, Aeronautical Center (AMC-1), as well as all tenant organizations.

3. Where can I Find This Notice? This Notice is located on the FAA Directives Management System (DMS) website: https://employees.faa.gov/tools_resources/orders_notices and the MMAC Environmental Network website: https://employees.faa.gov/org/centers/mmac/employee_services/amp/env/

4. Definitions.

a. Competency Training: Training that may need to be provided to employees that are associated with significant environmental aspects. This training is indicated on operational control documents that apply to contractor activities.

b. EMS General Awareness Briefing/Training: Briefing provided to all employees and contractors irrespective of whether or not they are associated with significant environmental aspects.

c. Environmental Network (ENet) Representative: Person(s) officially designated to represent an MMAC organization on the Environmental Network. Responsibilities are described in AC SUP 1 to Order 1054.1.

d. Operational Controls: Controls identified by MMAC organizations to alleviate negative environmental consequences from MMAC activities. These controls can be either administrative controls (e.g., operation intervention, standing procedures) or technological controls (e.g., shut-off valves).

e. Contractors and Suppliers: Organizations or individuals that provide supplies, materials, services, and other tangible goods to MMAC.

5. Roles and Responsibilities.

a. Environmental and Safety Staff (AMP-100A). AMP-100A shall:

(1) Maintain a current listing of organizational ENet representatives on the MMAC Environmental Network website.

(2) Maintain a current presentation of the EMS General Awareness Briefing on the MMAC Environmental Network website.

(3) Provide assistance to ENet representatives in determining applicable operational controls for contractors, as necessary.

(4) Serve as the point of contact for questions regarding this Notice.

b. MMAC Organizations. MMAC organizations shall:

(1) Document the on-site activities to be conducted by the contractor in the Notification of Contractor Activities form.

(2) Provide the listing of on-site activities and a copy of the proposed Statement of Work (SOW) to their organizations' ENet representatives.

(3) Attach the Notification of EMS Operational Control Applicability form and a copy of each applicable operational control to the Procurement Request (PR) for the contract.

(4) Provide each contractor (requiring unescorted access) with the MMAC Environmental and Occupational Safety & Health (EOSH) Contractor Employee Orientation form.

(5) Ensure that the MMAC EOSH Contractor Employee Orientation form is completed by each contract employee before signing off on security packets (i.e., before he/she may get his/her MMAC security badge).

(6) Forward the completed MMAC EOSH Contractor Employee Orientation form to the organizational ENet representative.

c. AMQ Contracting Officers (COs). COs shall:

(1) Ensure that Clause 0090, Environmental, Safety and Health, and the Certification of Contractor Conformance to the MMAC EMS are included in all solicitations for on-site services initiated after the effective date of this Notice.

(2) Ensure that the listing of applicable operational controls identified in the Notification of EMS Operational Control Applicability form and the applicable operational control documents are included in all solicitations for on-site services initiated after the effective date of this Notice.

(3) Retain the contractor's Section K certification, Certification of Contractor Conformance to the MMAC EMS, in the contract file for audit purposes.

d. MMAC Environmental Network (ENet) Representatives. ENet representatives shall:

(1) Evaluate the documented contractor activities in the Notification of Contractor Activities form from the requirements initiator and determine which of their organizations' operational controls apply.

(2) Notate the applicable operational controls on the Notification of EMS Operational Control Applicability form.

(3) Write a new operational control document if no existing operational control exists for the identified work activity.

(4) Provide the completed Notification of EMS Operational Control Applicability form and applicable operational control documents back to the requirements initiator.

(5) Retain the completed MMAC EOSH Contractor Employee Orientation forms for audit purposes.

6. Approach.

a. MMAC Clause 0090, Environmental, Safety and Health. MMAC Clause 0090, Environmental, Safety and Health (Appendix I), contains EMS conformance requirements for on-site service contracts. The MMAC EMS requires all contractors that provide goods and services that can affect MMAC environmental programs to conform to the MMAC EMS. Specifically, the clause requires that all employees supporting the contract work activities:

(1) Be aware of the MMAC Environmental Policy.

