

VOLUME II

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*NOTE: Due to the type and size Exhibit 3 is provided as a separate document and is not included in the page count for this volume.

**NOTE: Due to the type of document(s) Exhibit 6, 8, 9, and 15 are provided as separate documents and are not included in the page counts for this volume.

Exhibit 1

Regional Offices and Areas of Responsibility

New England Region (1)

U.S. General Services Administration
Public Buildings Service
10 Causeway Street, 9th Floor, Real Estate Acquisition Division
Boston, MA 02222
(Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont)
(617) 565-6727

Northeast and Caribbean Region (2)

U.S. General Services Administration
Public Buildings Service
26 Federal Plaza, Room 16-100
New York, NY 10278
(New Jersey (Northeast and Central Counties), New York, Puerto Rico, Virgin Islands)
(212) 264-4210

Mid-Atlantic Region (3)

U.S. General Services Administration
Public Buildings Service
The Strawbridge Building, 8th Floor
20 North 8th Street
Philadelphia, PA 19107-3191
(Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia,)
(215) 656-5959

Southeast-Sunbelt Region (4)

U.S. General Services Administration
Public Buildings Service
77th Forsyth Street, SW, Suite 500
Atlanta, GA 30303-3427
(Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)
(404) 562-2753

Great Lakes Region (5)

U.S. General Services Administration
Public Buildings Service
230 South Dearborn Street, Room 3700
Chicago, IL 60604
(Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)
(312) 353-5395
(312) 886-5595

GS00P09BQD0018

Heartland Region (6)

U.S General Services Administration
Public Buildings Service
1500 East Bannister Road
Kansas City, MO 64131
(Iowa, Kansas, Missouri, Nebraska)
(816) 926-7311

Greater Southwest Region (7)

U.S General Services Administration
Public Buildings Service
819 Taylor Street, 5A18
Fort Worth, Texas 76120
(Arkansas, Louisiana, New Mexico, Oklahoma, Texas)
817-978-2321

Rocky Mountain Region (8)

U.S General Services Administration
Public Buildings Service, Building 41
Denver Federal Center, Room 288
Denver, CO 80225-0006
(Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)
1-888-999-4777

Pacific Rim Region (9)

U.S General Services Administration
Public Buildings Service
450 Golden Gate Avenue, 3rd Floor
San Francisco, CA 94102-3434
(Arizona, California, Hawaii, Nevada)
(415) 522-3074

*These territories are serviced by Regional 9 but are not included in the scope of work of this contract. Guam, and the Federated States of Micronesia (FSM), The Republic of the Marshall Islands, The Commonwealth of the Northern Mariana Islands (CNMI), The Republic of Palau, American Samoa

Northwest/Arctic Region (10)

U.S General Services Administration
Public Buildings Service
400 15th Street, SW
GSA Center (10PE)
Auburn, WA 98001
(Alaska, Idaho, Oregon, Washington)
(253) 931-7225

National Capital Region (NCR) (11)

U.S. General Services Administration
Public Buildings Service
3017 7th Street, SW, Room 7080
Washington, DC 20407
(District of Columbia, nearby Maryland and Virginia)
(202) 708-5891

Exhibit 2

LAWS, STATUTES, EXECUTIVE ORDERS, REGULATIONS

The Federal Statutes, Executive Orders, regulations and policies that must be followed, include but are not limited to the following.. These statutes, regulations and policies may be updated during the term of the contract.

I. FEDERAL STATUTES

1. **Reorganization Plan No. 18 of 1950 (40 U.S.C. 301 note)**
Transferred all functions with respect to acquiring space in buildings by lease, and all functions with respect to assigning and reassigning space in buildings, to GSA.
2. **Federal Property and Administrative Services Act of 1949 (40 U.S.C. § 585)**
Provides GSA with 20 year leasing authority.
3. **Public Buildings Act of 1959 (40 U.S.C. § 3307)**
Requires Congressional committee approval of leases with annual rental, excluding services and utilities, in excess of certain dollar thresholds. Further requires Congressional committee approval for lease alteration projects in excess of certain dollar thresholds. The thresholds indexed annually.
4. **Competition in Contracting Act of 1984 (41 U.S.C. § 251 et seq.)**
GSA acquires leased space through the use of full and open competitive procedures mandated by this Act.
5. **Public Buildings Cooperative Use Act of 1976 (40 U.S.C. §§ 3306)**
Requires GSA to afford a preference to historic properties in the leasing process. Also provides for the outleasing to the public of certain vacant Federal space when no Federal tenancy needs are present.
6. **The Small Business Act (15 U.S.C. §§ 631-647)**
Requires a positive effort by Federal contractors to place subcontracts with small and small disadvantaged business concerns. The Act also requires publication of Federal procurement requirements, requires large businesses to submit small business subcontracting plans, and provides for liquidated damages for failure to meet subcontracting plan goals.
7. **Rural Development Act of 1972 (42 U.S.C. § 3122)**
Requires Federal agencies to give first priority to rural areas in locating facilities. See also Executive Order 12072 regarding the location of Federal facilities in urban areas.
8. **Contract Disputes Act of 1978 (41 U.S.C. §§ 601-613)**
Requires disputes arising from federal contracts to be adjudicated by established processes and procedures.
9. **Prompt Payment Act (31 U.S.C. §§ 3901-3907)**

Requires Federal payments to contractors to be made in an expeditious manner, provides penalties for late payment by the Government, and requires that the Government be entitled to discounts for early payment.

