

REAL ESTATE APPLICATION

For use of this form, see SWG-RE 701i



PART I - BUSINESS/COMPANY APPLICANT INFORMATION

1a. BUSINESS/COMPANY NAME		1b. DUNS number or CAGE code	
1c. LAST NAME (SIGNATORY FOR APPLICANT)	FIRST NAME		M.I.
1d. TITLE	1e. E-MAIL	1f. PHONE	
1g. ADDRESS	1h. CITY	1i. STATE	1j. ZIP CODE

PART II - AGENT INFORMATION (IF APPLICABLE):

2a. BUSINESS/COMPANY NAME		2b. CUSTOMER# (if returning)	
2c. LAST NAME (AGENT)	FIRST NAME		M.I.
2d. TITLE	2e. E-MAIL	2f. PHONE	
2g. ADDRESS	2h. CITY	2i. STATE	2j. ZIP CODE

PART III - LEGAL OFFICER / CERTIFYING OFFICER INFORMATION

(For dredging must be an attorney, for all others must be corporate officer)

3c. LAST NAME	FIRST NAME		M.I.
3d. TITLE	3e. E-MAIL	3f. PHONE	
3g. ADDRESS	3h. CITY	3i. STATE	3j. ZIP CODE

PART IV - PERMITTING

4a. Do you hold a current authorizing Regulatory document (i.e., Section 404, Section 10, Nationwide Permit(s) or Letter of Permission) for the requested activity? If "Yes", ATTACH COPIES of all permits and amendments.			yes	no
4b. Have you applied for a regulatory permit for this action? If "Yes" include application # in box 4c		yes	no	4c.

PART V - PROJECT DESCRIPTION

5a. TYPE (check all that apply) Dredging Pipeline Other Construction None of these	5b. DREDGING New work Maintenance Estimated c.y. Required documents	5c. PIPELINE New work Replacement Crossing federal channel? Required documents	5d. GIS/CADD .shp .dwg Requirements
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5e. PROPOSED START DATE	ESTIMATED END DATE
5f. SUMMARY OF PROJECT	

PART VI - CERTIFICATION

I HEREBY CERTIFY that I am of legal age and authorized to do business in the State of Texas and that I have personally examined the information contained in this application and believe that the information submitted is correct to the best of my knowledge.

NAME

SIGNATURE

DATE

Instructions

SWG-RE Form 701i

Part I - Business/Company Applicant Information

1a - The “Applicant” is the entity in whose favor the transactional documents will be issued. Agent information should be entered in Part 2 of the form. The applicant may be as follows:

- An Individual provide the legal name of the individual.
- An Individual Trading as a Firm or Doing Business Under a Firm or Trade Name.
- A Partnership. The name of all the partners or the name of the partnership by one partner who signs as one of the firm.(see notes on Partnerships)
- A Corporation or Association. The name of the corporation and the name of the officer with official capacity signing on its behalf;
- State or local governmental entities. The name of the entity and the name of the officer with official capacity signing on its behalf

1b DUNS# or CAGE code - All applicants are required to be registered in SAM (System of Award Management) in order to conduct business with the U.S. government. If you are already registered in SAM, we will require your DUNS No. or CAGE code to verify your registration. This section must not be left blank to ensure timely processing of application. If you are not registered in SAM, please go to <http://www.sam.gov> to newly register your entity. Please ensure that your SAM registration and W9 reflect the same information (entity name, address, and tax id number).

For pipeline applications the owner should be placed in Part I, if there is no additional agent the operator may be place in Part II, (please note “operator” after business name in block 2a). In cases where there is an agent and operator; please provide operator information within the Summary of Project section (5f).

Part II – Agent Information

The agent of an Applicant cannot sign on behalf of the Applicant. A signatory is typically a corporate officer. Funds for payment of administrative fees or consideration will only be accepted from the Applicant. Agents may not make payment on behalf of an Applicant. Part III - Legal Officer / Certifying Officer Information
For Legal Officer and Certifying Officer requirements refer to notes which are applicable to your type of entity.