(2) Have completed the MMAC EMS Employee Awareness briefing (if unescorted access is required). The briefing is available on-line at:
https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/mgt_system/.

(3) Be aware of and conform to the operational controls that apply to their job activities.

(4) Be competent to perform assigned job functions and maintain appropriate records of training or equivalent experience as identified in the operational control documents. Such records shall be made available to the CO or Contracting Officer's Technical Representative (COTR) upon request.

Clause 0090 requires that contractors complete and sign the Certification of Contractor Conformance to the MMAC EMS (Appendix V) included in Section K of the solicitation. The contractor's signature certifies that he/she has verified that the MMAC EMS requirements have or will be met.

b. Pre-Award Process. The requirements before awarding on-site service contracts are as follows (Appendix III, Pre-Award Process Flow for Integration of ISO 14001 into MMAC On-Site Service Contracts):

(1) The contract initiator lists the on-site contractor activities to be conducted by the contractor using the Notification of Contractor Activities form (Appendix II). Appendix B of the MMAC EMS Manual, List of Environmental Aspects and Associated Activities Sorted by Organization, may provide assistance to initiators in listing the contractor activities.

(2) The ENet representative determines the applicable operational controls, notates them on the Notification of EMS Operational Control Applicability form (Appendix IV), and returns the form to the contract initiator. These controls inform the contractor of applicable procedures and requirements to mitigate, minimize, or otherwise control the potential environmental impacts.

(3) The contract initiator notates the applicable operational controls on the procurement request and attaches copies of the operational controls to the procurement request.

(4) The CO includes Clause 0090, Environmental, Safety and Health, applicable operational controls, and the Section K Clause in all solicitations for on-site services.

(5) The offeror certifies that all requirements of Clause 0090, Environmental, Safety and Health (Appendix V), have been met by signing the Certification of Contractor Conformance to the MMAC EMS included in Section K of the solicitation.

(6) The CO maintains the certification in his/her contract file for audit purposes for the duration of the contract.

c. Post-Award Process. The requirements after awarding contracts are described as follows (Appendix VI Post-Award ISO Orientation/Training Process for On-Site Contractor Employees Requiring Badges):

(1) The COTR provides the contractor with the MMAC EOSH Contractor Employee Orientation form (Appendix VII), along with employee security packets.

(2) The contractor completes the orientation/training, self-certifies his/her completion, and provides the MMAC EOSH Contractor Employee Orientation form back to his/her COTR. The orientation/training can be viewed via the MMAC Environmental Network website at: https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/envfile/emp_briefing.pdf.

(3) The COTR forwards the form to his/her organization's ENet representative.

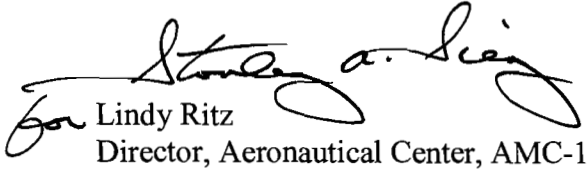
(4) The ENet representative retains the form for audit purposes for the duration of the contract.

7. Records. EMS records generated as a result of this notice include:

- a. Notification of Contractor Activities.
- b. Notification of EMS Operational Control Applicability.
- c. Clause 0090, Environmental, Safety and Health, and the Section K Certification.
- d. Contractor training records/competency records.
- e. MMAC EOSH Contractor Employee Orientation form.
- f. Contents of competence training.

Procedures for the identification, storage, protection, retrieval, retention, and disposal of EMS records are found in MMAC EMS Manual: Control of Records at:

https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/mgt_system/.


for Lindy Ritz
Director, Aeronautical Center, AMC-1

Appendix I. Clause 0090, Environmental, Safety and Health

(a) The contractor shall ensure that persons employed on this contract do not work in surroundings or under conditions that are unsanitary, hazardous, or dangerous to their health or safety. The contractor shall also ensure that all employees receive appropriate and required training for safety, health, environmental, and equipment operations. In fulfilling these requirements, the contractor shall comply with:

(1) Applicable Federal, State, and local environmental and safety requirements. This includes, but is not limited to, requirements contained in the U.S. Code of Federal Regulations (e.g., 29 CFR, 42 CFR, and 40 CFR) and/or requirements issued by the Oklahoma Department of Environmental Quality and the Oklahoma Corporation Commission.

