

Joint Base Lewis-McChord (JBLM)		
Procedure: Identification and Incorporation of Legal and Other Requirements in JBLM Contracts, Leases, and Work Specifications		
Document ID: EMS-235		
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EMS Technical Support	Environmental Division Chief	Original Date: 11 July 2003

PURPOSE

To provide a standard procedure to identify and incorporate applicable environmental legal and other requirements in planned contract language for actions on or in support of JBLM, or leases involving JBLM. Contract language includes, but is not limited to, acquisition plans, synopses of proposed contract actions, solicitations, requests for proposal, invitations for bid, statements of work, performance work statements, specifications, clauses, and submittal registers. Implementation of this procedure will ensure that environmental review of planned JBLM-related actions occurs prior to service/project or lease execution and that the pertinent environmental requirements are incorporated in the appropriate contract or lease language.

APPLICABILITY

This procedure applies to all contract actions on or in support of JBLM, regardless of the contracting office involved, funding source, or dollar amount. It also applies to lease agreements involving JBLM. The procedure will be applied during the development of contract or lease language prior to execution. This includes the development of the initial contract or lease as well as subsequent modifications, revisions, task orders, etc.

DEFINITIONS

Environmental Program Manager – An individual in the JBLM Directorate of Public Works (PW) Environmental Division (ED) appointed to manage specific environmental programs and/or plans for media protection and resource conservation including air, groundwater, surface water, soil, cultural resources, pollution prevention, etc.

Legal Requirements — All laws, regulations, permits, policies, contracts, memorandums of agreement and consent orders applicable to processes, activities, and services on and/or for JBLM.

Other Requirements — Requirements not identified under Legal Requirements, to include applicable standard industry and military practices (e.g. ANSI, ASHRAE, ASTM, MILSPECs, TMs/TOs, QPLs).

SUPPORTING DOCUMENTS

<u>Document ID</u>	<u>Title</u>
EMS-100	Environmental Management Manual
EMS-200	Identification of Legal and Other Requirements
EMS-240	Document Control
EMS-265	Environmental Records
FL Reg 200-1	Fort Lewis Regulation 200-1 (Environmental Protection and Enhancement)
PWE-153	Standard Operating Procedure for Project or Proposal Review

PROCESS

Responsible		Action
Contracting Officer, or COR or Project Manager if so Delegated by the Contracting Officer	1	Coordinate with the JBLM PW ED to include all appropriate environmental legal and other requirements in each contract action, including coordination with the JBLM EMS Coordinator. Coordination procedures will, at a minimum, consist of the process detailed in PWE-153. This document is available from the Environmental Division Secretary (253-967-5337).
	2	Coordinate with the JBLM EMS Coordinator and insert general JBLM EMS clause in the contract language.
	3	For appropriated funds actions, insert FAR 52.223-19 per FAR Part 23.903.
	4	Clearly and sufficiently communicate environmental legal and other requirements to contractors prior to service/project execution.
	5	Adequately incorporate environmental legal and other requirements into Quality Assurance Surveillance Plan or other QA/QC procedures to ensure contract/contractor EMS conformance and environmental compliance.
	6	If the PW ED coordination indicates a need for environmental review at a later stage in the process, repeat step 1 above at appropriate stage(s).
Lease Authors	1	Coordinate with the JBLM PW ED to include all appropriate environmental legal and other requirements in each lease action, including coordination with the JBLM EMS Coordinator. Coordination procedures will, at a minimum, consist of the process detailed in PWE-153. This document is available from the Environmental Division Secretary (253-967-5337).
	2	Clearly and sufficiently communicate environmental legal and other requirements to lessees prior to lease execution.
	3	Incorporate requirements into any surveillance auditing of the lease
	4	If the PW ED coordination indicates a need for environmental review at a later stage in the process, repeat step 1 above at appropriate stage(s).

PW ED	1	Review submitted information and provide comments, per PWE-153.
	2	Develop general EMS clause for inclusion in JBLM-related contracts.
	3	Serve as subject matter expert/point of contact for those seeking guidance on environmental legal and other requirements.
		<i>End of Activity</i>

DOCUMENT REVISION HISTORY

Original Document Issue Date: 11 July 2003		
REVISION NUMBER	DATE OF REVISION	REVISION SUMMARY
1	8 February 2005	Added entries to Supporting Documents
2	22 June 2007	Updated Owner, Approval Authority and Current Copy location
3	18 April 2012	Updated approval authority and references to PWE.
4	8 July 2013	Broadened and updated language to account for current processes on JBLM. Incorporated lease requirements.