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For Legal Officer and Certifying Officer requirements refer to notes which are applicable to your type of entity.

Notes on Partnerships

The signer will be required to furnish, for filing with the outgrant, extracts from the Partnership agreement, which indicates the names of the general partners. In order to expedite the application, please include this with the initial submission. In lieu of this evidence, the signer may furnish a Partnership Certificate, certifying that the signer has authority to bind the partnership as follows:

I, (Partner X) certify that I am a General Partner in the Partnership named as Grantee the attached outgrant, I certify further that (Partner Y), who signed said outgrant on behalf of the Partnership, is also a General Partner and has the authority to bind the Partnership by virtue of the powers vested in him/her in the Partnership agreement.

Notes on Corporations or Associations

The corporation seal will be affixed on the final outgrant documents prior to execution by USACE. The signer will furnish, for filing with the outgrant, extracts from the articles of incorporation (also known as Formation documents), the by-laws, or the minutes of the board of directors, duly certified by the custodian of such records, under the corporate seal (if there is one), which properly vest the signer with authority to bind the corporation. In lieu of this evidence the grantee may furnish a certificate signed by an appropriate corporate officer, other than the person executing the outgrant, as follows:

CORPORATE CERTIFICATE

I ___(Name)___ certify that I am the (Secretary) of _____, Inc., that who signed the foregoing instrument on behalf of the corporation was then of the corporation. I further certify that the said officer was acting within the scope of powers delegated to this officer by the governing body of the corporation in executing said instrument.

Corporate Secretary or Appropriate Officer

(AFFIX CORPORATE SEAL)

Notes on State or Local Governmental Entities

The signer will furnish, for filing with the outgrant, an extract from the minutes of the entity indicating that the outgrant was approved by the governing body of the of the entity and authorizing a named individual to execute the outgrant on its behalf. In lieu of the minutes, the grantee may furnish a certificate signed by an appropriate official, other than the person executing the outgrant, as follows:

CERTIFICATE OF AUTHORITY

I ___(Name)___ certify that I am the ___(Clerk)___ of _____ that who signed the foregoing instrument on behalf of the grantee was then _____ of _____.

I further certify that the said officer was acting within the scope of powers delegated to this governing body of the grantee in executing said instrument.

Part IV – Regulatory Permits

Regulatory Permits control the activities of the Applicant to be performed in the Waters of the United States, including Wetlands, pursuant to applicable laws and regulations, such as Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act. The Real Estate Division cannot issue an outgrant without the applicant first obtaining the proper regulatory permit.

Part V - Project Description

The project description is the most critical part of the application, for a multi-faceted project please check all required activities box 5a and complete boxes for corresponding activities. Provide a detailed description of the project and include GIS and/or CADD files with the application (see Cadastral Data and Format Requirements). The following sections detail additional requirements for Dredging and Pipeline activities:

Dredging

Please provide complete scope of work along with maps showing the area to be dredged, placement areas to be used and location or alignment of temporary dredge pipelines.

- A hydrographic survey showing the area to be dredged must also be submitted.
- List placement areas identified in Regulatory Permit in order of preference.
- If both new and maintenance dredging are required please select new in the form and discuss maintenance portion within the project description.
 - Include detailed timelines for as well as completing line 5e of form.

Sediment Testing Requirement: Approval of sediment testing plans and reports prior to issuance of a Real Estate clearance is required for all Applicants. Contact the Operations Division to obtain information on sediment testing requirements. Email: SWG-NB@usace.army.mil: phone: 409-766-3973.

Pipelines

Please provide a complete narrative of the project. The narrative should include the pipeline starting and ending points, route, channel crossings, tie-ins, valve stations, access roads, ingress, egress, ROW needed, etc., for the pipeline.

If available please submit:

- Railroad commission of Texas T-4 form which identifies the pipeline owner.
- Railroad commission of Texas PS -8000A Form
- Geotechnical study

If a pipeline crosses a Federal Channel, Placement Area(s) or Placement Area Levee, Hurricane Levee, or Tributary waters of the United States, the Applicant must provide cross section diagrams depicting depth and entry and exit points for each crossing.