(2) Supplemental Federal and FAA environmental, safety, and health requirements contained in Executive Orders, FAA, and Mike Monroney Aeronautical Center (MMAC) Environmental, Safety, and Health Orders, or elsewhere in the contract. Other standards used by the FAA include those sponsored by the National Fire Protection Association (NFPA), the American National Standards Institute (ANSI), the American Society of Testing and Materials (ASTM), etc. This list of standards or laws is not inclusive.

(3) The MMAC Environmental Policy which states:

"The Mike Monroney Aeronautical Center is fully committed to the Administrator's Environmental Management Policy to achieve and maintain excellence and leadership in protecting the environment and the health and safety of its employees and neighbors. In keeping with this commitment, we will accomplish our mission in a manner that will minimize environmental consequences. All organizations at the Aeronautical Center are responsible to ensure that environmental considerations are integrated into their daily activities and operations to:

- Ensure compliance with all applicable environmental requirements*
- Minimize pollution and waste*
- Conserve natural resources*
- Continually improve environmental performance*

Aeronautical Center personnel shall be committed to this policy by providing products and services in a manner that demonstrates our good stewardship of the environment."

(4) The requirements of the MMAC Environmental Management System (EMS) which is modeled after the specifications found in the International Standard for Environmental Management, ISO 14001 (2004). The MMAC EMS requires all contractors that provide goods and services that can affect MMAC's environmental programs shall, prior to start of performance of work under this contract:

(i) Ensure that all employees supporting the contract work activities are:

- Aware of the MMAC Environmental Policy as set forth in paragraph (a)(3) above;
- Aware of and conform with the Operational Control documents referenced as attachments in Section J of this solicitation/contract;
- Competent to perform assigned job functions and maintain appropriate records of training or equivalent experience as

identified in the above-referenced Operational Control documents. Such records shall be made available to the CO or COTR upon request.

(ii) Ensure that employees requiring unescorted access to the site have received the MMAC EMS Employee Awareness and MMAC General Employee Training. This training is available on-line at:

https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/mgt_syst m/.

(iii) Complete and sign the "Certification of Contractor Conformance to the MMAC EMS" included in Section K of this solicitation/contract. Contractor's signature of this certification certifies that the contractor has verified that all MMAC EMS requirements have been or will be met and that work performed hereunder shall be in conformance with the MMAC EMS. Submission of this certification is a prerequisite for contract award.

(5) The MMAC Occupational Health and Safety (OHS) Policy which states:

"The Mike Monroney Aeronautical Center is dedicated to excellence and leadership in protecting the environment and the health and safety of our employees and neighbors. It is our policy to ensure that employees, students, and visitors are provided with workplaces that are free from recognized hazards that may cause serious illness or injury. In keeping with this commitment, we will implement, maintain, and continually improve our health and safety performance by utilizing a comprehensive Occupational Health and Safety Management System which:

- Ensures compliance with all applicable occupational safety and health requirements*
- Identifies hazards, assesses risks and implements controls*
- Prevents injury and illness*
- Establishes health and safety objectives*

Aeronautical Center personnel demonstrate their commitment to this policy by providing products and services in a manner that ensures a healthy and safe work environment for employees, students, and visitors."

(b) If the contractor works more than 1,000 employee-hours in one quarter on the MMAC campus, the contractor shall prepare and submit an annual report of injury and illness information regarding this workforce as specified in 29 CFR 1904. The report shall be submitted to the Contracting Officer **not later than November 30 of each year** and should contain the following information (Note: the following references to fiscal year refer to the Governmental fiscal year, October 1 through September 30):

- (1) The number of employee-hours worked during the preceding fiscal year;
- (2) The number of OSHA recordable cases (defined as mishaps that result in fatalities, lost workdays, medical treatment, restricted workdays, or a loss of consciousness) that occurred during the preceding fiscal year;
- (3) The number of cases which resulted in days away and/or restricted/transferred duty that occurred during the preceding fiscal year.