10. **Assignment of Claims Act of 1940 (31 U.S.C. §3727)**
Allows contractors to assign rights to payment, including rent, to established financing institutions.
11. **The Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151-4152)**
Requires that public buildings be made accessible to the physically handicapped through construction and alterations to provide for suitable accessibility, restrooms, plumbing, water fountains, elevators, etc. The requirements of this Act are implemented through the Uniform Federal Accessibility Standards.
12. **Fire Administration Authorization Act of 1992 (15 U.S.C. § 2227)**
Requires that an entire building be sprinkled or provide an equivalent level of life safety when Federal funds are used to lease 35,000 square feet or more of space in a building (under 1 or more leases) and some portion of the leased space is on or above the 6th floor. Also requires that all hazardous areas be sprinklered in all Government leases.
13. **Earthquake Hazards Reduction Act of 1977 (42 U.S.C. § 7705b)**
Required adoption of standards for assessing the seismic safety of existing buildings constructed for or leased by the Government which were designed and constructed without adequate seismic design and construction standards.
14. **Energy Policy Act of 1992 (42 U.S.C. § 8253)**
Requires the Federal Government to meet 20 percent energy reduction targets by the year 2000. This includes federally leased space.
15. **Occupational Safety and Health Act of 1970 (29 U.S.C. §§ 651-678)**
Requires GSA to ensure that space leased and assigned to agencies provides safe, healthful working conditions, including building features such as lighting, guard rails, indoor air quality, fire safety features, emergency elevator requirements, etc.
16. **The National Environmental Policy Act of 1969 (42 U.S.C. §4321 et seq.)**
Requires an assessment of the environmental impacts associated with major Federal actions, including Government leasing.
17. **National Historic Preservation Act of 1966 (16 U.S.C. §§ 470 - 470w-6)**
Requires listed historical properties to be protected from harm as a result of Federal actions, including leasing.
18. **Randolph-Sheppard Act (20 U.S.C. § 107)**
Requires that licensed blind vendors be authorized to operate vending facilities on any Federal property, including leased buildings. The Act imposes a positive obligation on GSA to acquire space in buildings that have suitable sites for vending facilities.
19. **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq.)**

Requires the payment of relocation benefits to persons displaced as a result of Federal actions. This Act is potentially applicable to persons displaced as a result of GSA lease-construction projects on sites designated by the Government.

20. **Intergovernmental Cooperation Act of 1968 (40 U.S.C. §§ 901-905)**

Requires GSA to consult with planning agencies and local elected officials and to coordinate federal projects (i.e., usually large projects requiring Congressional prospectus approval) with development plans and programs of the state, region, and locality where the project is to be located.

21. **Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 701-707)**

Requires contractors to make certifications regarding actions to reduce the possibility of drug use at the site of the performance of work. The requirements of the Act do not apply to contracts below the simplified acquisition threshold for leasing.

22. **Prohibitions Against Payments to Influence (31 U.S.C. § 1352)**

Requires certifications from contractors that funds have not and will not be paid to any person to influence the award of a Federal contract.

23. **Officials Not To Benefit (41 U.S.C. § 22)**

Prohibits any member of Congress from receiving any benefit arising from a Federal contract.

24. **Covenant Against Contingent Fees (41 U.S.C. § 254(a))**

Requires that no individuals other than full-time bona fide employees or established bona fide agents maintained by the Contractor have been retained to solicit or obtain a Federal contract. This requirement is not applicable to contracts below the simplified acquisition threshold for leasing.

25. **Anti-Kickback Act of 1986 (41 U.S.C. § 51)**

Prohibits a contractor from soliciting or receiving kickbacks from subcontractors in return for subcontract awards. The requirements of this Act are not applicable to contracts below the simplified acquisition threshold for leasing.

26. **Anti-Lobbying (18 U.S.C. § 1913)**

Prohibits the use of appropriated funds to lobby Congress.

27. **Examination of Records (P.L. 103-355, § 2251)**

Authorizes the head of an agency and the Comptroller General to inspect records of Federal contractors. This authority is not applicable to contracts below the simplified acquisition threshold for leasing.

28. **Davis-Bacon Act of 1931 (40 U.S.C. §§ 3141-3148)**

Provides for payment of prevailing wages to laborers on Federal construction projects. This Act is potentially applicable to lease acquisitions when an offeror proposes to construct a building or completely reconstruct or rehabilitate an existing building for the predominant use of the Government.

29. **Contract Work Hours and Safety Standards Act of 1962 (40 U.S.C. §§ 3702-3708)**

Imposes 40 hour work week and time and a half overtime requirements on certain contracts. This Act is potentially applicable to lease acquisitions when an offeror proposes

to construct a building or completely reconstruct or rehabilitate an existing building for the predominant use of the Government. The Act does not apply to contracts below the simplified acquisition threshold.

