

LEASE FILE CHECKLIST GUIDANCE

I. REQUIREMENT

- * A. **SF-81 or Other Request for Space.** Is no longer required; however, some agencies are still using this form. Other methods to request space are acceptable such as a documented phone call or letter from the agency. However, when no SF-81 is submitted, the space request must still address customer funding availability.
 - 1. Transaction Management Playbook (TMP) - Product Information (P-1 through P-4: Formal Requirements Document, Project Management and Communication Plan, Options Package, Proposal Package) and Associated Correspondence related to the five interactions: the requirements interview, requirements confirmation, presenting options, solution agreement documentation and delivering as promised. All TMP documentation from commencement to completion of the process shall be filed here.
- * B. **Special Requirements (Specs).** Specifications and Plans identifying agency needs above the shell and tenant improvement language in the SFO.
- * C. **Title 10 Clearance for Armed Services.** Title 10 USC 2662(e) states – No element of the DOD shall occupy any general purpose space leased for it by the GSA at an annual rental in excess of \$500,000 (excluding the cost of utilities and other operation and maintenance services). DOD still has to report under Title 10 if this is a new lease, and/or if the lease started with an annual rental under \$500K and will cross the threshold through rent escalation. Acquiring the Title 10 Clearance is a DOD responsibility and not GSA's.
- * D. **Notification to City Official.** Letter to Mayor or City Planning Board. Executive Order 12072 http://www.gsa.gov/Portal/gsa/ep/contentView.do?pageTypeId=8199&channelId=-13339&P=PLAE&contentId=16907&contentType=GSA_BASIC
- * E. **Justification of Delineated Area.** Required if not in CBD. Also required when crossing over Congressional Districts. Reference: E.O.12072, E.O.13006 and the Rural Development Act (RDA)
 - 1. Rural Development Act. PE-2003-01 Requires customers to submit a written statement to GSA to affirm that first priority was given to locating in a rural area. This is required for all lease acquisitions. FMR 102.83
- * F. **Draft OA.** First Draft of the Occupancy Agreement sent to the agency for concurrence to proceed with project. OA should identify estimated market rate, tenant improvement allowance, and any ad hoc clauses unique to this space action. Examples of ad hoc clauses would include, but are not limited to, any environmental restoration language upon lease termination, waiver of 120-day notification requirement...
- * G. **Scoring Evaluation.** OMB Circular A-11, Criteria and Scoring Ramifications for Operating and Capital Leases. Reference the Portfolio Web Site titled "Lease Score Keeping Model." http://www.whitehouse.gov/omb/circulars/a11/current_year/a_11_2004.pdf
- * H. **Broker Contract Information.** Miscellaneous
- * I. **Emergency and Disaster Leasing – miscellaneous records/information.** i.e. FEMA, COOP Procedures – Project/requirements information.
- J. **Other**

II. PRE-SOLICITATION

- * A. **Task Order Orientation Meeting.** Notes from this meeting between the Regional Contracting Officer (RCO), Broker and Contracting Officer's Technical Representative (COTR) [Realty Specialist/Contracting Officer] covering the roles and responsibilities of these parties exclusive of the customer, and preliminary project schedule. Required for all Broker Contract projects. Must take place prior to the Project Orientation Meeting. Customer's requirements, as agreed to in the TMP process must be presented at this time.

NOTE 1: The asterisk (*) identifies items that remain the responsibility of the Government in broker contract projects.

