

Date:

Name of Current Lessor

Address

City, State Zip Code

Re: Notice of Procedures for Assignment and Assumption of Lease

Lease No. [Lease Number]

Address of Leased Premises

City, State Zip Code

Dear [name of Current Lessor]:

The above referenced property includes space leased by the United States. It is my understanding that you wish to transfer your interest, or may have already transferred your interest, in the above lease to a third party (Transferee). Section 6305 of Title 41 of the United States Code generally prohibits the transfer of federal contracts from the contractor to a third party. However, the Federal Acquisition Regulation (FAR), subpart 42.12, Novation and Change of Name Agreements, allows such a transfer when it is in the best interests of the Government to recognize a third party as successor in interest. GSA has established procedures to process such requests in a timely manner.

Attached for your convenience are the following documents:

1. Novation Agreement. This three-party agreement is entered into pursuant to section 2.6 of the lease, "Change of Ownership," as well as 41 U.S.C. § 6305 and is otherwise based on 48 C.F.R. § 42.1204. Three executed copies must be returned to GSA for agency review. If you are proposing changes to the Novation Agreement, contact the Lease Contracting Officer (LCO) in advance of signing the Novation Agreement.
2. Novation checklist. This checklist must be returned to the LCO along with all requested documents. To the extent documents are not provided, a detailed statement explaining the absence of any document must be included.
3. Form 3518-SAM. This form is an addendum to the System for Award Management (SAM) REPRESENTATIONS AND CERTIFICATIONS (Acquisitions of Leasehold Interests in Real Property). In addition to registering for purposes of "All Awards" in SAM, and completing the online representations and certifications in SAM, the Transferee must complete this form and include it in your novation package.

The Government will commence its review of the proposed novation when all the necessary documents have been properly executed and returned to the Government. Until that time, the Government will continue to send all rental payments to the current lessor in accordance with the terms and conditions of the lease. If you have any questions, please contact me at [insert phone LCO/LS phone number] or [insert LS/LCO email address].

Sincerely,

[signature of Lease Contracting Officer or Lease Specialist]

Enclosures

1. Proposed Novation Agreement

2. Novation Checklist
3. Form 3518-SAM