GSA Public Buildings Service

NOV 14 2005

RSL: PQ-2005-09

MEMORANDUM TO ASSISTANT REGIONAL ADMINISTRATORS, PBS
1P, 2P, 3P, 4P, 5P, 6P, 7P, 8P, 9P, 10P, WP
REGIONAL REALTY SERVICES OFFICERS

FROM: CHRISTOPHER REUTERSHAN
ASSISTANT COMMISSIONER FOR OFFICE OF NATIONAL CUSTOMER SERVICES MANAGEMENT - PQ

SUBJECT: Revised General Clauses

1. Purpose. The purpose of this Realty Services Letter (RSL) is to issue updated General Clauses, GSA Forms 3517, 3517A, 3517B, and 3517C.
2. Background.
   a. In the early 1980's National Office issued the first GSA Form 3517, General Clauses. Since then we have issued regular updates, likely averaging more than one per year. We have also issued and maintained four versions of the form to be used as dictated by project size and market requirements.
   b. While we have been periodically updating the forms, we had not conducted a comprehensive review of the General Clauses in many years. This issuance is the product of a comprehensive review. During this review we discovered, among other things, that –
      i. Some wording varied slightly from FAR and GSAR official clauses, including two clauses that were not the latest versions;
      ii. Minor changes are needed in a few GSAR clauses;
      iii. The four forms were not thoroughly consistent in format and in content where they overlap; and
      iv. There were typographical and formatting errors.
3. Effective Date/Expiration Date. The attached instructions and forms are effective for SFOs created on or after the date of issuance and will expire 12 months from the date of issuance, unless extended.
4. Cancellation. None.
5. Applicability. This RSL applies to all real property leasing activities.
6. Instructions/Procedures. An explanation of the changes is given in the Attachment. The actual forms are not attached, but may be accessed in the Realty Policy web page on GSA InSite (using the Search feature, search for Realty Policy) and at gsa.gov/leasing form.

Attachment

U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405-0002
www.gsa.gov

Attachment

Revision of General Clauses
GSA Forms 3517, 3517A, 3517B, and 3517C

1. Minor Revisions.
   a. Our comprehensive review of the General Clauses forms revealed that a number of clauses on existing forms had minor differences from the FAR and GSAR clauses. These differences involved, for example, typos, capitalization, commas, and italics. We changed those clauses to match the FAR and GSAR except for terms that we always capitalize, such as Lessor. We will request that the GSAR staff revise the official versions of those clauses to reflect our common usage of capitalization. We have not itemized those clerical revisions in this Attachment.
   b. We made the dollar threshold language consistent on all the forms. When it is used, the text now reads, for example, "(Applicable to leases over $25,000)."
2. Revisions That Will Require GSAR Change. Two GSAR clauses had been modified on our old forms. We have kept the modified text and designated the clauses as "Variations." We will request the GSAR staff to revise the official versions of the clauses.
   a. 552.270-6, Maintenance of Building and Premises—Right of Entry (SEP 1999) (Variation). Text apparently had been added to the clause several years ago, but not added to the GSAR.
   b. 552.270-29, Acceptance of Space (Sep 1999) (Variation). The term "usable" in reference to square footage had been replaced in this clause and throughout the SFO with the term "ANSI/BOMA Office Area."
3. Other Revisions.
   a. 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (DEC 2001) and 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (DEC 2001). These clauses were listed as applicable to leases over $10,000; we corrected that to reflect the current threshold of $25,000.
   b. 52.219-8, Utilization of Small Business Concerns (MAY 2004). The latest version of the clause was not being used. In referring to veterans, "service-disabled" had been added in one subparagraph. We corrected the clause.
   c. 52.219-9, Small Business Subcontracting Plan (JUL 2005).
      i. This clause had been revised in July 2005 to add subparagraph (e)(4).
      ii. The new subparagraph requires Lessors to:

      "Confirm that a subcontractor representing itself as a HUBZone small business concern is identified as a certified HUBZone small business concern by accessing the Central Contractor Registration (CCR) database or by contacting SBA."
4. Availability of Forms. The revised forms may be accessed in the Realty Policy web page on GSA InSite (using the Search feature, search for Realty Policy) and at gsa.gov/leasing form.