LEASE FILE CHECKLIST GUIDANCE

- * B. **Project Orientation Meeting.** Meeting of the COTR, Broker and Customer (Tenant Agency). Required for all Broker Contract projects. File meeting notes discussing the contractual relationship between all parties in addition to scope of requirements, expectations for task order delivery and estimated project schedules.
- * C. **Acquisition Plan.** Required for leases exceeding simplified acquisition threshold. This should begin as soon as the agency need is identified, preferably well in advance of the fiscal year in which contract award is necessary and issuance of the SFO. It will be approved by the Contracting Officer except as stated in GSAM 507.102. In accordance with GSA ORDER OGP 2800.1, dated January 1, 2004, written acquisition plans are required for all actions over the SLAT. Most of these will be Limited Acquisition Plans, however Comprehensive Plans are necessary. Comprehensive Plans are necessary for all acquisitions/new (lease) construction over \$50M including options, and complex, politically sensitive projects of any size over SLAT. All plans are to be signed by the RA, ARA or their designee in addition to the Contracting Officer.
<http://internotes.gsa.gov/insite/gsad.nsf/d918e928855e021285255faa007aa137/104da1511db6520885256e1c004afab2?OpenDocument>
- D. **Justification for Other Than Full and Open Competition.** FAR 6.303 – A contracting officer shall not commence negotiations for a sole source contract without written justification identifying the cause as outlined in FAR 6.302 and required approvals are obtained as required by FAR 6.304. Also reference GSAM 502.101 and GSAM 504.803.
- E. **Historic Building Check.** Public Buildings Cooperative Use Act of 1976, Executive Order 13006, and Section 106 of the National Historic Preservation Act.
http://www.gsa.gov/Portal/gsa/ep/contentView.do?pageTypeld=8199&channelld=-13339&P=PLAE&contentId=10723&contentType=GSA_BASIC
<http://www.achp.gov/regs-rev04.pdf> and <http://www.nr.nps.gov/>
- F. **Flood Plain Check.** Executive Order 11988 and NEPA Call-In Fact Sheet (web-site) dated 9/97.
http://www.gsa.gov/Portal/gsa/ep/contentView.do?pageTypeld=8199&channelld=-13339&P=PLAE&contentId=16905&contentType=GSA_BASIC
and <http://esri.com/hazards/makemap.html>
- * G. **Prospectus/Notification of Approval.** GSA Order PBS P7000.12, Chapter 5, OMB Bulletin 91-02, and OMB Circular A-11. Check with Regional Portfolio Management or their website for the current threshold as it is adjusted annually.
- H. **Copy of Advertisement or FedBizOps Printout.** GSAM 505.101 Notice must be published in the newspaper or in FedBizOps if 1) the acquisition is for leasehold interests in real property estimated to exceed 10,000 square feet; or 2) the acquisition is for a leasehold interest in a building to be constructed on a pre-selected site. The notice must include mandated elements in accordance with GSAR 570.402-2.
- I. **Responses to Advertisement.** All expressions of interest should be documented in writing for the file, including phone calls.
- J. **Market Survey, Market Survey Report, and Agency Concurrence.** GSAM 570.301
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1854967>
- K. **CATEX Checklist.** 40 CFR 1508.9 and GSA Directives as well as the NEPA Desk Guide. Environmental checklist review should be coordinated with the Regional Environmental Quality Advisor. The checklist can be found at <http://insite.gsa.gov>, (Select Buildings/ Environmental Programs/GSA NEPA Implementation/NEPA Deskguide). You will find the CATEX Checklist in Chapter 5 of the Deskguide as Exhibit 5-1. Also see E.O. 12873.
- * L. **Source Selection Plan (Signed) and Related Correspondence.** The Source Selection Plan may be a simple go/no go acceptable lowest priced plan which is abbreviated or a best value tradeoff process used when it is in the best interest of the Government to consider award to other than the lowest priced offer or other than the highest technically rated offer. FAR 15.101.1

LEASE FILE CHECKLIST GUIDANCE

- * M. **Award Factor Evaluation**
- * N. **Vending Facilities.** This paragraph is required in the SFO whenever the requirement 1) involves 100 or more occupants **or** 2) at least 15,000 square feet of space. Minimum of 250 square feet must be offered to the blind. Contact the regional Concessions group for amount of space to be entered. Exception information can be found at USC Title 20, Section 107a. [34 CFR 395.1(q)]
- O. **Other**