30. **Copeland Act of 1934 (18 U.S.C. § 874; 40 U.S.C. § 3145)**

This Act makes it unlawful for a contractor to force a kickback from any person employed in the construction or repair of a public building or public work. The Act also requires contractors and subcontractors to furnish compliance statement with respect to wages paid to employees. This Act is potentially applicable to lease acquisitions when an offeror proposes to construct a building or completely reconstruct or rehabilitate an existing building for the predominant use of the Government.

31. **The Debt Collection Improvement Act of 1996, (Public Law No: 104-134, April, 26, 1996)** This Act requires payment be made by electronic fund transfer.

31. **American Recovery and Reinvestment Act of 2009 (Public Law 111-5, February 17, 2009)** The ARRA provides \$108 million in funding for the rental of space, related to leasing of temporary space in connection with projects funded under the ARRA.

32. **The Energy Policy Act of 2005, (Public Law No: 109-58, August 8, 2005)**

This Act includes new energy performance standards for Federal buildings and requires sustainable design principles to be applied to the design and construction of all new and replacement buildings.

33. **The National Defense Authorization Act for Fiscal Year 2008, Section 844,**

(Public Law 110-181, January 28, 2008) The provisions of Section 844 require the head of an Executive agency to make certain justification and approval documents relating to the use of noncompetitive procedures in contracting available within 14 days of contract award on the website of an agency and through a governmentwide website.

34. **Energy Independence and Security Act, 2007 (EISA), Pub. L. 110-140,**

This Act requires that GSA lease buildings that are energy efficient and promotes the use of renewable energy systems.

II. EXECUTIVE ORDERS

1. **Executive Order 11246 - Equal Employment Opportunity (1965. 30 Fed. Reg. 12319), and Executive Order No. 11375, "Equal Employment Opportunity" (Oct. 13, 1967, 32 FR 14303)**

Prevents Federal contractors from discriminating against any employee or applicant for employment because of race, color, religion, sex, or national origin.

2. **Executive Order 11988 - Floodplain Management (1977. 42 Fed. Reg. 26951)**

Precludes GSA from leasing space in buildings located within floodplains unless there are no practicable alternatives.

3. **Executive Order 11990 - Protection of Wetlands (1977, 42 Fed. Reg. 26961)**

Precludes GSA from leasing space in wetland areas unless there are no practicable alternatives.

4. **Executive Order 12072 - Federal Space Management (1978, 43 Fed. Reg. 36869)**
Requires that first consideration be given to locating Federal facilities in urban areas within central business districts.
5. **Executive Order 12699 - Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction (1990, 55 Fed. Reg. 835)**
Requires that new buildings constructed for lease to the Government are designed and constructed in accord with appropriate seismic design and construction standards.
6. **Executive Order 12902 - Energy Efficiency and Water Conservation at Federal Facilities (1994, 59 Fed. Reg. 11463)**
Requires that appropriate consideration be given to efficient buildings in the leasing process. Increases Federal energy reduction goals to 30 percent by the year 2005.
7. **Executive Order 12941 - Seismic Safety of Existing Federally Owned or Leased Buildings (1994, 59 Fed. Reg. 62545), and Executive Order No. 12941, "Seismic Safety of Existing Federally Owned or Leased Buildings" (Dec. 5, 1994, 59 FR 62545)**
Adopted standards of the Interagency Committee on Seismic Safety in Construction (ICSSC) as the minimum level acceptable for use by Federal departments and agencies in assessing the seismic safety of their owned and leased buildings and in mitigating unacceptable seismic risks in those buildings.
8. **Executive Order 13006 - Locating Federal Facilities on Historic Properties in Our Nation's Central Cities (1996, 61 Fed. Reg. 26071)**
Subject to the Rural Development Act and Executive Order 12072, directs that Executive agencies give first consideration to locating Federal facilities in historic properties within historic districts when operationally appropriate and economically prudent.
9. **Executive Order (EO) 13423 Strengthening Federal Environmental, Energy, and Transportation Management (2007, 72 Fed. Reg. 3917),**
Includes new energy performance standards for Federal buildings and requires sustainable design principles to be applied to the design and construction of all new and replacement buildings
10. **Executive Order 12977 - Interagency Security Committee, (1995, 60 Fed. Reg. 54411), as amended by Executive Order 13286 - Amendment of Executive Orders, and Other Actions, in Connection With the Transfer of Certain Functions to the Secretary of Homeland Security (2003, 68 Fed. Reg. 10619)**
Established the Interagency Security Committee to establish policies for security in and protection of Federal facilities.
11. **Executive Order No. 13327, "Federal Real Property Asset Management" (Feb. 4, 2004, 69 FR 5897)**
This EO requires Federal Agencies to report their real property holdings.

III. REGULATIONS

1. **General Services Administration Acquisition Regulations, 48 C.F.R. Part 570.**

Note: The Federal Acquisition Regulation is not applicable to acquisitions of leasehold interests in real property by the General Services Administration except as provided in Part 570 of the General Services Administration Acquisition Regulations or specific lease solicitations for offers.

