



Attachment 3: Lease Seismic Paragraphs

The Lease template has been updated. It now includes paragraphs to account for new construction or for retrofitting buildings to meet the seismic standards of RP 8.

However, in order for the conditional language to take effect, the Leasing Specialist must add the suggested language to the Building Improvements and Documents Incorporated In The Lease paragraphs to codify the commitment by the Lessor to make these retrofits and provide applicable seismic submittals.

The following paragraphs require the Leasing Specialist to identify and transcribe the commitments made during the offer stage on the final Lease document.

ACTION REQUIRED: THE LIST OF ATTACHMENTS IS NOT COMPREHENSIVE. ADJUST THE LIST AS APPROPRIATE FOR THE SPECIFIC TRANSACTION. DELETE ANY ATTACHMENTS THAT ARE NOT APPLICABLE (FOR EXAMPLE, SEISMIC PRE-AWARD RETROFIT COMMITMENT, SMALL BUSINESS SUBCONTRACTING PLAN, ETC.)

NOTE: EXHIBITS SHOULD BE LABELED WITH SEQUENTIAL LETTERS. AGENCY REQUIREMENTS REFER TO EITHER SPECIFIC REQUIREMENTS OR SPECIAL REQUIREMENTS, DEPENDING UPON WHETHER A TURN-KEY MODEL IS USED. INCLUDE DIDS OBTAINED DURING NEGOTIATIONS WHEN USING STREAMLINED MODEL OPTION 3. THE LCO MAY DECIDE IT IS MORE SUITABLE TO INCORPORATE SOME EXTENSIVE OR SENSITIVE DOCUMENTS BY REFERENCE, FOR EXAMPLE, THE COURTS DESIGN GUIDE.

DOCUMENTS INCORPORATED IN THE LEASE (SEP 2012)

The following documents are attached to and made part of the Lease:

DOCUMENT NAME	NO. OF PAGES	EXHIBIT
FLOOR PLAN(S)		
PARKING PLAN(S)		
AGENCY SPECIFIC/SPECIAL REQUIREMENTS (USE "SPECIFIC" ONLY FOR TURN-KEY MODELS. OTHERWISE USE "SPECIAL")		
SECURITY REQUIREMENTS		
SECURITY UNIT PRICE LIST		
GSA FORM 3517B, GENERAL CLAUSES		
GSA FORM 3518, REPRESENTATIONS AND CERTIFICATIONS		
SEISMIC FORM C, BUILDING RETROFIT OR NEW CONSTRUCTION PRE-AWARD COMMITMENT		
SMALL BUSINESS SUBCONTRACTING PLAN		
AMENDMENTS TO RLP NO. XXXXX		

(end of paragraph)

ACTION REQUIRED: USE THE FOLLOWING PARAGRAPH IF THE OFFER INCLUDED A COMMITMENT TO BUILDING UPGRADES IN ORDER TO BE ELIGIBLE FOR AWARD. BE SPECIFIC IN DESCRIBING THE IMPROVEMENTS TO BE COMPLETED. IF NECESSARY, PROVIDE THE INFORMATION IN AN ATTACHMENT AS AN EXHIBIT, ADD THE STATEMENT "AS DESCRIBED IN THE ATTACHED EXHIBIT 'X,'" AND ATTACH THAT EXHIBIT TO THE LEASE. ADD OR DELETE SUB-PARAGRAPHS AS APPROPRIATE. LIST THE INFORMATION IN THE LETTERED SUB-PARAGRAPHS BELOW. EXAMPLES INCLUDE:



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- FIRE PROTECTION AND LIFE SAFETY UPGRADES
- ABAAS UPGRADES
- SEISMIC RETROFIT: USE SUGGESTED LANGUAGE AS FOLLOWS: "THE LESSOR HAS COMMITTED ON SEISMIC FORM C (EXHIBIT ____ TO THIS LEASE) TO DO A SEISMIC RETROFIT, AND TO MEET ALL OF THE SEISMIC REQUIREMENTS IN THIS LEASE."
- ENERGY EFFICIENCY UPGRADES FOR ACTIONS EXEMPTED FROM ENERGY STAR LABEL REQUIREMENTS

IF THE OFFER DID NOT INCLUDE A COMMITMENT TO BUILDING UPGRADES, DELETE THIS PARAGRAPH

BUILDING IMPROVEMENTS (SEP 2012)

Before the Government accepts the space, the Lessor shall complete the following additional Building improvements:

- A. _____
- B. _____
- C. _____

(end of paragraph)

The LCO must include the following paragraphs, which contain the seismic requirements conditional language, whenever the Lessor commits to a seismic retrofit or new construction.

