

FMOC Organizational Rules and Procedures

ARTICLE I. Purpose, Function and Activities

Section 1. Purpose. The Facility Maintenance and Operations Committee (FMOC), a body operating under the auspices of NIBS, provides industry-wide, public and private support for the creation of higher quality facilities through improved maintenance and operation.

In order to achieve this purpose the FMOC has the following objectives: 1) To increase maintenance and operations influence in the facility acquisition process; 2) To promote the sharing and integration of facilities maintenance and operations procedures and information; and 3) To identify and disseminate "best" practices for the maintenance and operations of facilities.

Section 2. Functions. The FMOC shall, with the approval of the Board of Directors, explore matters within the sphere of interest of the Institute; supervise consensus project committees and receive their reports; submit all findings and reports; and make recommendations, if and when appropriate, to the Board of Directors. The FMOC shall initiate no undertaking requiring the commitment or expenditure of funds without specific previous authorization by the Board of Directors.

Section 3. Activities. The FMOC shall conduct such hearings, conferences, studies and other activities as it shall deem appropriate and/or requested by the Board of Directors. All findings and reports shall be submitted to the Institute's Board of Directors with the comments and recommendations of the Committee.

ARTICLE II. Project Committees

Section 1. Function. Project committees may be formed to address subjects of special interest related to the FMOC's purpose. The committees shall provide an opportunity for members having a common interest to work together under the guidance of the FMOC in pursuit of these interests and the objectives of the FMOC.

Section 2. Composition. Membership on a project committee shall be open to all FMOC or Institute members. The chairman shall be appointed by the chairman of the FMOC with the advice and consent of the FMOC.

ARTICLE III. Consensus Process

Section 1. General. The consensus process shall be followed for projects when directed by the Institute Board of Directors.

Section 2. Project Committee. A project committee shall be established when it has been determined by the FMOC and the NIBS Board of Directors that a building community consensus is required.

2.1 A project committee shall consist of an unlimited number of FMOC or Institute Members. Institute Members desiring participation shall apply in writing in response to project announcements and will become active or reviewer members as they prefer. The FMOC shall establish a closing date for membership on the project committee.

2.2 To establish balance or obtain needed special expertise as determined by the FMOC, individuals shall be invited by the FMOC Chairman to serve as appointed members (active or reviewer) of the project committee.

2.3 Timely notice shall be given of each project committee formation, stating its mission and purpose and offering membership to all interested members of the Institute.

2.4 Project committee chairman shall be appointed by and serve at the discretion of the FMOC Chairman following consultation with the President and upon receiving the concurrence of the Chairman of the NIBS Board of Directors.

2.5 The vice chairman of a project committee shall be elected by the committee membership. When necessary, the vice chairman shall assume the duties of the chairman and shall perform such other duties as may be assigned by the chairman.

2.6 The secretary of a project committee shall be elected by the committee membership and shall perform duties normally incident to the office, including the preparation and keeping of minutes of committee meetings and other records as may be required by the chairman, and shall perform such other duties as may be assigned by the chairman.

2.7 The project committee chairman may appoint a steering committee to advise and assist in the development of policies and programs for work; provide assistance in the administration of committee activities; assure coordination of the work of the project committee with associated work of other project committees; and generally serve as an oversight group to evaluate the actions and findings of the project committee and its project subcommittees in the execution of the project assignment. A steering committee must be reasonably balanced and representative of the interests involved in the project.

2.8 An active member of a project committee who has two absences from any series of three consecutive meetings shall be automatically classified as a reviewer member. An active or reviewer member who has failed to vote on any written ballot shall no longer be a member of the project committee.

2.9 Upon due notification, the FMOC may terminate a project committee for any of the following reasons:

- 2.9.1** Completion of its assignment.
- 2.9.2** Unavailability of funds to carry on the work.
- 2.9.3** The need for the work ceases to exist.
- 2.9.4** Inactivity.
- 2.9.5** Serious noncompliance with the Rules.
- 2.9.6** By instructions of the Board of Directors.
- 2.9.7** For such other reasons deemed appropriate.

2.10 A project committee shall:

- 2.10.1** Perform all work assigned by the FMOC in conformity with the project scope.
- 2.10.2** Conduct its business in strict compliance with these Rules.
- 2.10.3** Keep accurate records of committee proceedings.
- 2.10.4** Submit all final reports to the FMOC for review as to compliance and conformity with procedures and policies.
- 2.10.5** Maintain the privacy of all reports, resolutions and other written documents until final approval and release of such information for public use is authorized by the Board of Directors.

Section 3. Project Subcommittees.