2. Federal Management Regulations, 41 C.F.R. Subchapter C, Real Property, Parts 102-71 through 102-85

3. Comprehensive Procurement Guideline For Products Containing Recovered Materials (40 CFR Chapter I Part 247)

IV. POLICY

1. Homeland Security Presidential Directive, HSPD-12

This Presidential directive created a policy for a common identification standard for Federal employees and contractors.

2. OMB Circular A-11 (Capital Lease Scoring)

This OMB Circular provides the rules for budget score keeping for leases.

3. Realty Services Letters Effective/Reissued as of RSL-2009-05 June 14, 2009

DATE ISSUED	RSL NUMBER	SUBJECT	EXPIRATION DATE
9/13/1994	PQRP-94-07	Davis-Bacon Act and the Acquisition of Leasehold Interests in Real Property	7/31/2010
8/18/1995	PER-95-03	Simplified Procedures for Acquisition of Leasehold Interests in Real Property	7/31/2010
12/20/1995	PER-95-06	Executive Order 12072/Implementation of Urban Location Policy	7/31/2011
7/03/1996	PER-96-03	Appraisal Requirements for Lease Acquisition	7/31/2011
9/21/2001	PX-2001-03	Guidance on Use of the SFO and Lease Forms	7/31/2014
12/21/2001	PX-2001-05	Lease File Secure Storage	7/31/2011
2/21/2002	PE-2002-02	Regional Real Estate Peer Review	7/31/2010
3/28/2002	PE-2002-03	Relocation Assistance for Lease Construction	7/31/2014
3/14/2003	PE-2003-01	Rural Development Act Compliance	7/31/2011
6/30/2003	PE-2003-02	Adjusting Discount Rates and Inflation Rates for Lease Offer Analysis	7/31/2010
7/01/2003	PE-2003-03	“Office Hoteling” Leasing	7/31/2010
8/13/2003	PE-2003-05	Davis-Bacon Act and the Acquisition of Leasehold Interests in Real Property Clarification and SFO Revision	7/31/2010
8/02/2004	PQ-2004-03	Initial Cataloging of Lease Files	7/31/2011
1/18/2005	PQ-2005-01	Obtaining and Disseminating Schedules of Lease Periodic Services Other than Daily, Weekly or Monthly	7/31/2011
1/18/2005	PQ-2005-02	Acquisition Planning for Leasing	7/31/2010
2/15/2005	PQ-2005-03	Annual Review of STAR User Access to Ensure Proper Segregation of Duties and	7/31/2011

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		Electronic Data Security	
5/04/2005	PQ-2005-04	Fire Protection, Life Safety, and Environmental Procedures in Lease Acquisition	7/31/2010
5/13/2005	PQ-2005-05	Lease SFO Revisions for National Broker Contract	7/31/2010
6/28/2005	PQ-2005-06	Revised Lease File Checklist and Guidance	7/31/2010
7/29/2005	PQ-2005-07	Central Contractor Registration	7/31/2014
11/14/2005	PQ-2005-09	Revised General Clauses	7/31/2010
11/29/2005	PQ-2005-11	Lease Security Standards	7/31/2010
5/10/2006	RSL-2006-02	Mandatory Use of eLease (Amended)	7/31/2011
5/31/2006	RSL-2006-03	Accessibility in New Construction Leased Space	7/31/2010

4. CIO IT Security Procedural Guide CIO-IT Security-09-48 (copy attached)

Exhibit 4

Lease Cost Relative to Market Measure Description and Methodology

The Lease Cost Relative to Market (LCRM) measure evaluates office lease actions and determines whether the rents PBS contracts for are high, within (equivalent), or low relative to industry. The results are reported as a percentage below industry as well as the square footage of leases assessed as having rates that are high, within, or low relative to industry. The FY10 target for both national and regional performance is 9.25 percent below the mid-point of the asking rates for the market as demonstrated by our source data. PBS weighs the results by the square footage of each lease when determining whether the regions make their targets.

This measure is subject to change each fiscal year. Contractors will be notified if changes are made that will impact their performance criteria.

Leasing Website Tool

PBS uses an interactive website to administer the LCRM assessment process and to compare lease rates for each new office lease transaction with those paid by industry. We use the website to post information and enable regional staff to review, add, and edit data relevant to the current assessment. Administered by LMI, the website is a powerful tool that allows us to illustrate to our stakeholders that we are cost-effective in our leasing process. The website's operating structure is based on several tables, which are populated with STAR data for the time frame being assessed. These tables include the following:

- Industry Market data from sources such as SIOR, REIS, or others that PBS determines valid and acceptable for comparative use.
- Lease Actions Table, which is collected from STAR and captures data on PBS leases.
- Additional Markets Table, which captures additional industry data on specific regional markets. Additional Market data are used on case by case.
- Mappings Table, which matches the locations of PBS leases to specific industry markets.

