

Bipartisan Infrastructure Law (BIL) Third Webinar

**Hosted by the FAA Small
Business Program**

12 September 2022



**Federal Aviation
Administration**



Welcome

- **Resources available to small businesses**
 - FAA business and BIL related resources
 - DOT Small Business Resources
- **Acquisition Management System (AMS) Updates**
 - BIL Related Updates
 - Other Recent Updates that impact Small Business
- **Insight into current plans for BIL as it pertains to Air Traffic Facilities**
 - Potential areas of opportunity with Planning & Requirements Group, Facility Security Team, and the EnRoute Facilities Planning and Modernization Team.



SB Team and site resources

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- [SBO Site](#)
- [Team Page](#)
- [SBO Events](#)
- [Procurement Forecast](#)



FAA BIL Resources

FAA BIL Sites:

- [FAA BIL Site](#) – Overarching site that has all of the pages below.
- [Air Traffic Facilities](#) – insight on plans anticipated to result in contract opportunities.
- [Airport Terminals](#) – insight on plans and associated grant programs.
- [Airport Infrastructure](#) – insight on plans and associated grant programs.

The screenshot displays the FAA BIL website. At the top, there is a dark blue header with a 'SUBSCRIBE FOR THE LATEST UPDATES' button. Below the header, the main content area is titled 'How the FAA Will Invest the Funding'. It features four cards arranged in a 2x2 grid:

- AIRPORT TERMINALS** (\$5B): To replace aging terminals, increase terminal energy efficiency and...
- AIRPORT INFRASTRUCTURE** (\$15B): Projects that increase safety and expand capacity.
- AIR TRAFFIC FACILITIES** (\$5B): To replace facilities and equipment and improve safety, security, and...
- HOW TO GET STARTED**: Find out how you can be a part of building better airports across America.

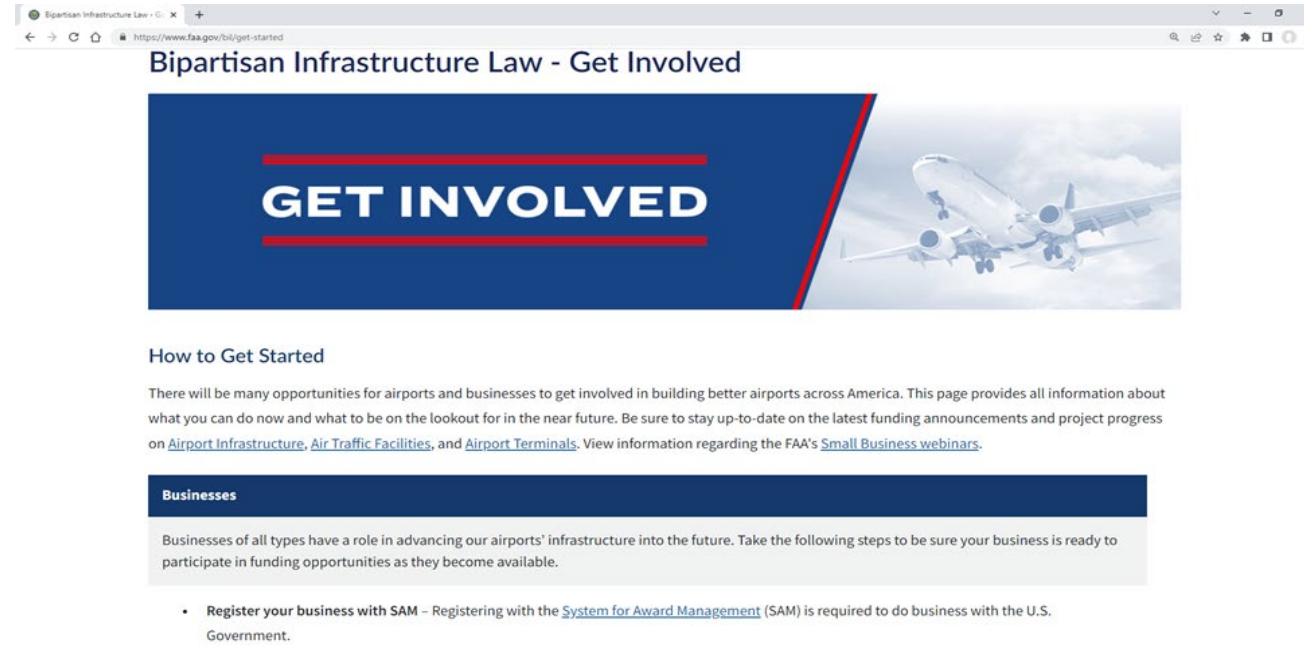
On the right side of the website, there are social media icons for Facebook, Twitter, LinkedIn, and a plus sign for more options.