III. SOLICITATION

- A. **Draft Solicitation for Offers.** (GSAM 570.302 and 570.303-1) The Tenant Improvement (TI) SFO is not mandatory; however, currently it is the SFO that is being updated with required clauses and clause modifications. If using a variation of the SFO, ensure all mandatory clauses are incorporated. Legal review at the discretion of the Contracting Officer.
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1854967>
- B. **Agency Approval of SFO.** The agency is required to review and approve the SFO and Special Requirements before the solicitation is sent to potential Offerors.
- * C. **OA Revision.** A revised OA should be sent to the agency reflecting any changes to the draft OA that were identified during or after the market survey.
- D. **Final SFO.** The SFO sent to prospective Offerors with all agency changes incorporated and all appropriate forms such as GSA Forms 3516, 3517, 3518, 1364, 1364A and 1217, Sensitive But Unclassified Form, Security Forms as necessary, and the Rate Structure Sheet if not using the 1364A. You may also include the EFT Vendor form at the discretion of the Contracting Officer. If SFO was issued electronically (CD, email...), a copy of the disk must be filed here.
- E. **SFO Distribution List.** Indicates all potential Offerors receiving the SFO, and date the SFO was issued. Also indicates who from the customer received a copy and anyone else receiving a copy as determined by the Contracting Officer such as FPS, or the GSA Property Manager.
- F. **SFO Amendments/Addenda.** All changes to the SFO are to be documented as an amendment or addenda to the SFO. All amendments/addenda are to be sent to all potential Offerors that received the SFO. GSAM 570.303-4
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1854967>
- G. **Correspondence to Offerors.** This includes cover letters sent with the SFO and Amendments/Addenda. Also includes phone contact records of conversations with the Offeror(s) and any letters of clarification prior to the receipt of initial offers.
- * H. **Davis-Bacon Wage Rates.** Is required for new (lease) construction or complete rehabilitation or reconstruction of an existing building when the Government will be the sole or predominant tenant, such that any other use of the building will be functionally or quantitatively incidental to the Government's use and occupancy.
http://www.access.gpo.gov/davis_bacon/
- * I. **SFO Review by Technical Staff.** Engineers, FPS, Space Planner, etc., as required, but always for new lease construction.
- J. **Other**

IV. EVALUATION/PRE-NEGOTIATION

- A. **Negotiation Objectives.** Establishes the Government's negotiation position and assists in the contracting officer's determination of fair and reasonable price. Objectives shall be established before negotiation of any pricing action. FAR 15.406-1
- * B. **Appraisal.** Required when adequate competition or market price data does not exist.

LEASE FILE CHECKLIST GUIDANCE

- C. **Estimates**
 - 1. Tenant Improvement Cost. A government estimate is not required if three or more offers are received to compare build-out costs.
 - 2. Overtime Rates. Should be compared between the offers in the same geographic area. If offers have a large variance, the Offeror's rates should be questioned and justified by the Offeror.
- D. **Competitive Range Determination/Notification.** FAR 15.503(a) and FAR 15.306(c)
- * E. **Request for FPS Pre-Lease Security Survey.** This is optional and should be requested if the Contracting Officer determines it is needed.
- * F. **Review of Pre-Lease Forms for Fire/Safety.** Use GSA Forms 12000 and 12001. See Realty Services Letter PQ-2005-04, dated May 4, 2005.
- * G. **Request for Contractor Support Services Related to Lease Acquisition (IOS, CQM, etc).** This should be coordinated with the appropriate regional GSA personnel. This can include, but is not limited to, all vendors in relation to agency moves of furniture, telecommunications (phones, computers) as well as space planning services.
- H. **Required Security Documentation per SFO.** Such as: the Sensitive But Unclassified Forms A and B and the Pre-lease Building Security Plan (BPS) which indicates the Offeror's proposed compliance with the Lease Security Standards in the SFO. For new (lease) construction, written certification from a licensed structural engineer that the building conforms with requirements for window glazing performance conditions, façade protection level, set-back distance, and return-air specifications. Progressive collapse certification can be obtained if requested by the customer.
- I. **Other**