3.1 A subcommittee chairman and members of a project subcommittee shall be selected from the project committee membership and shall be appointed by and serve at the discretion of the chairman of the project committee.

3.2 Selection for project subcommittee membership shall be based on the expertise and professional experience of the individual members to deal with a specific work assignment. All findings and/or recommendations emanating from the subcommittee are subject to the review and approval of the project

committee to which it reports. Subcommittee meetings do not require a quorum and subcommittee reports are not normally balloted.

Section 4. Definitions.

4.1 "Active members" of project committees are those Institute members who responded to a call for participation in a project committee by indicating that they would be able to attend project committee meetings and take an active part in discussion and voting at the meetings.

4.2 "Reviewer members" are those Institute members of project committees who indicate an interest in participation in the project committee, but are not able to attend meetings and take an active part in project committee deliberations, but agree to review, comment and vote by ballot on project committee reports and documents. A review member attending the first meeting of the project committee shall upon receipt of a written request within ten (10) days after the first meeting, be reclassified as an active member.

4.3 "Appointed members" are individuals who are not Institute members but who have accepted an invitation to serve on a project committee in an active or reviewer status.

4.4 The term "consensus" used throughout these Rules is the prevailing judgment rendered by a body of people representative of a broad cross-section of impacted or involved interests, balanced so that no single interest can dominate the proceedings and acting under due process to develop a solution to a specific problem or issue.

4.5 Terms used in these Rules such as "balance," "balanced committee," and other similar wording shall all mean that the membership of each and all committees, unless otherwise noted herein, shall consist of individuals representing the broad interests of the Institute. Balanced shall not be construed to necessarily require a complete constituency or a numerical proportioning of all the interest groups represented in the Institute.

4.6 Institute Members are categorized in one of the following twelve (12) classifications based on their primary trade, occupational or business affiliation. Representatives of trade and professional associations, and societies are categorized in the interest classification they primarily represent. Consultants, private attorneys and other similar individuals are classified in categories they predominantly serve. The purpose of the "interest classifications" is to insure an appropriate and balanced representation of the various interests of the building community in the makeup of project committees.

Consumer and General Interest - Consumers, users, academia, media, and public interest groups.

Architects - Architects and related professionals in private practice.

Engineers - Engineers and related professionals in private practice.

Federal Government - Officials and representatives of federal government agencies.

State and Local Government - Officials and representatives of state and local government including code officials.

Building Construction - Building construction contractors, subcontractors and utilities. Labor

Organizations - Building trade unions.

Housing - Builders, developers and housing producers.

Building Materials and Products - Producers, manufacturers and distributors of materials and products used in the building process.

Standards - Standards writing or producing organizations.

Real Estate, Finance and Insurance - Owners, real estate financial and insurance organizations.

Research, Testing and Other Services - Research organizations, testing laboratories, and other service organizations.

Section 5. Meeting Notices. Written notices of all meetings of project Committees shall be mailed not less than thirty days prior to the scheduled dates of such meetings, and shall give the place, time and other necessary

information. Agenda and supporting documents shall be mailed at least 15 days prior to the meeting. Chairmen may call special meetings for specific purposes.

Section 6. Open Meetings. All meetings of project committees and project subcommittees shall be open to visitors.

Section 7. Visitors.

7.1 Visitors who are not members of the Institute may participate in meeting discussion with the permission of the chairman, but are not eligible to make or second motions or to vote. Members in good standing of the Institute, who are not active committee members, are eligible to participate in meeting discussions and to make motions or to second motions, but are not eligible to vote.

7.2 The chairman shall identify and introduce all visitors, determine their membership status, advise them of their rights and privileges, and instruct the secretary to enter their names and business affiliation into the minutes of the meeting.

Section 8. Meeting Quorums.

8.1 Meetings of any project committee will be considered duly constituted and officially ready for business when one third of active committee members are present.

8.2 Meetings of project subcommittees do not require a quorum.

8.3 Any scheduled meeting of a project committee that does not have a quorum of its members present, may be opened at the option of the chairman for purposes of discussion, but shall not be allowed to take any official action. If a quorum is not present at a meeting, actions may be taken subject to confirmation by letter ballot.

Section 9. Voting Privileges.

9.1 All project committee members shall be entitled to ballot on documents and draft reports.

9.2 Only active members are entitled to vote at project committee meetings. Two or more active members representing a single organization or agency shall have one vote at project committee meetings.

9.3 An active member may appoint an alternate who is entitled to full participation and voting privileges in the absence of the active member. Alternates shall be Institute Members.