After the data has been compiled and verified, we run a query that compares each PBS lease listed in the Lease Action table with its industry counterpart in the SIOR and Additional Markets tables. The query examines each lease and determines whether the rate PBS is paying is above, within, or below the rate paid by industry in the same market

area. The query uses the Mapping table as a bridge to compare industry market data with PBS lease locations. Query results are saved to an Excel spreadsheet file, which is used to generate reports depicting regional and national results in terms of the number of new lease transactions and the square footage of new lease transactions. National Office uses these reports to generate the results of the quarterly measure performance.

Steps required to complete the lease cost analysis include the following:

1. Obtain accurate and relevant industry information on leases by market and class type..
2. Obtain accurate and relevant PBS information from STAR.
3. Regions review data and provide additional market information as appropriate.
4. Conduct assessment and generate reports and accompanying charts comparing PBS's lease rates with the industry range for a particular market.

Frequency of assessment. Quarterly.

Industry information. PBS currently uses SIOR and REIS as industry data sources. PBS will continue to seek other valid industry data sources for comparative market data and may add others as they are deemed valid and comparable to our markets and the data we need to review.

Assessment deadline. We are required to provide quarterly performance measure information on the 10th business day of the month following the end of the previous quarter. To meet this deadline, we will run STAR for lease action data on the 10th of the preceding month. This will provide us with a "rolling measure," with 3 months of data incorporated into each review, and allow time to perform the assessments and analysis.

Regional review period. After the PBS lease data for lease actions that became effective during the period being assessed are posted (usually within 3 business days), the website automatically filters and qualifies the leases, so that the regions can start their data review. The regional review is critical to verify that leases being assessed meet all of the measure criteria and to identify leases that should be included or excluded.

Manual adjustments may be made to exclude (in no order):

Class C Space
New Lease Construction
Land Ports of Entry
Land
Emergency Leases

Average annual rent. Free rent periods and step rent—negative and positive steps—distort our comparison by overstating our rent when we have leases with negative steps and understating our rent when we have free rent and rent increase steps in the first year. We will look at lease rates over the firm term to determine the effect of free rent periods and step rent.

EXHIBIT 5

MARKET ANALYSIS

Prior to the Project Orientation meeting, the Contractor shall provide a project specific market analysis containing at a minimum the following types of market information to the COTR.

1. Summary Market Information :

- (a) General market conditions for the broad metro market and the more specific submarket - - recent patterns and expected trends
- (b) Available buildings for a tenant agency's intended use - - including number, total square footage, type of space, and class of space.
- (c) Absorption/demand levels and Vacancy rates for different classes of space by selected submarkets
- (d) Asking rental rates per rentable SF and per ANSI BOMA Office area SF - - for submarket and for metro market.
- (e) Typical market tenant improvements - -
 - a. Identify typical/standard work letter and tenant improvements in addition to this standard work letter
 - b. Do quoted rents in the market typically contain T.I.'s ? ; Identify the value of T.I.'s typically provided by landlords
- (f) Other concessions, including free rent, etc.
- (g) Estimated Operating Expenses per rentable square foot
- (h) Typical property taxes for selected submarkets
- (i) Parking ratios and Parking rates typical of selected submarkets

2. Comparable Market Rents:

The Contractor shall provide comparable market rental rates for each applicable class of building surveyed. Comparable rents obtained as part of the market analysis shall substantiate the rental ranges quoted. These rent comps shall be broken down by the following components:

- (a) General characteristics of comparables used - - building type, class, age, height, tenant mix, etc.
- (b) Asking rent per rentable square foot
 - i. Base rent (e.g., recovery of investment on ownership costs of land, building, financing plus profit).
 - ii. Do quoted rents in the market typically contain T.I.'s
- (c) Tenant Improvements / Space build-out costs:
 - i. Identify typical/standard work letter
 - ii. Identify tenant improvements in addition to standard work letter
 - iii. Report T.I.'s as first year cost as well as amortized costs over lease term.
- (d) Operating costs - - identify what's included ; separately report utility costs
- (e) Property taxes
- (f) Parking costs and Parking ratio
- (g) Other costs not included in lease
- (h) Identify start date of lease comparables.

The total of these items will constitute total gross, full service rental cost.

If it is not possible to provide comparable data on at least three buildings, the Contractor shall provide a written explanation of the market conditions preventing the collection of the required data.

EXHIBIT 7 B
Individual Conflict of Interest and Non Disclosure Statement

(This form shall be completed by all parties in the contractor's firm (including subcontractor personnel) who are provided access to information or documents related to this task order.)

Contractor _____
Contract Number _____
Task Order Number _____

A. Conflict of Interest

I have read the Conflict of Interest Clause in Section H. of the above referenced contract and understand and agree to abide with the restrictions regarding and actual or potential organizational conflict of interest or personal financial interest.

B. Nondisclosure of Procurement Sensitive Information

I understand that information and documents related to the work to be performed for the above referenced task order contain source selection information related to the conduct of a Federal agency procurement, the disclosure of which is restricted by Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423). The unauthorized disclosure of such information may subject both the discloser and recipient of the information to contractual, civil, and/or criminal penalties as provided by law.

I further understand the requirements identified under Federal Acquisition Regulation 9.505-4(b) to entered into agreements with offerors to protect their information from unauthorized use or disclosure, and refrain from using their information for any purpose other than for which it was furnished.