(c) If there are conflicts between any of the requirements referenced in this contract, the more stringent requirement will prevail.

(d) If the contractor fails or refuses to promptly comply with any environmental, safety, or health requirements stated in this Clause, the COTR will notify the contractor of any such

noncompliance, and the contractor shall take immediate corrective action. Such notice, whether oral or written, when served on the contractor or any of its employees at the site of the work, shall be deemed sufficient. If the contractor fails or refuses to promptly correct the condition, the COTR may stop all or any portion of the work. When satisfactory corrective action has been taken, the contractor shall request permission to resume work from the COTR. No time extension or additional costs, resulting from the directive to stop work shall be allowed. Failure of the COTR to provide notice of noncompliance or to stop work shall not relieve the contractor of its responsibility for the safe performance of the work.

(e) The contractor shall require contract personnel to wear personal protective equipment when it is necessary because of the hazards on the job and in most instances will provide the equipment and corresponding training, except that which has been specified to be furnished by FAA. All personal protective equipment worn by contractors shall comply with applicable industry standards.

(f) Contractors shall include a clause in all subcontracts to require subcontractors to comply with this clause. (End of Clause)

	PURPOSE/CONTRACT TYPE
	Fixed-Price Supply
X	Fixed-Price Service
	Indefinite Delivery Supply
X	Indefinite Delivery Service
	Cost-Reimbursement Supply
X	Cost-Reimbursement Service
X	Time-and-Materials and Labor-Hour
X	Architect-Engineering
X	Fixed-Price Construction
<p><u>REMARKS:</u> To be included in all contracts for service to be performed at the MMAC. Clause is very similar to AMS 3.2.2.3-68, Safety and Health (April 1996), but this CLA clause has been revised somewhat by AMP-1.</p>	

Appendix II. Notification of Contractor Activities

To (ENet Representative): _____

From (Organizational Contract Initiator): _____

The activities listed have been identified as those to be conducted by the contractor described in the attached Statement of Work. Activities already identified for MMAC organizations can be found in Appendix B “List of Environmental Aspects and Associated Activities Sorted by Organization” of the MMAC EMS Manual.

Please review and contact me if there are any questions.

On-Site Activities to be conducted by Contractor (list below):

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

Signature: _____

Phone number: _____

Routing Symbol: _____

Date: _____

Attachment: Statement of Work or Equivalent Document

Appendix III. Pre-Award Process flow for Integration of ISO 14001 into MMAC On-Site Service Contracts.

When generating a requirement for on-site services at the MMAC, the requirement initiator will document the types of on-site activities to be conducted by the contractor. The "Contractor Product/Service Information Survey" form supplied by AMP-100A is available for use to facilitate this effort; however, use of the form is optional. The documented types of on-site activities are then provided to the organization's MMAC Environmental Network (ENet) representative. (A current listing of organizational ENet Representatives is available on the MMAC Environmental Network website at: https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/ .)

The ENet representative will, based on knowledge of the MMAC EMS, evaluate the documented contractor activities and determine which of their organization Operational Controls applies. (If there is no existing Operational Control for the identified work activities, the ENet representative is responsible for writing the appropriate Operational Control.) The ENet representative will advise the requirements initiator of the applicable Operational Controls using the "Notification of EMS Operational Control Applicability" form.

The requirements initiator will note the applicability of Operational Controls on the PR and attach copies of the Operational Controls to the PR.

The CO will ensure Clause cla.0090 and the Certification of Contractor Conformance to the EMS Clause are included in all SIRs/RFOs and contracts for on-site services and that the applicable operational controls as identified on the PR are referenced and included as attachments to the SIR/RFO and resulting contract.