Applicants must also provide any and all standoff distances between the pipeline and any of the features listed above, including other pipelines. Identify diameter of each pipeline, type of fuel or product being transported, and pipeline configuration for each bundle. If there will be ground disturbance (e.g. trenching, excavation) please address the following:

- What are the dimensions (i.e., length, width, depth) of each type of ground disturbance (e.g., trench, fence post hole, leveling, etc.)?
- Will more than an acre of ground surface be disturbed? How much?
- What kind of equipment will be used? How will the work be done?
- Will access across Government controlled property in addition to the area identified for the requested activity be required for equipment? If so, where?
- Will there be a staging and/or storage areas required? If so, where are they located and what are their dimensions? Will staging/storage areas be at locations different than the site of the proposed action?

Additionally please address the following:

- Are there any cultural resources known to exist in the area? If so, what?
- Describe other reasonable alternative routes or locations considered and reasons not selected

Note: Pipelines 24-inches in diameter or larger, which impact fee simple land owned by the United States require Congressional approval. Applicants should anticipate a delay in processing such outgrants.

Administrative Fees & Consideration

Two types of funds are collected from Applicants, administrative fees and consideration. Administrative fees are paid in advance. Consideration is paid at the time the transactional documents are executed.

Administrative fees. Title 10 U.S.C. 2695 authorizes the collection of the administrative fees to cover the costs to the Government for processing requests for the use of Government controlled property. These costs include but are not limited to payment for work products such as environmental, cultural and historical assessments, contract preparation, determinations of value, and preparation of land surveys, maps, and legal descriptions.

After initial screening, the Realty Specialist assigned to the application performs a scope of work analysis for the purpose of developing an administrative fee cost estimate. Once a cost estimate is established an administrative fee letter will be sent to the Applicant requesting payment of administrative fees. Payment of administrative fees is required before further work can occur.

If the actual administrative costs for processing the application are greater than the initial request the Applicant will be notified and required to pay the additional amount for processing of the application to continue. If excess funds exist at the time processing of the application is complete, the balance will be refunded to the Applicant.

Cadastral Data & Format Requirement

Applicants must submit their GIS data in either the equivalent or lesser version of the following:

AutoCAD 2016 (.dwg) or ESRI ArcMap 10.4.1 (.shp) file to help us in this endeavor. Upon receiving a design CADD or a GIS file we will better determined the location of projects interest and limits. We ask that you please include the Regulatory Permit Tracking Number/Application Number and also indicate the coordinate system and datum that the drawing is currently in. The design data should consist of simple lines and polygons indicating the limits of the completed project.

If a CADD drawing is provided, please ensure that all layers are properly named to describe that specific feature. If the layers are named using acronyms we would need a legend or shoe boxes with leader lines, identifying each feature class within the drawing. All areas must be created in real-world (model space) with an assigned coordinate system. Please do not send drawings with XREFs or reference files, simply insert all needed files or feature layers into one design file. Cut-sheet or plate layouts in CADD are not needed however, PDF's of propose project plans and/or as-built would be greatly appreciated for further review.

If a GIS shape file is provided, again the same applies about assigning a proper name sequence to describe that specific feature or it can also be defined in the spatial data within the shape file.

To help keep file sizes to the minimum imagery and USGS Quads do not need to be provided.

Preferred Projected Coordinate System

- Datum: North American 1983 (Survey Feet)
- Projection: State Plane
- Zone: Texas South Central

Process to Register in System for Award Management and Obtain a DUNS Number

Offerors, Contractors, and Lessors may obtain information on registration and annual confirmation requirements via the internet at <http://www.sam.gov> or by calling 1-(866)-606-8220.

A. OBTAIN A DUNS NUMBER.

To obtain a DUNS number, go to <http://fedgov.dnb.com/webform>

-Dun & Bradstreet (D&B) provides a Data Universal Numbering System (DUNS) Number, a unique nine-digit identification number, for each physical location of your business.