V. UNSUCCESSFUL OFFER(S)

- A. **Initial Offer and Related Correspondence.** Includes all written documentation as well as phone records of telephone conversations with each Offeror. Initial offers should be reviewed to ensure Offeror submitted all required information. Obtain and review GSA Forms 1364A or 1364 (used for non-TI SFO's), 1217, 3517 and GSA 3518 to ensure all information has been provided and all Representations and Certifications are checked. Evidence of ownership is required. See Tab VI, Section Y.
- B. **Abstract of Offers.** Spreadsheet showing all offer price components from the GSA Form 1364 or 1364A and related documents. This document is required to be filed for all negotiated procurements.
- * C. **Evidence of Fire/Safety Review of Pre-Lease Forms and Certificate of Occupancy.** Obtain the Pre-Lease forms for each building offered and the Certificate of Occupancy for the Successful Offeror. Reference Realty Services Letter PQ-2005-04. Use GSA Forms 12000 and 12001.
- D. **Scaling of Offered Space.** Each floor plan should be measured to determine if each Offeror meets the minimum usable square footage of the SFO.
- E. **Present Value Price Evaluation**
- F. **Pre-Award Notice and Rejection Letters.** FAR 15.503(a)
- * G. **Pre-Award Debriefing.** FAR 15.505
- H. **Request for Final Proposal Revision.** Must have specific submittal instructions to each Offeror including the due date.
- I. **Offers Received After Final Proposal Revisions.** Follow the procedures in FAR 15.208.
- J. **Post Award Notice and Rejection Letters.** Must be sent to each unsuccessful evaluated offer. FAR 15.503(b)

LEASE FILE CHECKLIST GUIDANCE

- * K. **Post Award Debriefings/Protests and Resolution/Congressional and Responses.** GSAM 515.5, and 533.1, also FAR 15.506.
<http://www.acqnet.gov/GSAM/current/html/Part515.html#wp1867342>
<http://www.acqnet.gov/GSAM/current/html/Part533.html#wp1859161>

M. **Negotiation Record(s)**

N. **Other**

VI. SUCCESSFUL OFFER AND AWARD DETERMINATION

- A. **Initial Offers and Related Correspondence.** (see Tab V, Section A.)
- B. **Abstract of Offers.** (see Tab V, Section B.)
- * C. **Evidence of Fire/Safety Review of Pre-Lease Forms and Certificate of Occupancy.** Items found in this section should include the Fire/Safety Request and Report and a copy of the Certificate of Occupancy. Must be obtained prior to occupancy. Please reference Realty Services Letter PQ-2005-04 and see Tab V, Section C.
- * D. **Negotiations of Environmental Remediation.** Required if result of site assessment indicates environmental deficiencies. Coordinate this effort with the Regional Environmental Quality Advisor.
- E. **Scaling of Offered Space.** (see Tab V, Section D.)
- F. **Request for Final Proposal Revision (otherwise known as Best and Final Offer).** (see Tab V, Section H.)
- G. **Present Value Price Evaluation**
- H. **Price Negotiation Documentation.** (Memorandum) GSAM 570.307 and FAR 15-3 and 15.406-3
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1854967>
- I. **Award Factor Evaluation Report**
- J. **Source Selection Evaluation Report (Initial and Final).** GSAM 515.3
<http://www.acqnet.gov/GSAM/current/html/Part515.html#wp1865062>
- K. **Conflict of Interest Acknowledgment and Nondisclosure Agreement.** GSAM 515.305. Required for each Government and non-government individual serving as an evaluator on a Source Selection Board.
<http://www.acqnet.gov/GSAM/current/html/Part515.html#wp1865062>
- * L. **Source Selection Authority Decision Document**
- * M. **Revised Scoring Evaluation and Final Scoring Analysis.** File both here. These should include negotiated rates.
- * N. **Agency Recommendation Letter (from GSA) and Return Letter of Acceptance (from Agency) with Revised and Signed OA**
- O. **Small Business Subcontracting Plan.** Required if aggregate rent is over \$500K & Lessor is large business. FAR 19.702
- P. **Affirmative Action Plan.** GSAM 522.8 and FAR 22.8 (see Offeror's representation on GSA Form 3518). As required by FAR 22.804-1 Nonconstruction: "...each nonconstruction prime contractor (Lessor) and each subcontractor with 50 or more employees and either a contract or subcontract of \$50,000 or more...is required to develop its written Affirmative Action Program within 120 days from the commencement of its first such Government contract..."
<http://www.acqnet.gov/GSAM/current/html/Part522.html#wp1859325>
- Q. **Seismic Certification.** Compliance Certification must be obtained from Successful Offeror consistent with Executive Order 12699 for new buildings (new lease construction) and Executive Order 12941 for Federally-owned or existing (leased) buildings.