FAA BIL Resources – Get Started

FAA BIL Sites:

- [FAA BIL Site – Get Started](https://www.faa.gov/bil/get-started) – Overarching site that has all of the pages below.



- [How to Get Started Video](#)





U.S. Department
of Transportation



U.S. Department of Transportation

FAA Third Bipartisan Infrastructure Law (BIL) Webinar

Steronica Mattocks, Program Analyst
Office of Small and Disadvantaged Business Utilization (OSDBU)
Office of the Secretary (OST)

OSDBU Mission

The United States Department of Transportation (USDOT), Office of Small and Disadvantaged Business Utilization's (OSDBU) mission is to ensure Small Business policies and goals of the Secretary of Transportation are implemented in a fair, efficient and effective manner.



OSDBU Organization

Procurement Assistance Division (PAD)

- Lead OSDBU Outreach efforts
- Procurement Forecast
- Mentor Protégé program
- Connections Marketplace-Matching Making (New)

Regional Assistance Division (RAD)

- National Small Business Transportation Resource Centers (SBTRCs) Program
- Bonding Education Program (BEP)
- Women & Girls in Transportation Initiative (WITI)
- Pathways to Entrepreneurship Program –HBCUs & MSIs targeted (new)
- Regional Small Business Contracting BIL Symposiums (new)

Disadvantaged Business Enterprise (DBE) & Airport Concessions DBE Program

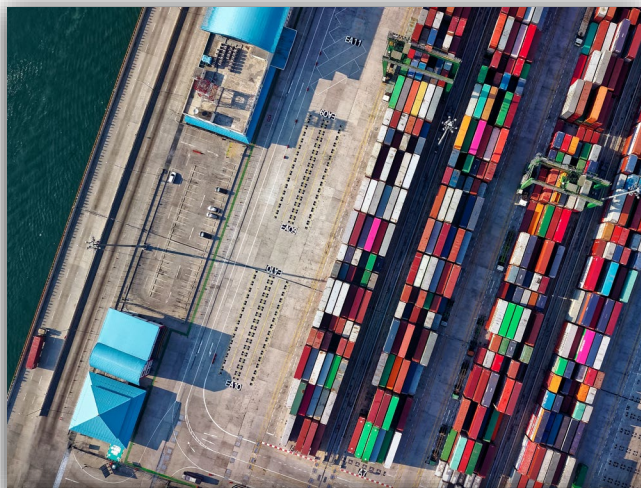
- FHWA, FTA, and FAA
- Goals set at the grantee level
- Project-specific goals

FY2021 Top NAICS Codes

- 541330 - ENGINEERING SERVICES
- 336611 - SHIP BUILDING AND REPAIRING
- 237310 - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION
- 488111 - AIR TRAFFIC CONTROL
- 483111 - DEEP SEA FREIGHT TRANSPORTATION
- 541519 - OTHER COMPUTER-RELATED SERVICES
- 334511 - SEARCH, NAVIGATION, INSTRUMENT MANUFACTURING
- 541512 - COMPUTER SYSTEMS DESIGN SERVICES
- 517310 - TELECOMMUNICATIONS RESELLERS
- 611430 - PROFESSIONAL AND MANAGEMENT DEVELOPMENT TRAINING

- Procurement opportunities over simplified acquisition threshold (\$250,000), PUBLIC LAW 100-656
- [FY22](#) and [FY23](#) Snapshot of DOT Procurement Opportunities
- System for Award Management - [SAM.GOV](#)

The Infrastructure Investment and Jobs Act in Brief



**Roads, Bridges, and
Major Projects**
\$110 Billion

Public Transit
\$89.9 Billion

**Electric Vehicles and
Buses**
\$15 Billion

**Environmental
Remediation and
Power Infrastructure**
\$86 Billion

**Transportation
Safety**
\$11 Billion

**Passenger and
Freight Rail**
\$66 Billion

**Airports, Ports, and
Waterways**
\$42 Billion

**Other Areas of
Investment**
\$121 Billion





The Infrastructure Investment and Jobs Act in Brief

Helpful links to understand the IIJA and get a better understand on where the money is going:

- [Fact Sheet](#)
- [Reference](#)