ACTION REQUIRED: WHEN ISSUING AS PART OF THE INITIAL RLP PACKAGE:

- DELETE FOR AREAS OF LOW AND VERY LOW SEISMICITY (GREEN AREAS ON MAP).
- INCLUDE AREAS OF MODERATE, HIGH, AND VERY HIGH SEISMICITY (YELLOW AND RED AREAS ON MAP).

ACTION REQUIRED: WHEN DRAFTING THE FINAL LEASE:

- INCLUDE IF THE OFFER INCLUDED COMMITMENTS TO PERFORM SEISMIC RETROFITS.
- DELETE IF OFFER DOES NOT INCLUDE COMMITMENTS TO PERFORM SEISMIC RETROFITS.

SEISMIC RETROFIT (SEP 2012)

The following requirements apply to leases requiring seismic retrofit:

- A. The Lessor shall provide a final construction schedule, all final design and construction documents for the seismic retrofit, including structural calculations, drawings, and specifications to the Government for review and approval prior to the start of construction. When required by local building code, a geotechnical report shall be made available to the Government.
- B. The Lessor's registered civil or structural engineer shall perform special inspections to meet the requirements of Chapter 17 of the International Building Code (IBC).
- C. For leases requiring seismic retrofit, the space will not be considered substantially complete until a Seismic Form E - Certificate Of Seismic Compliance - Retrofitted Building, certifying that the building meets the Basic Safety Objective of ASCE/SEI 41, executed by a registered civil or structural engineer, has been delivered to the LCO.

(end of paragraph)

ACTION REQUIRED: WHEN ISSUING AS PART OF THE INITIAL RLP PACKAGE:

- DELETE FOR AREAS OF LOW AND VERY LOW SEISMICITY (GREEN AREAS ON MAP).
- INCLUDE FOR AREAS OF MODERATE, HIGH, AND VERY HIGH SEISMICITY (YELLOW AND RED AREAS ON MAP).

ACTION REQUIRED: WHEN DRAFTING THE FINAL LEASE:

- INCLUDE IF THE OFFERED BUILDING WILL BE NEWLY CONSTRUCTED.
- DELETE IF OFFERED BUILDING WILL NOT BE NEWLY CONSTRUCTED.



SEISMIC SAFETY FOR NEW CONSTRUCTION (SEP 2012)

For leases requiring new construction, the space will not be considered substantially complete until the LCO receives the Seismic Form F, Certificate Of Seismic Compliance – New Building. This form must be completed by the civil or structural engineer and certify that the building was designed and constructed in accordance with the appropriate local code.

(end of paragraph)



Attachment 4: RP 8 Exemptions

The table below is taken directly from RP 8:

RP 8 - 1.3 Exemptions

The following buildings are exempt from the Standards:

- a. All buildings located where $S_{DS} < 0.167$ g and $S_{DI} < 0.067$ g; where S_{DS} and S_{DI} are the Design Earthquake Spectral Response Acceleration Parameters at short periods and at a 1 second period, respectively, as defined in ASCE-7.
- b. All buildings located where $S_{DS} < 0.330$ g and $S_{DI} < 0.133$ g unless designated for an occupancy-based performance objective;
- c. Detached one- and two-family dwellings located where $S_{DS} < 0.4$ g unless designated for an occupancy-based performance objective;
- d. Building structures that are intended only for incidental human occupancy or that are occupied by persons for a total of less than 2 hours a day, unless designated for an occupancy-based performance objective;
- e. One-story buildings of steel light frame or wood construction with areas less than 280 m^2 (3000 ft^2), unless designated for an occupancy-based performance objective;
- f. Buildings scheduled for demolition;*
- g. Buildings in foreclosure;*
- h. Non-Federally owned buildings leased by the Federal Government with temporary short-term leases;
- i. Non-Federally owned buildings containing a total area leased by the Federal Government of less than 930 m^2 ($10,000 \text{ ft}^2$) where $S_{DS} < 0.50$ g and $S_{DI} < 0.20$ g; or,
- j. Buildings designated by the agency as having a remaining useful life of, or fulfilling an agency need for, less than five years.

***Exemptions f. and g. have been reviewed by GSA for leasing purposes. They have been determined to not apply to leased buildings.**