Information regarding a task order is strictly prohibited and shall not be revealed to any source except to the extent authorized by the Lease Contracting Officer.

C. Nondisclosure of Information Submitted by Offerors in response to a Solicitation for Officers (SFO).

I understand that disclosure of proprietary information submitted by an Offeror in response to an SFO is strictly prohibited. It shall not be disclosed to any source either during or after performance on the task order. Disclosure of such information could result in a penalty of fine, jail time, or termination of this contract for breach.

Name (typed) & Signature
Title

Date

**EXHIBIT 7 C
DUAL AGENCY DISCLOSURE STATEMENT
(Acknowledgement and Consent)**

GSA Regional CO: _____

Lessor(s): _____

Property Involved: _____

Dual Agency: The General Services Administration's, National Broker Contract, number _____, allows a brokerage firm under this GSA contract to represent both the Government, as tenant, and the owner in this real estate transaction as long as this is disclosed to both parties and both agree. This is known as dual agency. Under this GSA Contract, a brokerage firm may represent two clients whose interest are, or at times could be, different or adverse. For this reason, the dual agent(s) may not be able to advocate on behalf of the client with the same skill and determination the dual agent may have if the brokerage firm represents only one client. Dual Agency under this GSA contract does not allow the same agent of the Brokerage Firm to represent both parties.

This statement discloses that _____ will be acting as
(Name of Brokerage)

Dual Agent in the contemplated transaction involving the named property.

It is understood and agreed by the parties, as a dual agent, the brokerage firm shall:

- Treat both clients honestly;
- Disclose latent, material defects to the Government, if known by the broker;
- Provide information regarding lenders, inspectors and other professionals, if requested;
- Provide market information available from a property listing service or public records, if requested;
- Prepare and present all offers and counteroffers at the direction of the parties;
- Assist both parties in completing the steps necessary to fulfill the terms of any contract, if requested.

It is also understood and agreed by the parties, as dual agent, the brokerage firm shall not:

- Disclose confidential information, or proprietary information having an adverse effect on one party's position in the transaction for so long as the information remains proprietary,
- Suggest or recommend specific terms, including price, or disclose the terms or price the Government is willing to accept or the owner is willing to offer;
- Engage in conduct contrary to the instructions of either party and may NOT act in a biased manner on behalf of one party.
- Shall not use any information obtained for any purpose other than for which the information was furnished.

Material Relationship: The brokerage firm acting as a dual agent in this contemplated transaction has a material relationship with both the Government and the owner. A material relationship would include any personal, family or business relationship with one or both of the parties.

Relationship to the Government is tenant representation bound by the terms and conditions of contract # _____

Relationship to the Landlord is _____

Compensation: The brokerage firm will be compensated per any contract agreement between the property owner and the broker agent with the following conditions.

Under the GSA National Broker Contract # _____, the Brokerage Firm is required to forgo ____% of the tenant representation commission and ____% of the owner's representation

commission in a dual agency relationship. This amount will be deducted from the proposed shell rental rate of the lease.

Responsibilities of the Parties: The duties of the brokerage firm in a real estate transaction do not relieve the Government and Owner from the responsibility to protect their own interests. The Government and the Lessor are advised to carefully read all agreements to assure they adequately express their understanding of the lease transaction. The brokerage firm is qualified to advise on real estate matters. IF LEGAL OR TAX ADVICE IS DESIRED, YOU SHOULD CONSULT THE APPROPRIATE PROFESSIONAL.

Government Non Disclosure requirements: The government requires complete confidentiality in all lease acquisition offers including non disclosure of the names of potential offerors. The dual agent brokerage firm, under this dual agency agreement, will be soliciting other competitive offers for the lease acquisition. Before the dual agent brokerage firm can solicit potential offerors information, they must disclose their dual agency relationship to all potential offerors and allow the offerors to acknowledge the dual agency before they provide any confidential information. By presenting this dual agency statement, potential offerors will be aware of the dual agency relationship, however, the dual agent brokerage firm cannot disclose the number, identity or rank of other offerors, or the content or evaluation of the other offerors proposals to the landlord in the dual agency relationship.

Duration of Dual Agency: The term of this Agreement shall commence when this document is executed by the Owner and the Government, and unless extended by written agreement of all parties, shall automatically terminate upon (a) receipt of Unsuccessful Offeror notification or (b) in the event of a Successful Offeror notification, this agreement will terminate upon occupancy of the government tenant.

By signing below, you acknowledge you have read and understand this form. You are giving your voluntary, informed consent to this dual agency. If you do not agree to the brokerage firm acting as dual agent, you are not required to consent to this agreement.

Owner's Signature **Date**

Notice and consent of dual agency to potential offers for Solicitation # _____

Potential Offerors Option:

By signing this Dual Agency Disclosure Statement you acknowledge:
_____ **Brokerage Firm will act as a Dual Agent under this transaction.**

I, _____, **owner of the property located**
at _____ **choose not to participate in this transaction due to the dual**
agency.