Small Business Contracting Symposiums



NATIONAL BIL SYMPOSIUMS DATES

West Central (completed)	5/18/2022
Mid-Atlantic Region	10/20/2022
South Atlantic Region	11/1/2022
Mid-South Atlantic Region	11/17/2022
Southeast Region	1/26/2023
Gulf Region	2/22/2023
Southwest Region	3/10/2023
Northeast Region	4/20/2023
Northwest Region	5/23/2023
Great Lakes Region	6/6/2023
Central Region	8/8/2023





- [DOT-OSDBU – WWW.TRANSPORTATION.GOV/OSDBU](http://WWW.TRANSPORTATION.GOV/OSDBU)
- [SMALL BUSINESS TRANSPORTATION RESOURCE CENTERS](#)
- [US SMALL BUSINESS ADMINISTRATION \(SBA\)](#)
- [SBA WOSB PROGRAM CERTIFICATION INFORMATION](#)
- [DYNAMIC SMALL BUSINESS DATABASE](#)
- SAM.GOV
- BETA.SAM.GOV
- [PROCUREMENT TECHNICAL ASSISTANCE CENTERS \(PTAC\)](#)

OSDBU TEAM



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**Federal Aviation
Administration**

Implementation of the Bipartisan Infrastructure Law (BIL) and other Small Business Changes to the FAA Acquisition Management System (AMS)

Presented by: AAP, Acquisition Policy & Oversight

Date: September 2022



What are the new AMS changes related to BIL funded acquisitions?

1

Guidance Section T3.18
Bipartisan Infrastructure Law

2

Contract **Clause** 3.18-1
Bipartisan
Infrastructure Law –
Reporting
Requirements

3

Uniform Bipartisan
Infrastructure Law (BIL)
Data Report

- Applies to all BIL-funded new **solicitations**, new **contracts** (including task/delivery orders), and **existing contracts***
- Does not apply to procurements made by **purchase cards**



AMS Guidance T3.18 Bipartisan Infrastructure Law

Public Announcements

- Presolicitations and solicitations must include phrase “BIL-funded” in beginning text of announcement.

Solicitation and Award

- CO must structure awards to allow for separate tracking of BIL-funds and projects. E.g. COs should consider using separate contracts when using BIL-funds or establish CLIN structures that separate BIL-funds from other funds to avoid comingling.

Buy American

- Buy American Act (and its exceptions) apply to all projects that use BIL-funds.
- FAA-specific Buy American Preference does not apply.

Noncompetitive Small Business Awards

- 8(a), WOSB, EDWOSB, and HUBZone noncompetitive thresholds are increased to \$10M if the acquisition includes Bipartisan Infrastructure Law (BIL) funding.
- For info on interim Policy that increases noncompetitive small business thresholds for BIL funded projects, see the FAE Memo dated March 23, 2022, titled “[INTERIM CHANGES TO AMS – Raise Thresholds for Noncompetitive Small Business Awards in AMS Policy for Bipartisan Infrastructure Law \(BIL\) Funded Acquisitions.](#)”

[AMS Guidance T3.18 Full Text](#)



Clause 3.18-1 (INTERIM) Bipartisan Infrastructure Law – Reporting Requirements

- As implied, clause simply obligates contractor to report on it's use of BIL funds as directed by the BIL Data Report
- Clause must be used in all solicitations, contracts, orders and modifications that use any BIL-funds
- Full text of clause can be found here [FAST – Contract Clauses](#).
- Clause must be used in conjunction with the Uniform BIL Data Report



Uniform Bipartisan Infrastructure Law (BIL) Data Report

- COs must include BIL Data Report in Attachment J
- Data Report can be found in Procurement Forms located on the FAST Website ([See link to form](#))
- Using instructions in Data Report, Contractor will complete 5 reporting tabs that include information pertaining to the Contractor, Non-Domestic Purchases (Buy American), Energy Savings Initiatives, Subcontracting, and Job Creation (Prime and Subcontractors)
- Contractors must complete Data Report quarterly and at completion of contract and submit it to the special BIL-reporting email included in Data Report instructions



Other Recent AMS Changes that Impact Acquisition with Small Business that are not BIL Specific

Noncompetitive Awards to 8(a) Certified Small Business

- Interim change to the AMS was made effective July 22, 2022, which increased the noncompetitive threshold found in AMS Policy 3.6.1.3.5 for awards to Socially and Economically Disadvantaged Businesses (SEDB) that are 8(a) certified. Individual procurements may now be awarded to 8(a) certified SEDB vendors when the anticipated total value of the procurement is less than \$10 million under any North American Industry Classification System codes.
- For info on that AMS section see here [AMS Policy Section 3.0](#).