LEASE FILE CHECKLIST GUIDANCE

- R. **Flood Plain Compliance Documentation.** Obtained per requirements of Tab II, Section D. Executive Order 11988
http://www.gsa.gov/Portal/gsa/ep/contentView.do?pageTypeId=8199&channelId=-13339&P=PLAE&contentId=16905&contentType=GSA_BASIC
- * S. **Responsibility Check**
1. Excluded Parties List (also known as Debarred Bidders List). Check <http://epls.arnet.gov>
 2. Past Performance checked through references
 3. Financial Responsibility - GSAM 570.108
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1860796>
- T. **EEO Compliance Review.** Required to be obtained from the Department of Labor if aggregate rent is over \$10 million.
- * U. **Randolph Sheppard Act Information.** USC: Title 20, Section 107a
- V. **Evidence of Compliance with SFO Security Documentation and Requirements.** Such as the final Building Security Plan (BSP)
- W. **Evidence of Compliance with Green Lease and/or LEED SFO Criteria.** Such as Green Lease Submittal documentation, written documentation relative to meeting the SFO specified LEED rating system, if required, etc.
- * X. **Receipt of RWA and Required Certification.** Must be in compliance with Acquisition Letter V 05-06 "Purchases on Behalf of Other Agencies" dated 4-27-05. An agency certifying official must verify that all unique funding and procurement requirements, including statutory or regulatory requirements applicable to the funding being provided, have been disclosed to GSA; and all internal reviews/approvals required prior to placing the order with GSA have been completed. Certification is required on all submitted RWA's in excess of the SLAT with the exception of Congressional requirements.
- Y. **Lessor/Signor Proof of Authority and Ownership.** Evidence of ownership is required such as a copy of a warranty deed, or master lease agreement. Authorization to execute a lease if a corporate, partnership or limited liability company ownership, and a true legal description of the property taken from the deed (not simply a street address) if required.
- Z. **Other**

VII. (A) CONTRACT

- A. **Award Letter.** FAR 15.504, also GSAM 570.308
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1854967>
- * B. **Legal Review and Comment.** This is optional and the CO will determine the need for the review.
- C. **Fully Executed Lease**
- D. **Supplemental Lease Agreements.** FAR 4.803. Include a log to keep track of all SLA numbers and a short description of the purpose for each SLA.
- E. **Other**

VII. (B) TI SFO DOCUMENTS

Due to most of the Tenant Improvement SFO documents and negotiations occurring after lease award, a separate sub-tab for these documents has been created. Layout drawings should be filed in this tab if a TI SFO is being used. At a minimum, the tab should include:

- A. **TI Cost Breakdown (In CSI Format)**
- * B. **GSA Review of TI Costs**
- C. **Evidence of Competitive Bidding Process or Cost or Pricing Data for TI Costs.** Such as a letter or e-mail from the Lessor and/or a copy of the bids obtained.

LEASE FILE CHECKLIST GUIDANCE

- D. **Drawings/Layouts from Agency**
- E. **Other**

VIII. APPROVAL DOCUMENTS

- * A. **Pre-Validation of Budget Activity 53 Funding.** Must get budget approval before lease is awarded.
- * B. **Final Occupancy Agreement.** Must show all negotiated rates and include general clauses as well as any ad hoc clauses, and be signed by the agency unless approved by Regional Portfolio to proceed without a signed OA. Compare against the fully executed lease prior to distribution to customer for signature.
- * C. **Legal Concurrence.** If required (will differ from region to region).
- D. **Drawings/Layouts from Agency/Lessor (Design Intent Drawings-DID's).** Will be filed under Tab VIII if the SFO is not a TI SFO. Where documents and negotiations occur after award, file in Sub Tab VII (B), Section D.
- * E. **Fire/Safety Approval of Layout Drawings.** Any changes to layout from fire/safety review must be re-submitted to the agency for concurrence.
- F. **Layouts to Lessor.** Layouts with agency approval signature and fire/safety approval signature.
- G. **Finish Selections to Lessor.** With interior finishes selected and approved by the agency. Correspondence relating to finishes is to be filed here.
- H. **Other**