- DUNS Number assignment is FREE for ALL business required to register with the US Federal Government for Contract or Grants.

- DUNS Numbers can be created within 1 (one) business day.

B. REGISTER IN THE SYSTEM FOR AWARD MANAGEMENT.

To register in the System for Award Management, go to the website at <http://www.sam.gov> (Note.. The US Govt does not charge for this service and it can be completed thru SAM for free, There are also services on the internet which perform the same actions for a fee . Before starting new registration, please have the following four items available:

1. DUNS Number Provided by D&B
 - a. timeframe: Requesting a DUNS number via the web form takes approximately 24 hours for a US addresses.
 - b. Process: When you enter your DUNS number, SAM retrieves the name and address information along with DUNS of and parent organization form D&B.

2. Tax Identification Number (TIN) and Taxpayer Name used in Federal tax matters.

A TIN is either an Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS) or a Social Security Number (SSN) assigned by the Social Security Administration (SSA) if you are registering as a sole proprietor.

A. Timeframe

(1) If you already have a TIN, your SAM registration will take 1-2 business days to clear the TIN Match Process.

(2) A newly assigned EIN cannot be validated in SAM. According to the IRS, when applying for an EIN over the phone or internet, you will be immediately assigned an EIN, but it may take up to 2-4 weeks before your EIN becomes active. If you apply for an EIN by fax or mail, confirmation from the IRS can take up to 5 (five) weeks.

(3) You must wait until you receive the CP-575 notice from the IRS confirming that your EIN is active and valid for use. For questions regarding your EIN, please call 1-800-829-4933.

B. How:

Log on to <http://www.irs.gov/businesses/small/article/0,,id=97860,00html> to request an EIN from the IRS.

c. Process: SAM will forward the IRS the name and TIN you provide and they will confirm that those two items match their records. A match is required in order to complete registration. No other data is exchanged with the IRS. If your taxes are filed under another name, you need to use that name for input.

C. Process: SAM will forward the IRS the name and TIN you provide and they will confirm that those two items match their records. A match is required in order to complete registration. No other data is exchanged with the IRS. If your taxes are filed under another name, you need to use that name for input.

D. Questions:

(1) If you have questions on a failed match to your EIN, please contact the IRS at 1-866-255-0654 (Option 4).

(2) If you have questions on a failed match to your SSN, please contact the Social Security Administration at 1-800-772-1213.

3. Statistical Information about your business. You will be required to provide the receipts and number of employees on a world-wide basis, which includes all affiliates. Information on your organization's profile location is optional. Organizations that sell or generate electricity, refine petroleum, or that are financial institutions will be required to provide additional data.

A. Location Information (Optional)

(1) Average Number of Employees for this location: The average number of persons employed at this location for each pay period over their firm's latest 12 months.

(2) Average Annual Receipts for this location: The average receipts for this location over the last three completed fiscal years.

B. World-Wide Organization (Required). This information is passed to SBA in order to calculate your business size using SBA's official size standards for your industry.

(1) Average number of Employees including all affiliates: The average number of persons employed for each pay period over the firm's latest 12 months, including persons employed by the parent organization, all branches, and all affiliates: The average receipts over the last three completed fiscal years, including receipts of the parent organization, all branches, and all affiliates worldwide.

(2) Average Annual Receipts including all affiliates: The average receipts over the last three completed fiscal years, including receipts of the parent organization, all branches, and all affiliates worldwide.

C. Organizations that sell or generate electricity, refine petroleum, or that are financial institutions need to provide the following:

(1) Sale or generation of electricity (NAICS codes 221111, 221112, 221113, 221119, 221121, 221122,): Total megawatt hours for the preceding fiscal year.

(2) Refining of petroleum (NAICS code 324110): Number of barrels per calendar day total Operable Atmospheric Crude Oil Distillation capacity.

(3) Financial institutions (NAICS codes 522110, 522120, 522130, 522190, 522210, 522293): Average assets as reported on the fourth quarterly financial statements for the preceding year. Assets are defined according to the Federal Financial Institutions Examination Council 034 call report form.