Chief Financial Officer (CFO) Review Threshold for eFAST Procurement Actions

- Interim change to the AMS was made effective August 19, 2022, which increased the CFO review threshold from \$10 million to \$20 million (ref. AMS 3.2.1.4.5 and T3.2.1.4) exclusively for Electronic Federal Aviation Administration Accelerated and Simplified Tasks (eFAST) task orders.
- For info on interim Policy that increases noncompetitive small business thresholds for BIL funded projects, see the FAE Memo dated August 19, 2022, titled “[AMS Provisional Waiver for all eFAST Procurement Actions](#).”



**Bipartisan Infrastructure Law (BIL)
Industry Day Webinar
Hosted by the Small Business Program**

12 September 2022

**Air Traffic Organization, Technical Operations,
Facilities and Engineering Services**

- Insight into current plans for BIL & Air Traffic Facilities
- Potential areas of opportunity



**Federal Aviation
Administration**



AIR TRAFFIC FACILITIES



- Provides \$1 billion/year over 5 years to address the physical condition of the FAA's air traffic control facilities.
 - Reduce the Sustainment Backlog
 - ATC Facilities Replacement
- Year 1 Funding
 - Air Route Traffic Control Center (ARTCC) Facility Sustainment Study
 - Long Range Radar Sustainment
 - ATCT/TRACON Sustainment
 - Unstaffed Infrastructure Sustainment
 - Power Systems and Fuel Sustainment
- Year 2-5 Funding
 - Continued Sustainment
 - ATC Facilities Replacement Ramps Up



