

**SAMPLE "SUCCEEDING LEASE" JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

U.S. General Services Administration  
GSA Region [ ]  
[Name of Service Center/Division]

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

LEASE NUMBER: GS-XX-XXXXX  
PROJECT NUMBER: [STAR Project Number]  
Agency Name: [Agency Name]

1. IDENTIFICATION AND DESCRIPTION OF ACTION BEING APPROVED.

The General Services Administration currently leases [amount of space] rentable square feet (rsf) of office space at [street address, city, state, under lease number GS-XX-XXXX for the [agency name]. The current lease expires [date]. Approval is requested to negotiate a succeeding lease with the incumbent landlord without full and open competition for continued occupancy at this leased location.

2. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED.

[Agency name] submitted a continuing need letter on [date of letter] for [amount of space] rentable square feet of office and related space. To satisfy the [agency name] mission requirements, the facility must be within walking distance of the [complete sentence, as appropriate].

This requirement is for [amount of space] rsf of space for a [fill in agency lease term Requirement]-year term to commence on [date new lease term begins]. The estimated annual cost of this lease is [fill in dollar figure based on information quotes received in response to advertisement] BOMA rentable square feet per year for an annual cost of [fill in dollar figure based on information quotes received in response to advertisement] and a total contract value of [fill in dollar figure based on information quotes received in response to advertisement]. The delineated area is [identify specific delineated area].

3. IDENTIFICATION OF STATUTORY AUTHORITY.

41 U.S.C. 253(c) (1): Only one responsible source and no other supplies or services will satisfy agency requirements.

4. DEMONSTRATION THAT THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED.

GSAM 570.402-5 allows for negotiation with the incumbent lessor when a cost-benefit analysis shows that the Government cannot expect to recover relocation and duplication costs through competition. GSA placed an advertisement conforming to GSAM 570.402-2 on the Federal Business Opportunities Web site (febizopps.gov) on [date advertisement was posted] and received [number of expressions of interest received] responses. The incumbent lessor's expression of interest indicated that the rate would be [dollar amount] rsf. The interested party that provided the lowest cost quoted a rate of [dollar amount] in its expression of interest.

Award to other than the current Lessor would require relocation of the entire requirement and would cause [agency name] to incur move and replication costs that would not be recovered through competition. [Provide a brief summary of any special use space such as a Sensitive Compartmented Information Facility (SCIF), Heating, Ventilation, and Air Conditioning (HVAC) enhanced conference rooms with video teleconferencing capabilities, etc., that would all have to be replicated if they were to move.]

Cost-benefit Analysis Acquisition of 25,600 Rentable Square Feet (RSF) Five-Year (Firm Term) Analysis:		
	<u>Present Location</u>	<u>Alternate Location</u>
5-yr. Total rent / annual RSF rate	\$3,072,000 / \$24.00	\$ 2,398,720 / \$18.74
New amortized tenant improvements	\$257,280	\$1,137,920
Cost of physical move	\$5,029	\$21,604
Voice & Data move	\$10,057	\$68,974
Duplication of Reimbursable Work Authorization (RWA) alterations	\$0	\$410,702
Total 5-year cost / annual RSF rate (no escalations included)	\$3,344,366 / \$26.13	\$4,037,920 / \$31.55
Firm term lease savings	\$693,554	

The cost of relocating [agency name] using the low cost quote exceeds the cost of remaining at [current GSA leased location]. The savings to the Government is \$693,554. Based on this cost-benefit analysis, the Government cannot expect to recover relocation and duplication costs through competition. Therefore, the Government intends to negotiate a succeeding lease and remain at its current location.

5. DESCRIPTION OF EFFORTS TO SOLICIT AS MANY OFFERS AS PRACTICAL.

In [date of market survey], [national broker contractor name or GSA] conducted a market survey and identified four potentially acceptable locations (three plus the incumbent) that might meet the agency’s needs within the delineated area. [Provide brief summary of the potentially acceptable locations and their ability to meet the Government’s requirements]. In addition, an advertisement was placed in Fedbizopps on [date of advertisement]. GSA received only [number of expressions of interest received] responses, which are:

123 Main Street (incumbent)
456 78 <sup>th</sup> Street

6. DEMONSTRATION THAT THE ANTICIPATED COST WILL BE FAIR AND REASONABLE.

In accordance with Federal Acquisition Regulation (FAR) 6.303-2(a) (7), the Contracting Officer determines by certifying this document that the anticipated cost to the Government of [dollar figure]/rsf for the entire requirement is fair and reasonable.

Recent market surveys conducted by [national broker contractor name or GSA] in [city], [state] showed the rental rate within the delineated area ranges from [identify rental rate ranges quoted during market survey] per RSF.

7. DESCRIPTION OF MARKET SURVEY CONDUCTED.

In [date of market survey], [national broker contractor name or GSA] conducted a market survey that identified the following four locations including the incumbent:

Address	Asking Full Service Rental Rate
456 78 <sup>th</sup> Street	\$18.74/rsf
987 65 <sup>th</sup> Avenue	\$20.00/rsf
432 10 <sup>th</sup> Street	\$23.00/rsf
123 Main Street (incumbent)	\$24.00/rsf

**Figure 1: Market Survey Comparables**

8. OTHER FACTS SUPPORTING USE OF OTHER THAN FULL AND OPEN COMPETITION.

Not applicable.

9. LIST OF SOURCES THAT EXPRESSED INTEREST IN THE ACQUISITION.

123 Main Street (incumbent)
456 78 <sup>th</sup> Street

10. STATEMENT OF ACTIONS TO OVERCOME BARRIERS TO COMPETITION.

Not applicable.

11. CONTRACTING OFFICER CERTIFICATION.

By signature on this Justification for Other than Full and Open Competition, the Contracting Officer certifies that the award of a succeeding lease of [amount of space] is in the Government's best interest and that this justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_ Date \_\_\_\_\_  
[Name of Contracting Officer], Contracting Officer

12. TECHNICAL REQUIREMENTS PERSONNEL CERTIFICATION

I certify that the supporting data used to form the basis of this justification is complete and accurate to the best of my knowledge and belief.

\_\_\_\_\_ Date \_\_\_\_\_  
[Name of Realty Specialist], Realty Specialist