



General Services Administration
Public Buildings Service
Washington, DC 20405

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PER-95-04

MEMORANDUM FOR ALL REAL PROPERTY LEASING ACTIVITIES
(PER DISTRIBUTION LIST)

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SUBJECT: Implementing Lease Lab and Lease Acquisition BPR Recommendations

1. Purpose. This acquisition letter issues a list of suggested approaches and procedures, including the elimination of separate accessibility certifications, which may be used by real estate activities to improve customer relations and the leasing process. This letter also cancels several letters that are no longer needed or have been outdated by events and extends two letters which were inadvertently allowed to expire.
2. Background. Leasing labs in regions 3, 8, and 10 and the Lease Acquisition BPR have recommended a number of actions which real estate activities can implement without changes to statutes, Executive orders, or regulations.
3. Effective Date/Expiration Date. These instructions are effective upon receipt in real estate activities, and will expire 12 months from the date of issuance. This acquisition letter will not be extended because the guidance it contains is voluntary.
4. Cancellation. The acquisition letters listed on Attachment 2 to this acquisition letter are canceled.
5. Applicability. All real property leasing activities.
6. Instructions/Procedures.
 - a. Recommended Actions. Attachment 1 contains a list of recommended actions which real estate activities may implement as appropriate.
 - b. Acquisition Letters Extended. Acquisition letters PQRP-92-07, entitled *Revision of Lease File Format*, dated December 17, 1992, and PQRP-92-08, entitled *Seismic Safety for Acquisition of Leasehold Interests in Real Property*, dated December 23, 1992, are hereby extended through November 30, 1995.

Attachments

Lease Lab and Lease Acquisition BPR Recommendations

NOTE: These actions do not trigger any labor/management obligations; therefore, they may be implemented as appropriate.

1. Encourage Cooperative Development of Specials Between GSA and Customer. An agency's technical requirements can be incorporated into the SFO and/or replace sections of the SFO to meet the special needs of the agency.
2. Encourage Partnering Sessions With Customers. Partnering sessions with customer agencies at the beginning of the project enables identification of key issues for the duration of the project.
3. Eliminate GSA Letter Requesting Agency Concurrence on Award. Formal, written agency concurrence on award *must be obtained in writing*; however, the formal GSA letter requesting concurrence may be eliminated at the discretion of the contracting officer.
4. Make Lessor Financial Responsibility Check Discretionary. The formal responsibility check is currently optional and should only be used as needed.
5. Accept Space As Is. Accepting space "as is" wherever feasible speeds the delivery process and reduces the cost of space.
6. Suspend Formal Contract Clearance. Mandatory clearance was terminated by acquisition letter V-93-8 on December 6, 1993; therefore, all contract review should be performed early in the process or after award.
7. Perform Layouts Earlier in Process. In actions with limited competition or smaller square footage requirements, layouts may be prepared prior to award, thus reducing risk to offerors and lowering lease costs.
8. Use Succeeding Leases More Often. When the results of a cost/benefit analysis indicate that a succeeding lease is in the best interests of the Government, a justification for other than full and open competition should be prepared in accordance with GSAR and a succeeding lease executed without conducting a full lease competition.
9. Eliminate Concurrences/Reduce File Reviews/Delegate Signature Authorities. Concurrences and file reviews should be reduced to the smallest number possible and signature authorities should be delegated to the lowest levels of management.

10. Decrease Use of Source Selection Procedures. When requirements permit, leasing actions should utilize lowest price, technically acceptable negotiated procurement procedures. Such a procedure is more efficient, less time consuming, and less vulnerable to challenge than formal source selection procedures. In deciding whether requirements permit the use of such procedures, contracting officers should be aware that such procedures potentially limit the ability to select higher quality, higher priced space.
11. Increase Usage of Monetary Award Authority for Employees Who Achieve Significant Cost Savings. Monetary awards for significant cost savings can provide additional incentives to employees.
12. Eliminate Accessibility Certifications. The Federal Property Management Regulations provide at 41 C.F.R. 101-19.606 that lease files be documented with a statement of whether accessibility standards are applicable, and, if applicable, that they have been or will be incorporated into the design. The Handbook, *Acquisition of Leasehold Interests in Real Property*, provides, at Chapter 1, Appendix C, for the implementation of this requirement with a certification. A separate certification is no longer required, because a) accessibility in accordance with the Uniform Federal Accessibility Standards is required, if applicable, in every GSA lease and b) the acceptance of space inspection includes inspection for compliance with the accessibility requirements of the lease. Separate accessibility certifications are eliminated because they are duplicated in the SFO requirements and acceptance of space documentation.
13. Allow Verbal Notification of Conclusion of Negotiations and Request for Best and Final Offers. Verbal requests and notifications may be used *when followed in writing*.
14. Encourage Negotiation of Buildout from Typical Layout Plans. Negotiation from typical plans in the SFO or from annotated drawings on *each* offeror's space, where appropriate, can lower risk for offerors and eliminate the need for unit cost reconciliations.

Canceled Acquisition Letters

1. Letters no longer needed or overly prescriptive.
 - a. "Maintenance of Mailing Lists of Potential Offerors," PRL-82-13, June 17, 1982.
 - b. "Multi-unit Leases," PRL-82-22, October 12, 1982.
 - c. "Periodic Review of Selected Leasing Data Bases to Ensure Accuracy of Data, With Particular Emphasis on Renewal Dates," PRL-83-07, August 8, 1983.
 - d. "Implementation of Forms Reduction for Leasing," PQP-86-04, July 14, 1986.
 - e. "Reconciling Unit Price Items from ISA's and a Unit Price Adjustment Clause for Small Leases," PQP-88-10, dated September 30, 1988.
2. Letters outdated by reorganization.
 - a. "Lease Enforcement," PRL-83-16, December 21, 1983.
 - b. "Standardized Letters for Rental Deductions," PRL-84-04, February 29, 1984.
 - c. "Lease Alterations-General Conditions," PRL-84-08, April 2, 1984.
 - d. "Independent Estimates and Inspections - Lease Alterations," PRL-84-12, June 7, 1984.
 - e. "Lease Construction," PRL-84-11, June 1, 1984.
3. Letters covered in the SFO and SFO Workbook.
 - a. "Lease Construction SFO Clauses," PRL-85-03, January 31, 1985.
 - b. "Additional Security Clause for Leased Space," PQP-87-05, April 24, 1987.
 - c. "Application of Relocation Assistance Act," PRL-82-11, dated May 25, 1982.
 - d. "Changes in the Standard Base of the Consumer Price Index," PQP-88-1, dated March 14, 1988.
 - e. "Price Evaluation Requirement for Leases," PQRP-89-06, dated August 3, 1989.
 - f. "Recycling in Leased Space," PQRP-94-01, dated February 25, 1994.
 - g. "Revision of HVAC Requirements and the SBA's Small Business Size Standard," PQRP-94-04, dated June 10, 1994 (also outdated by reorganization).