

ATTACHMENT 1 TO RSL-2005-\_\_  
GUIDANCE FOR GENERAL PURPOSE, CATEGORICAL, OR SPECIAL PURPOSE  
DELEGATIONS

1. The Can't Beat GSA Leasing or Provider of Choice (CB/POC) standing delegation of authority issued by the Administrator is a type of general purpose delegation of leasing authority [FMR 102-72.30(b)]. The procedures below are applicable when an agency intends to use this standing delegation of leasing authority to acquire space on its own, and PBS concurs that the conditions for this type of general purpose delegation are met and indicates that the agency may proceed to use the standing delegation for their project. It is important to remember that an agency may also request a general purpose delegation from the Administrator for a project which does not meet the criteria for the standing delegation [FMR 102-73.135(c)]. For example, if an agency wants to procure space for which the net average annual rent exceeds the prospectus level, the Administrator may delegate general purpose leasing authority for that particular project with whatever conditions would be necessary for that project.
2. Prior to instituting any new, succeeding, or superceding lease action under a CB/POC general purpose delegation, the head of a Federal agency (without its own independent leasing authority) or its designee must notify in writing the appropriate GSA ARA/PBS of the agency's need for general purpose space and of the agency's intent to exercise the standing delegation of authority provided by the CB/POC delegation letter. In addition, when an agency wants a special purpose space delegation over 2,500 square feet, they must follow these notification procedures as well (FMR 102-73.135(e)). GSA's approval for a special purpose space delegation must be based upon a finding that there is no vacant Government-owned or leased space available that will meet the agency's requirements.
3. The notice from the agency must provide the name and contact information for the contracting officer who is to conduct the procurement. Since GSA also requires its contracting officers be registered in ACMIS in accordance with OFPP Policy Letter 05-01 and Section 37(d) of the OFPP Act, as amended (41 U.S.C. § 433(d)), the agency's contracting officer must also be registered in ACMIS.
4. The notice must also include a limited acquisition plan meeting the requirements specified by GSAM 507.1-Acquisition Plans. This plan is to be completed by the requesting agency; it is provided to GSA to assure that the intended use of the delegation is supported by the acquisition plan parameters. The plan is prepared and signed by the requesting agency and its authorized personnel. GSA does not approve the plan, but we have a duty to question it if it is inconsistent with the delegation request.

5. The agency may exercise the authority contained in the general purpose and special purpose delegations only when the ARA/PBS notifies the agency in writing that suitable Federally-controlled space is not available to meet its space need. Procurements for categorical space types do not require this prior notice.
6. Delegations under the **CB/POC standing general purpose delegation** may not be used for acquisitions which exceed prospectus thresholds.
7. If the agency subsequently decides not to exercise the requested authority, it must provide written notice of such to the ARA/PBS.
8. If no suitable Federal space is available and the agency uses the CB/POC general purpose leasing delegation, then upon award the agency must provide to the ARA/PBS:
  - a. Award date
  - b. Location of property
  - c. Documentation that the rental rate is within the prevailing market rental rate for the class of building leased. See the Bulletin for more information.

In addition, the agency must provide to the GSA regional office 18 months' advance notice of lease expiration if there is a continuing need for the space, and the agency wishes to use the delegation again to satisfy the requirement.

9. General purpose delegations may not exceed 20 years including options. Lease terms for leases acquired using general purpose delegations must be compatible with the GSA community housing plan for new Federal construction or any suitable space that will become available in Federally-controlled facilities. GSA should advise the agency in their response about any limiting factors so that the delegated lease term can be consistent with the GSA community housing plans.
10. FMR 102-72.150 describes the types of space that may be acquired with categorical designations as well as any limiting factors as to lease term. FMR 102-73.155 describes the types of space that may be acquired by a particular agency for their special purpose space and any limiting factors as to term.
11. In general, no agency may perform acquisitions on behalf of another agency nor may they collect rent from another agency. However, the Service First Act allows the agencies in the Departments of the Interior and Agriculture to collocate, perform lease acquisitions for each other, and collect rent from each other. More information about this program is available at:  
<http://www.fs.fed.us/servicefirst/legislation.htm>.
12. We may revoke a delegation if the agency is improperly using it.

13. Attached is a standard letter that must be used by the regions when responding to requests for use of the general purpose and special purpose delegations of leasing authority as provided by the FMR. The letter and its attachments detail the information that agencies are to provide to Office of Government-Wide Policy as well as the ARA/PBS for the applicable region. Instructions to register in ACMIS are also provided.
14. In light of OMB's interest in GSA's delegation program, Executive Order 13327, Federal Real Property Asset Management, as well as a high rate of nonresponsiveness to OGP for information regarding agencies' delegated leasing activities and increasing scrutiny of the leasing program by auditors, we require the following:
- Within 30 days of issuance of this RSL, each region must name one associate designated to oversee the lease delegations program and through whom all requests for delegations are controlled.
  - This contact will review the delegations requests, consult with the appropriate Portfolio and/or Realty associates as to availability of federally-controlled space and whether housing plans affect the requested lease term.
  - This contact will prepare and sign the delegations letter. The GSA ARA/PBS is not specifically required to sign the letter.
  - Using the attached Regional Delegations Log, this contact will report to National Office incoming requests and agency reports of lease awards.
15. The OGP annually requests all agencies to report information about leases they acquired using delegations of authority. OGP reviews this agency information against delegation information provided by the regions to determine any under-reporting by agencies. Because of intense interest from a variety of stakeholders, the regions are directed to provide the attached reports monthly to National Office. They shall be emailed to [laura.strohbach@gsa.gov](mailto:laura.strohbach@gsa.gov). If this contact person changes, the regions' contacts will be notified via email.