



July 29, 2020

MEMORANDUM FOR: REGIONAL COMMISSIONERS, PBS
REGIONAL LEASING DIRECTORS
REGIONAL LEASE ACQUISITION OFFICERS

FROM: JOHN D. THOMAS DocuSigned by: John D. Thomas
ACTING ASSISTANT COMMISSIONER FOR OFFICE OF
LEASING - PR

SUBJECT: LEASING ALERT (LA-20-10) – Revision to Janitorial
Services for Leases to Include Routine Disinfectant
Requirements (Replaces LA-20-06)

1. Purpose. This Leasing Alert replaces Leasing Alert LA-20-06, issued April 30, 2020, which changed the janitorial specifications contained in GSA lease templates to include language addressing routine disinfection procedures in leased space. This replacement Leasing Alert updates the Request for Lease Proposal (RLP) amendment language that Lease Contracting Officers (LCOs) or their designees must use to incorporate these changes. It also includes an additional submittal form to capture the separate rent associated with this disinfection service.

2. Background.

- a. On April 30, 2020, the Office of Leasing (OL) issued Leasing Alert LA-20-06 to augment our janitorial requirements outlined in the Lease template to include a permanent generic disinfection standard that was to be applied “routinely.” Routinely was defined as “no less than once daily.” This Leasing Alert did not address the modification of GSA’s existing active lease contracts.
- b. Subsequent to issuing this Leasing Alert, OL developed processes and templates to modify existing lease contracts via a unilateral lease amendment to include routine disinfection and cleaning requirements. The wording used for the scope of work under this unilateral lease amendment differed from that issued under Leasing Alert LA-20-06. Among these differences included the following:

- i. The unilateral lease amendment included a reference to EPA-registered products that are “effective against Novel Coronavirus SARS-CoV-2.”
 - ii. The unilateral lease amendment language limited the frequency of routine cleaning and disinfection to “daily.”
 - iii. The unilateral lease amendment added routine cleaning and disinfection services only through September 30, 2021 and also allowed GSA to discontinue the services (along with a corresponding rental decrease) if no longer required.
 - c. In an effort to provide more consistency between the specifications being added to new leases and existing leases, OL is issuing the attached revised RLP amendment language to more closely follow the language that is being issued as part of the unilateral lease amendment process. Note that one key difference between this amendment language and the unilateral lease amendment modification is that, under this RLP amendment language, the disinfection specification does not expire on September 30, 2021. Instead, the disinfection requirement continues throughout the term of the contract, unless cancelled by the Government. One other difference is that 30 days prior notice is required before the Government may reduce the rent.
 - d. In addition to the RLP amendment language, this Leasing Alert includes a rate submittal form for Offerors to state the rent associated with this routine cleaning and disinfecting requirement. Note that this is to be treated as a separate rental component and is not subject to CPI operating costs adjustments. The Government will have the right to cancel this service for a corresponding rental decrease.
- 3. Effective Date.** This Leasing Alert and its attachment are effective on the date of issuance unless modified, cancelled, or reissued.
- 4. Applicability.** This Leasing Alert and its attachments are mandatory and apply to all General Services Administration (GSA) real property leasing activities and to activities delegated by GSA to other Federal agencies.
- 5. Cancellation.** Leasing Alert LA-20-06.
- 6. Instructions and Procedures.**
 - a. Amending RLPs:
 - i. For all RLPs issued on or after the effective date of this Leasing Alert, LCOs or his/her designees shall incorporate the attachments into their RLP packages, as appropriate for their lease model.

- ii. For lease procurements where the RLP has been issued and final proposal revisions (FPR) have not been received, the LCO or his/her designee shall issue an RLP amendment reflecting these attachments. As outlined under LDG Chapter 2, the amendment must bear receipt acknowledgment by the recipient.
 - iii. For lease procurements where the RLP has been issued and the date for FPR has passed, LCOs may issue the revised amendment at his/her discretion, in consultation with regional counsel.
 - iv. For Automated Advanced Acquisition Platform (AAAP) procurements, the Office of Leasing will issue an RLP amendment reflecting the changes to the additional janitorial specifications as outlined under this Leasing Alert, to be effective for projects with a response date of August 7th or later. Since the AAAP application does not have the functionality to obtain this as a separate rate, Offerors must incorporate these costs into their shell rent. Leasing Specialists must obtain a break out of this rate during the due diligence phase.
 - v. OL Lease templates will be updated as appropriate for conformance as part of the annual updates scheduled for October 2020.
- b. Rate for Routine Cleaning and Disinfection Services:
- i. **LCOs or his/her designee must obtain and negotiate a rate corresponding to this additional cleaning and disinfection scope and include the final negotiated rate in the awarded lease, as indicated in the attachments.**
 - ii. This rate shall be captured on the attached submittal form "Rate for Routine Cleaning and Disinfecting Requirements. See Attachment 2.
- c. Price Evaluation (PVA):
- i. Since the manual PVA spreadsheet does not include a place to input this separate disinfection rent, Leasing Specialists must capture this rent by adding it to the Offeror's shell rent when calculating an Offeror's PVA.
 - ii. For procurements using the Requirement Specific Acquisition Platform (RSAP), Leasing Specialists must manually adjust the auto-generated PVA spreadsheet by adding it to the shell rent.
 - iii. For AAAP procurements, in order for the automated PVA performed within the application to capture this charge, Offerors will be directed to include this charge in their shell rent.
- d. Prospectus-Level Projects:

- i. Under most circumstances, GSA may not award a lease at a rate that exceeds the rate limitation established by the approved prospectus. However, since this disinfection requirement may not have been contemplated at the time when the prospectus rate was developed, the following flexibilities apply:
- ii. For prospectus-level projects where the prospectus has already been submitted to congressional subcommittees for approval or has been approved, GSA may exceed the established rent limitation as outlined below:
 1. The rent may only be exceeded by that amount that is directly attributed to the additional disinfection standard.
 2. The LCO must obtain prior written review and approval from the regional Asset Manager.
- iii. For projects where the prospectus has not been submitted to congressional subcommittees for approval, the prospect's rent limitation may not be exceeded, as the submitted prospectus rent must instead account for this disinfection standard when setting a rent limitation.

Attachment 1, Revised RLP and Lease Paragraphs:

- Pricing Terms (JUL 2020)
- Pricing Terms (AAP Variation (JUL 2020))
- Rent and Other Consideration (JUL 2020)
- Janitorial Services (JUL 2020)

Attachment 2, New Submittal Form: Rate for Routine Cleaning and Disinfecting Requirements

COVER PAGE FOR ATTACHMENTS 1 AND 2