The offeror will certify that all requirements of Clause 0090 have been met by signing and dating the "Certification of Contractor Conformance to the MMAC EMS" in Section K of the SIR/RFO for incorporation in the contract.

The CO will maintain the contractor's Section K certification in the contract file for audit purposes.

Appendix IV. Notification of EMS Operational Control Applicability

To (COTR): _____

From (Organizational ENet Representative): _____

The attached Operational Controls have been identified as applying to the activities identified in the “Contractor Product/Service Information Survey” that you recently completed. Implementing the operational controls into those activities are required for conformance with the MMAC EMS. The contract company is required to communicate these operational controls to personnel who perform the work activities associated with the operational controls. Competency requirements are contained within the operational control documents. A copy of each Operational Control is attached.

Please review and contact me if there are any questions.

Applicable Operational Controls (list below):

[illegible]

Signature: _____

Phone number: _____

Routing Symbol:

Date:

Appendix V. Contractor Certification Clause at Section K: Certification of Contractor Conformance to the MMAC Environmental Management System (EMS)

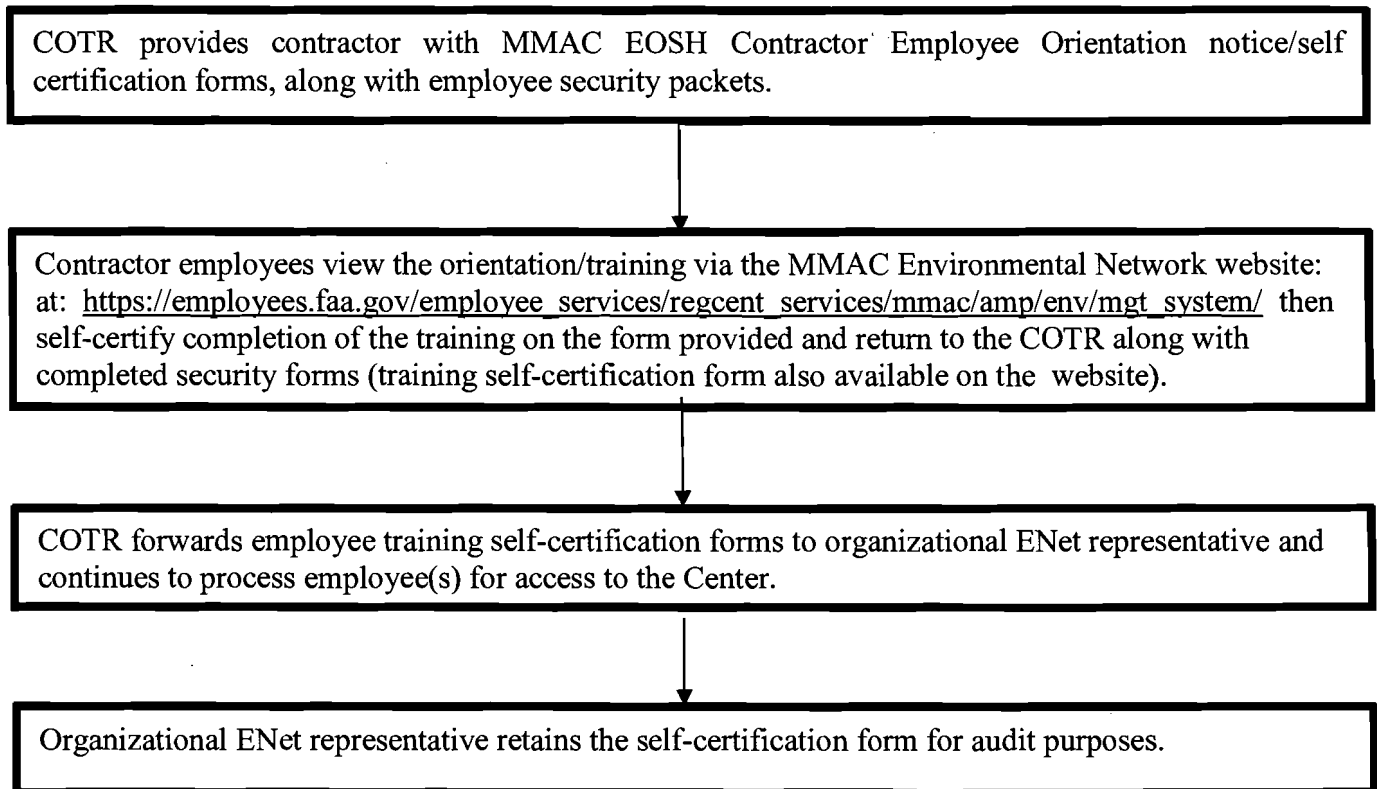
By signature below, the offeror certifies that the requirements of the Mike Monroney Aeronautical Center (MMAC) EMS have been met and that the work performed hereunder shall be in conformance with the MMAC EMS as required by Clause 0090, Environmental, Safety, and Health Program.