I, _____, **owner of the property located at**
_____ **choose to participate in this transaction regardless of the dual**
agency.

Owner's Signature **Date**

Government's Signature **Date**

GS00P09BQD0018

Broker's Signature

Date

Exhibit 10

Best Value Tradeoff Sources Selection Procedures

Best value tradeoff source selection procedures may be followed for lease acquisition services. A tradeoff process is appropriate when it is in the best interest of the Government to consider award to other than the lowest price offeror or other than the highest technically rated offeror. Best value tradeoff source selection procedures are based on the concept of using a methodology for award that represents the greatest value to the Government, not necessarily the lowest cost or price or the highest technically rated offeror, based on the evaluation of cost or price and other factors specified in the solicitation. While the greatest value concept provides the opportunity for a cost/technical trade off and does not require that the award be made to the offeror submitting the lowest cost or price or the highest technically rated offeror, the ultimate decision may be to select the lowest priced offer or the highest technically rated offeror.

GSA best value tradeoff source selection procedures follow the regulations contained in the Federal Acquisition Regulation (FAR Part 15).

In the event the COTR determines that best value tradeoff source selection procedures shall be followed for an acquisition, the Contractor shall be required to perform the following services in conjunction with a lease acquisition task.

1. Develop the non-priced factors, the relative importance of each factor, a standard to evaluate each factor, and the weights to be applied to each factor during offer evaluation with the COTR and the tenant agency.
2. Submit to, discuss and coordinate the factors with the COTR and change as necessary.
3. Prepare a Source Selection Plan for the approval of the COTR.
4. Include all factors (cost and price, plus non-priced factors) their relative weights and the methods the Government will use to evaluate the offer for award in the SFO. The general approach for evaluating past performance shall also be described in the SFO. Price is not assigned a weight.
5. Evaluate offers strictly in accordance with the source selection methodology stated in the SFO.
6. Recommend a competitive range to the COTR and document the rationale if discussions are to be conducted,
7. Assist the COTR in debriefing offerors not included in the competitive range if requested if requested by the COTR.
8. Prepare the Source Selection Board Report (if a Board is established) and the Source Selection Authority (SSA) Decision letter for the signature of the COTR or other designee if the COTR is not the SSA.

Assist the COTR in debriefing unsuccessful offerors if requested by the COTR.

Exhibit 11
Commission Language for SF2 or Other Authorized Lease Award document

1. Commission and Commission Credit Language Template

Paragraph ___ Commission and Commission Credit

Note to Leasing Specialists: This language is for use on the SF2 or other award document for any lease action, including SLAs for lease extensions, produced by a Broker firm. The Commission Credit must be taken at the commencement of the lease, not later in the term. This credit shall be applied only to Shell Rent. Do not reduce the rent by more than the monthly shell rent. If the Commission Credit exceeds one month's shell rental, spread the credit equally over the minimum number of months to recapture the total.

If local market practice is to pay by \$/SF, the template language may be tailored to fit the practice. Major changes to the template language should not occur without seeking approval from the NPM/NCO

a. The Lessor and the Broker have agreed to a total cooperating lease commission of ____% of the aggregate value of this lease as defined in the SFO. Based on the rental amount stated herein, the total amount of the commission is \$_____. The Broker's compensation is ____%, or \$_____. The balance of the total cooperating commission shall be applied to the shell rent as the Commission Credit. The Lessor agrees to pay the Commission less the Commission Credit to the Broker in accordance with the "Broker Commission and Commission Credit" paragraph in the SFO attached to and forming a part of this lease. The Lessor shall pay the Broker no additional commissions associated with this lease transaction.

b. Notwithstanding Paragraph 3 of this Standard Form 2, the shell rental payments due and owing under this lease shall be reduced to fully recapture the Commission Credit. The reduction in shell rent shall commence with the first month of the rental payments and continue as indicated in this schedule for adjusted Monthly Rent:

c. Upon final acceptance of the Premises as evidenced by execution of a Supplemental Lease Agreement (SLA), in the event the rental amount increases or decreases from the amount stated herein, the commission percentage stated herein shall be applied to the revised rental amount to determine the revised commission and commission credit amounts and documented on the referenced SLA.

First Month's Rental Payment \$_____ minus prorated Commission Credit of \$_____ equals \$_____ adjusted First Month's Rent.

Second Month's Rental Payment \$_____ minus prorated Commission Credit of \$_____ equals \$_____ adjusted Second Month's Rent.

Third Month's Rental Payment \$_____ minus prorated Commission Credit of \$_____ equals \$_____ adjusted Third Month's Rent.

Fourth Month's Rental Payment \$_____ minus prorated Commission Credit of \$_____ equals \$_____ adjusted Fourth Month's Rent.

(Add more months/delete months as necessary.)

