

NIH POLICY ON “FORCED MOVES”

Approved by the FPAC April 10, 2002

Revised May 6, 2002

Principles:

1. The Facilities Planning Advisory Committee (FPAC) and NIH Leadership provide the overall policies for space allocation, with the NIH Space Recommendation Board (SRB) providing implementation. Acting in the best interest of NIH as a whole, they provide “NIH Corporate” oversight of NIH space allocations.
2. An IC (or the NIH OD, or a Central Service Office and Center (CSOC)), which is forced to relocate from its current space by either another IC or by NIH Corporate, will receive space and funding compensation for the forced move by the organization causing the forced move. Such a move is usually initially proposed to meet a specific IC or Corporate need, but there is discussion among the affected ICs and a decision from the NIH Corporate perspective before a given proposal is viewed as a “forced move”.

Implementation Guidelines:

1. If NIH Corporate is causing the forced move, the SRB and FPAC will act for the NIH Corporate similarly to a forcing IC. The FPAC will recommend to the Funding Advisory Review Board (FARB) a funding plan to cover the forced costs. The FARB will be responsible for approving the required funds for the forced move to be designated in the appropriate CSOC’s operating fund budget or IC Capital Fund budget, with a CAN identified for use by the IC forced to move.
2. The IC causing the forced move will not be required to fund the related cost of any expansion space desired by the IC forced to move. If the IC being forced to move elects to include expansion space to the move, rent may be required for the existing space and the newly assigned expansion space.
3. If the IC being forced to move is required to relocate from the Bethesda Campus to an off campus leased location, the FPAC and SRB may recommend to the NIH Director to consider reallocating that IC’s budget to fund the additional off campus annual rent. The recommendation for such adjustment to the NIH Director will be made by the SRB and/or FPAC, upon the request of the impacted IC.
4. The IC causing the forced move will be required to fund the rent for the forced move portion of the space until occupancy of the space by the IC forced to move.
5. To the greatest extent practical, all costs should be agreed upon by all IC’s affected and the financial responsibility of each prior to any commitments.

Implementation Processes:

1. The IC forcing an IC to move must use the space justification document (SJD) process and receive approval by the NIH SRB, who will refer policy and corporate funding issues to the FPAC.

2. In general, the IC responsible for forcing another IC to move has the obligation to make the IC being moved “made whole” (i.e., in the same condition prior to the forced move). The IC responsible for forcing another IC to move will cover the cost of the design, renovation, and relocation specifically to cover the cost for replacing the current space requirements in their newly assigned locations. The IC forcing the move will not be required to fund an upgrade to or customization of the new space beyond that of the current space. The following are other conditions related specifically to the planning of the move:
 - i. The IC being forced to move will receive, at a minimum, the same level of quality and duplication of features in their new space as it exist in their current space. The SJD Decision Memo will include a generic cost estimate (for administrative space to cover construction, fees, telecommunications, furniture, signage, move, security, etc.) prepared by DES/DCAB, intended to act as a guide to identify the projected cost to cover the forced move (sample is attached for relocation to new leased space). The administrative space generic cost estimates based on “rule of thumb” for unit rates, such as per net sq. ft. and per person cost for previous similar projects. The generic cost only provides an order of magnitude for the cost of the project. The actual cost developed by the contractor will be the basis for the cost to be funded by the IC forcing the move.
 - ii. In terms of “replacement for current space” in an administrative buildings, the standard for space on campus is 160 nsf/person, but the standard off campus is 190 nsf/person. Therefore, replacement space off campus for on campus space will be higher by that same proportion.
 - iii. The actual cost, for the forced moves to be funded will be determined at the time the contractor selected to perform the renovations identifies the cost based on the final construction documents, and will be reviewed with the forcing IC for concurrence.
 - iv. The IC responsible for the forced move will fund the cost of new office and/or laboratory furniture to the extent that the current furniture/laboratory furniture cannot be moved/used to provide for the same number of work stations (in enclosed and open areas) that currently exist unless other arrangements are mutually agreed to.
 - v. The DES Project Officer will be responsible for final decisions on disputes concerning the level of quality and duplication of the current space features to be funded by forcing IC.
 - vi. The DES Project Officer will be responsible for obtaining approval from the forcing IC or the Central Services Budget, when its CAN is used to pay the expenditures related to the forced move.
 - vii. The projected time-frame for delivery of the space to IC responsible for the forced move shall be identified by DES/DCAB as part of the SJD Decision Memo. These time-frames will not include consideration of incidences that are

outside of the control of the ICs involved or the case of lease space, the lessor's ability to deliver the completed space.

3. The IC being forced to move will continue to pay rent on their existing space until such time as their new space can be occupied. The IC responsible for the forced move will pay rent for the forced move portion of the new space to be acquired, if necessary, in advance of occupancy by the IC occupying that space.
4. NIH Director may consider reallocation of the appropriate budget for ICs being forced to move off-campus to pay the additional rent. The estimated additional rent cost will be based on the rentable space being assigned and the difference between the on and off campus rent rates annually.