Authorized Representative: _____

Company Name: _____

Date: _____

(End of provision)

Appendix VI. Post-Award ISO 14001 Orientation/Training Process for On-Site Contractor Employees Requiring Badges

Appendix VII. MMAC EOSH Contractor Employee Orientation

Contractor (company) Name: _____
Contract Number: _____

FAA Contact Name (COTR): _____
Routing Symbol: _____

Pursuant to the terms of the subject contract, all contractor employees requiring unescorted access to the MMAC must complete the following training prior to start of work activities:

- *MMAC General Employee Training (19 minute video)*
- *MMAC Environmental Management System Awareness Training (15 minute slide presentation)*

The required training is available on-line at the MMAC Environmental Network website at: https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/mgt_system/ under the "Employee Training" link.

Contractor employees requiring unescorted access must self-certify completion of the required training by signing the certification statement below and return this form to the COTR before access to the work site will be granted.

Employee EOSH Training Certification:

I _____
(Print employee name) certify that I have completed the above-
required EOSH training sessions.

Employee Signature: _____ Date: _____

To (COTR): _____

From (Organizational ENet Representative): _____

Please review and contact me if there are any questions.

Applicable Operational Controls (list below):

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Signature: _____

Phone number: _____

Routing Symbol: _____

Date:

Appendix V. Contractor Certification Clause at Section K: Certification of Contractor Conformance to the MMAC Environmental Management System (EMS)

By signature below, the offeror certifies that the requirements of the Mike Monroney Aeronautical Center (MMAC) EMS have been met and that the work performed hereunder shall be in conformance with the MMAC EMS as required by Clause 0090, Environmental, Safety, and Health Program.

Authorized Representative: _____

Company Name: _____

Date: _____

(End of provision)

Appendix VI. Post-Award ISO 14001 Orientation/Training Process for On-Site Contractor Employees Requiring Badges

COTR provides contractor with MMAC EOSH Contractor Employee Orientation notice/self certification forms along with employee security packets.

Contractor employees view the orientation/training via the MMAC Environmental Network website: at: https://employees.faa.gov/employee_services/regcent_services/mmac/amp/env/mgt_system/ then self-certify completion of the training on the form provided and return to the COTR along with completed security forms (training self certification form also available on the website).

COTR forwards employee training self certification forms to organizational ENet representative and continues to process employee(s) for access to center.

Organizational ENet representative retains the self-certification form for audit purposes.

Appendix VII. MMAC EOSH Contractor Employee Orientation

Contractor (company) Name: _____

Contract Number: _____

FAA Contact Name (COTR): _____

Routing Symbol: _____

Pursuant to the terms of the subject contract all contractor employees requiring unescorted access to the MMAC must complete the following training prior to start of work activities:

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Contractor employees requiring unescorted access must self-certify completion of the required training by signing the certification statement below and return this form to the COTR before access to the work site will be granted.

Employee EOSH Training Certification:

I _____
(Print employee name) certify that I have completed the above
required EOSH training sessions.

Employee Signature: _____ Date: _____