4. Electronic Funds Transfer (EFT) Information for payment of invoices

Not required for NON-US registrants

- a. ACH (Automated Clearing House) Routing number for your bank {The ACH system is similar to, but does not share the same numbers as the more commonly known “Wire Transfer” system, If the wire transfer routing number is used, the payments will reject.. the ACH routing number is mandatory}.
 - b. Account Number and Type, or Lockbox Number
 - c. Automated Clearing House (ACH) point of contact
 - d. Remittance point of contact
 - e. Accounts Receivable point of contact.
- **NOTE: STEPS 1 AND 2 MAY BE DONE SIMULTANEOUSLY**

C. DEFINITIONS

“System for Award Management (SAM) database” means the primary Government repository for Contractor Information required for the conduct of business with the Government.

“Data Universal Numbering System (DUNS) number” means the 9-digit number assigned by Dun & Bradstreet, Inc (D&B) to identify unique business entities.

“Data Universal Numbering System +4 (DUNS+4) number” means the DUNS number assigned by D&B plus a 4-character suffix that may be assigned by a business concern. (D&B has no affiliation with this 4-character suffix.)

This 4-character suffix may be assigned at the discretion of the business concern to establish additional SAM records for identifying alternative Electronic Funds Transfer (EFT) accounts for the same parent concern.

“Offeror” Means the owner of the property offered, or LESSOR not an individual or agent representing the owner.

“Registered in the SAM database” means that—

- (1) The Contractor has entered all mandatory information, including the DUNS number or the DUNS +4 number into the SAM database: and
- (2) The Government has validated all mandatory data fields and has marked the record “Active.”

D. ADDITIONAL TERMS, CONDITIONS AND REQUIREMENTS.

- 1. The Contractor is responsible for the accuracy and completeness of the data within the SAM database, and for any liability resulting from the Government’s reliance on inaccurate or incomplete data. To remain registered in the SAM database after the initial registration, the contractor is required to review and update on an annual basis from the date of initial registration or subsequent updates its information in the SAM database to ensure it is current, accurate, and complete. Update information in the SAM does not alter the terms and conditions of this contract and is not a substitute for a properly executed contractual document.

2. If a Contractor has legally changed its business name, “doing business as” name, or division name (whichever is shown on the contract), or has transferred the assets used in performing the contract, the Contractor shall comply with the requirements of the Subpart 42.12 of the Federal Acquisition Regulations (FAR) and provide the responsible Government a fully revised and initialed/signed GSA Form 3518, entitled Representations and Certifications, along with written notification of its intention to (A) change the name in the SAM database; and (B) provide the Government with sufficient documentation to verify and confirm the legally changed name or change in ownership. If the Contractor fails to comply with these requirements, and in the absence of a properly executed novation or change-of-name agreement, the SAM information that shows the Contractor to be other than the contractor indicated in the contract will be considered to be incorrect information within the meaning of the “Suspension of Payment” paragraph of the electronic funds transfer (EFT) clause of this contract.

3. The Lessor shall not change the name or address for EFT payments or manual payments, as appropriate, in the SAM record to reflect an assignee for the purpose of assignment of claims. Assignees shall be separately registered in the SAM database. Information provided to the Lessor’s SAM record that indicates payments, including those made by EFT, to an ultimate recipient other than the Lessor will be considered to be incorrect information.

****NOTE: Any change to:**

- “Legal Name”
- DUNS Number
- Tax ID Number
- “Company Name”
- Address1
- Address2
- City
- State
- Zip Code

CANNOT BE DONE IN SAM!, but have to be accomplished through Dun & Bradstreet. Then the change can be synchronized with the SAM Help Desk.

****FOR THOSE WHO NEED ADDITIONAL ASSISTANCE****

Missouri Southern State University has a grant with the DoD to assist vendors in the SAM Registration process AT NO CHARGE TO THE VENDOR.

Website: <http://www.mssu.edu/heartlandptac/>
Phone: (816) 235-2947.