Mission Support Planning & Requirements Group Overview



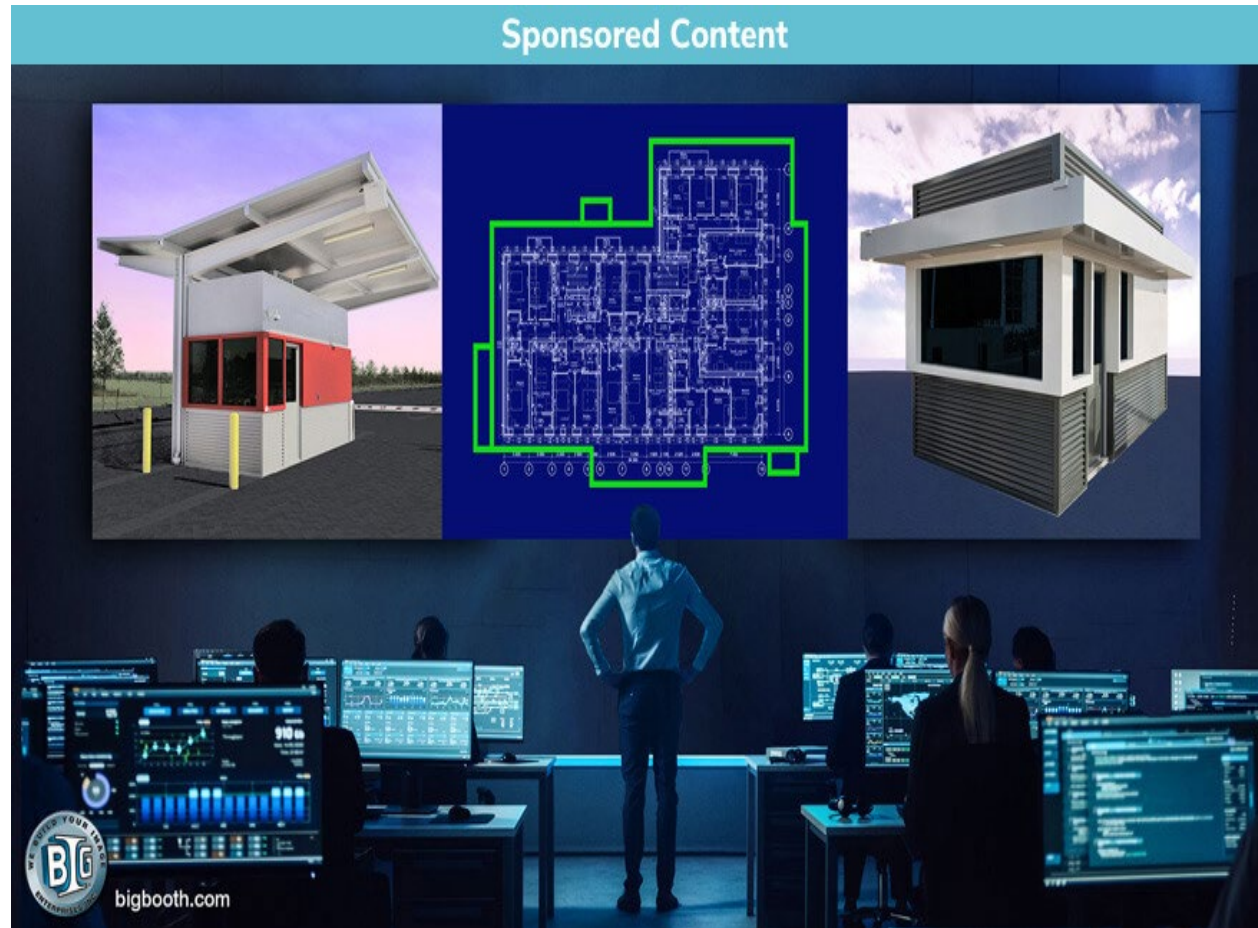
Facility Security Team (FST) Overview

Our Mission	The Facilities Securities Team is responsible for risk mitigation at all FAA staffed facilities by providing an integrated security system
Our Purpose	Be the foremost organization to secure FAA personnel and assets by installing, upgrading and maintaining security systems, providing guards, X-ray machines, and metal detectors in support of our customers and stakeholders to meet the security requirements of the National Airspace System (NAS).
Our Programs	<ul style="list-style-type: none">• Personnel access control• Surveillance (cameras)• Vehicle access control (barriers)• Visibility enhancements (lighting)• Perimeter hardening• X-ray Machines• Metal detection• Guards• Intrusion detection• Alarm Monitoring• Fence Program• Program management• Contract Management



Bipartisan Infrastructure Law Planning

- FST is expecting to receive ~\$36.3M* of BIL funding to support Facility Service Team projects. FST is currently working on identifying and prioritizing projects in Corporate Work Plan (CWP).



Needs from industry



•To help execute that BIL funding, FST is expecting support needs across all program areas, including:

- Program Management
- Engineering
- Acquisition, Installation and Life-Cycle Support
 - Physical Security Enterprise Management System (PSEMS)
 - Physical Security Enterprise Management System (PSEMS II)
 - Corrective Maintenance Contract (CMC)
 - Tech Refresh
- Training
- Safety

•Currently that work is executed across several contracts and work order vehicles, including:

- Technical and management support services
- Security System Design and Integration I & II
- National Security Officers (NSOS) Contract
- Corrective Maintenance Contract (CMC)
- National Airspace System (NAS) Integration Support Contract (NISC)
- Technical Support Service Contract (TSSC)



EnRoute Facilities Sustainment Program

Our Mission	The EnRoute Facilities Sustainment Program provides safe and efficient capital project execution for sustainment and improvement of the Air Route Traffic Control Centers (ARTCC), Combined Control Facilities (CCF), and the Air Traffic Control System Command Center (ATCSCC)	
Our Purpose	The EnRoute Facilities Sustainment Program delivers funding for the design and construction of capital infrastructure projects at the largest Air Traffic Control Facilities within the FAA.	
Facility Locations	<ul style="list-style-type: none">• Albuquerque, NM (ZAB)• Agana, Guam (ZUA)• Anchorage, AK (ZAN)• Auburn, WA (ZSE)• Aurora, IL (ZAU)• Farmington, MN (ZMP)• Fort Worth, TX (ZFW)• Fremont, CA (ZOA)• Hampton, GA (ZTL)• Hilliard, FL (ZJX)• Houston, TX (ZHU)• Indianapolis, IN (ZID)• Leesburg, VA (ZDC)• Longmont, CO (ZDV)• Memphis, TN (ZME)• Miami, FL (ZMA)• Nashua, NH (ZBW)• Oberlin, OH (ZOB)• Olathe, KS (ZKC)• Palmdale, CA (ZLA)• Ronkonkoma, NY (ZNY)• Salt Lake City, UT (ZLC)• San Juan, PR (ZSU)• Warrenton, VA (ATCSCC)• Washington, DC	



EnRoute Bipartisan Infrastructure Law Planning

The EnRoute Facilities Sustainment Program is expecting to receive a total of ~\$278.6 Million of BIL funding to support Facility Sustainment and Improvement Construction Projects.

To help execute that BIL funding, EnRoute is expecting support needs across all program areas. This will include:

- Program Management Support
- Project Engineering/Design
- Construction

Project Types:

- Roofing
- Electrical Power and Lighting Systems
- Mechanical and Plumbing Systems
- Exterior Utilities

The large majority of the funding (>90%) will be used directly for design and/or construction projects at the various ARTCC, CCF, and ATCSCC facility locations noted on the previous slide.