9.4 At project committee meetings, the project committee chairman shall identify eligible voters at the start of a meeting. Proxies are not permitted.

Section 10. Approval of Report. Final reports shall require approval by written ballot.

10.1 In each ballot of a project committee two thirds majority of the total votes cast, excluding abstentions, shall be considered a consensus and shall constitute due and proper procedure to validate the action of the committee. Not less than a majority of those entitled to ballot, including abstentions, must be involved in the vote.

10.2 A project committee report may be revised and resubmitted, with ballot, to the project committee for as many iterations as needed to obtain approval.

10.3 The project committee chairman shall establish a date for return of written ballot. A minimum of 30 days shall be provided for members to review and ballot the final report.

10.4 When balloting to approve a report, project committee members shall cast their votes in one of the following categories:

- Accepted
- Accepted with comment
- Abstain
- Negative

10.5 A negative vote must be substantiated to be valid. This provision shall be stated on the ballot.

10.6 All comments submitted with a negative vote or an accepted-with-comment vote will be reviewed at a meeting of the project committee, unless the steering committee finds the comments to be editorial, and in turn notifies the project committee of the decision and provides copies of the comments. Should a committee member, other than the submitter, disagree with the decision of the steering committee, and state in writing the reason for such disagreement, the comments will be reviewed at a meeting of the project committee.

10.7 At a meeting of the project committee all comments submitted shall be evaluated, categorized, and disposed as follows:

- Persuasive - relevant and of such substance as to require incorporation into the original report.
- Non-Persuasive - relevant but not of such substance as to affect the original report.
- Not-Relevant - not consistent with the intent or subject matter of the report.
- Editorial - changes in grammar, punctuation or format and revisions will be made.

10.8 The project committee chairman shall notify all who submit comments with a ballot of the project committee's disposition of the comments. A voter who disagrees with the disposition of the voter's comment may appeal directly to the project committee chairman for reconsideration. The project committee chairman and steering committee, if any, shall evaluate the appeal and re-categorize the comment, if warranted.

10.9 A decision by the project chairman or steering committee, if any, to reject the appeal may be appealed to the chairman of the FMOC for review and adjudication by the Committee. However, the FMOC will only consider appeals related to the Rules and Procedures or NIBS policy. Technical issues are the sole responsibility of the project committee.

10.10 Project committee members who cast negative votes with comments found to be persuasive and incorporated into the original report may change their vote to accepted or accepted-with-comment.

Section 11. Minority Opinions. Minority opinions may be filed as an appendix to all NIBS reports adhering to the following general guidance.

11.1 Minority opinions may be submitted only by project committee members who have cast an accepted-with-comment or a negative vote.

11.2 Only those submitting comments held to be persuasive or non-persuasive by the project committee will be entitled to file a minority opinion to be considered for publication. A minority opinion will not be published without the expressed written consent of the author.

11.3 Minority opinions shall address only the substance of comments submitted with a ballot.

11.4 The content of the minority opinion shall be as follows:

11.4.1 Identify the subject and state the objection.

11.4.2 Explain the rationale for the objection.

11.4.3 State alternates that are recommended.

11.4.4 Sign the statement.

11.5 Minority opinions may be submitted on separate issues contained within a single report but each must be prepared separately.

11.6 Minority opinions on a single issue may be combined and signed jointly.

11.7 Minority opinions must be prepared to meet the deadline for submittal of the original report.

11.8 The format of a minority opinion submitted is subject to change and the content subject to editorial review without change in intent to assure one style in the report.

11.9 The project committee chairman and steering committee, if any, shall evaluate minority opinions for adherence to these Rules and authorize publication. If publication is rejected, the decision may be appealed to the chairman of the FMOC for review and adjudication by the FMOC.

Section 12. Records. The secretary of each project committee or Institute staff shall, where applicable, organize and keep accurate records of all written matter, including but not necessarily limited to the following:

12.1 Minutes of all scheduled meetings;

12.2 Voting records of all actions taken;

12.3 Attendance at meetings including visitors;

12.4 Letter ballots;

12.5 Correspondence, including meeting notices;

12.6 Reports, resolutions and all other written matter;

12.7 Financial reports, including budgets and expenditures;

12.8 Memoranda giving information on significant verbal communications, including instructions from the FMOC; and

12.9 All such other records as may from time to time be requested by the Chairman, and on request, all records may be open for inspection by (a) members of the Committee; (b) authorized staff of NIBS; (c) all members of the NIBS Board of Directors and the FMOC; and (d) by such other individuals as may from time to time be expressly authorized by the chairman of the FMOC.