IX. PRE-OCCUPANCY

- A. **Post Award Synopsis.** Posted in FEDBIZOPS. Required if > \$25,000 annual rent.
- B. **Copy of Correspondence Transmitting Lease to Field Office**
- C. **Copy of Correspondence Transmitting Lease to Agency**
- * D. **Notification of Lease Location to FPS by letter or email**
- * E. **Request to GSA PMC for Utility Contract.** When separately metered.
- * F. **COR Letters to Lessor.** GSAM 542.2
<http://www.acqnet.gov/GSAM/current/html/Part542.html#wp1858097>
- * G. **COR Letters to Designated Agency Representative.** GSAM 542.2
<http://www.acqnet.gov/GSAM/current/html/Part542.html#wp1858097>
- H. **Construction Inspection Reports/Meeting Minutes/MSDS**
- I. **Davis-Bacon Interview Forms and Wage Payment.** GSAM 522.406
<http://www.acqnet.gov/GSAM/current/html/Part522.html#wp1859266>
- J. **Acceptance of Space/Condition Survey.** GSAM 570.111
<http://www.acqnet.gov/GSAM/current/html/Part570.html#wp1860796>
 - 1. Measurement of Space
 - 2. Correction of Deficiencies
 - 3. Credits/Debits
 - 4. Punch List and Resolution
- K. **Change Orders Related to Initial Occupancy.** Major change orders for lease alterations should be kept in a separate lease file folder.
- L. **Request Periodic Services Schedule from Lessor.** Obtain a letter addressing the periodic services schedule from Lessor.
- * M. **Provide Periodic Services Schedule to Property Manager/Lease Administrator**
- N. **SBA Reporting Letter.** Sent to Lessor when a Small Business Subcontracting Plan (SBSP) is obtained.

LEASE FILE CHECKLIST GUIDANCE

O. *Other*

X. ADMINISTRATION

- * A. **EFT Enrollment.** GSAM 552.232-76
http://www.acqnet.gov/GSAM/current/html/Part552_Sub2B.html
- * B. **Operating Cost Escalations.** Adjusted in accordance with the contract language.
- * C. **Tax Escalations/Appeals.** Processed in accordance with the contract language.
- * D. **Change of Ownership.** GSAM 542.12
<http://www.acqnet.gov/GSAM/current/html/Part542.html#wp1858165>
- * E. **DUNS Number.** A new DUNS Number must be obtained each time a change of ownership takes place.
- * F. **Central Contractor Registration (CCR) Information.** Confirmation of active registration updated within the past year is required. Registration must be updated annually. New registration is required each time a change of ownership takes place.
- * G. **Lease Digest (R620).** Required for Lessor Payment (STAR)
- * H. **RWA's - Properly Certified.** This section contains all RWA's issued after occupancy for alterations... in conjunction with the certification requirement found in Tab VI, Section X.
- * I. **Miscellaneous Correspondence**
- * J. **Appeals/Claims/Disputes.** GSAM 533.2 - Consult Legal
<http://www.acqnet.gov/GSAM/current/html/Part533.html#wp1859213>
 1. Correspondence
 2. Contracting Officer Decision
 3. Resolution
 4. Unresolved Claim(s)
 5. GSBCA or Claims Court Decision
 6. Payment
- * K. **Task Order Documentation.** Ordering Officials task order documentation and check list upon closeout of task order if task is performed by the broker contractor.
- * L. **CAD As-Builts to CIFM**
- M. **Other**