Exhibit 12

[e]LEASE BROKER ACCESS PROCESSES

1) PROCESS FOR OBTAINING PASSWORDS

- a) Contractor must have a preliminary HSPD-12 security clearance from DHS
- b) The NBC team informs PBS/CIO's office when a broker contractor has received a favorable entry for his/her preliminary background investigation
- c) Contractor must submit the following information to PBS
 - 1) Name
 - 2) Company Name
 - 3) Work email address
 - 4) Work address
 - 5) Work telephone number
 - 6) Fax number
- d) The eLease team requests confirmation of approval on the preliminary investigation from the System IT Security team.
- e) If Contractor Status is favorable, the CIO's office sets up the user with extranet access and eLease access.
- f) The eLease Administrator assigns the eLease Broker Role to the Contractor. The request is assigned to the Helpdesk.
- g) The CIO's Helpdesk emails the Broker their username with a comment to phone the helpdesk number for user password and information about accessing the extranet eLease application.

2) TASK ORDER Assignment in eLease

- a) Broker receives password to eLease
- b) NBC Team notifies Regional Program Officials via weekly updates
- c) Password protected List posted on NBC Team website
- d) Broker provides eLease contacts with COIs
- e) RCO/OO confirms contacts with Broker Program Manager
- f) RCO/OO gives Broker access in eLease by task order
 - 1) Primary
 - 2) Secondary
- g) RCO/OO notifies Broker, COTR & RPM by e-mail that broker has been assigned to eLease project.

EXHIBIT 13
Model Small Business Subcontracting Plan

SMALL BUSINESS SUBCONTRACTING PLAN OUTLINE (MODEL)

(For information purposes only. The following outline meets the minimum requirements of Section 8(d) and the Federal Acquisition Regulation (FAR) Subpart 19.7. It is intended to be used as a guideline. It is not intended to replace any existing corporate plan, which may be more extensive. If assistance is needed to locate small business sources, contact the Office of Enterprise Development at 18th and F Streets, NW, Washington, DC 20405 (Phone (202) 501-1021 or Fax (202) 208-5938.)

I. IDENTIFICATION DATA:

Company Name: _____
 Address: _____
 Date Prepared: _____ Solicitation Number: _____
 Item/Service: _____
 Estimated Contract Dollar Value: _____
 Individual Contract Period:
 Base: _____ Option: _____
 Commercial Plan Period: _____

II. TYPE OF PLAN: (Check only one).

_____ INDIVIDUAL CONTRACT PLAN: *Covers the entire contract period (including option periods), applies to a specific contract, and has goals which are based on the company's planned subcontracting and purchasing in support of the performance of a specific contract, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.*

_____ INDIVIDUAL CONTRACT PLAN INCORPORATING MASTER PLAN: *Master plans containing all the required elements of an individual contract plan, except goals, may be incorporated into individual contract plans providing the master plan has been approved. A master plan must be approved once every three years. Once incorporated into a contract with specific goals, it is valid for the life of the contract.*

_____ COMMERCIAL PRODUCTS PLAN: *Used when the company sells large quantities of commercial off-the-shelf commodities to many Government agencies. Goals are negotiated on a company-wide basis. Plan is done annually, effective during the company's fiscal year, approved by the first Federal agency awarding a contract for commercial products during the contractor's fiscal year, and is applicable to every additional Federal contract for commercial products awarded to that contractor during the contractor's same fiscal year. A new plan must be obtained and approved 30 days prior to the expiration of the current plan.*

III. GOALS:

(For information purposes only. FAR 19.704(a)(1) requires separate percentage goals for using small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns as subcontractors; and a statement of the total dollars planned to be subcontracted to small, HUBZone small, small disadvantaged,

women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns. NOTE: The dollar amounts planned for subcontracting to SB, to HZSB, to SDB, to WOSB, to SDVOSB must be expressed as percentages of total subcontracting dollars as shown below.)

FY09 GSA Subcontracting Goals

<u>Category</u>	<u>Goal</u>
Total SDB	18%
Section 8(a)	6%
Other SDB	12%
Woman Owned	5%
Disabled Veteran	3%
HUB Zone	3%

[Company XXX] provides the following separate dollar and percentage goals for small, hubzone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns. These goals are a percentage of the total subcontracting dollars:

1. Estimated **total dollars planned to subcontracted**; i.e. to **all types of business concerns** under this contract is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
\$	\$	\$	\$	\$
100%	100%	100%	100%	100%

2. Planned subcontracting to **large business concerns**. (those classified as other than small)

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
\$	\$	\$	\$	\$
%	%	%	%	%

3. Planned subcontracting to **all small business concerns** (include HUBZone Small, Small Disadvantaged, Women-owned Small, Veteran-owned small, and service-disabled veteran-owned small businesses) is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
------	------------	------------	------------	------------

\$	\$	\$	\$	\$
----	----	----	----	----

%	%	%	%	%
---	---	---	---	---

4. Planned subcontracting to **HUBZone small business concerns** is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
------	------------	------------	------------	------------

\$	\$	\$	\$	\$
----	----	----	----	----

%	%	%	%	%
---	---	---	---	---

5. Planned subcontracting to **8(a) SDB small business concerns** is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
------	------------	------------	------------	------------

\$	\$	\$	\$	\$
----	----	----	----	----

6. Planned subcontracting to **other small disadvantaged business concerns** is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
------	------------	------------	------------	------------

\$	\$	\$	\$	\$
----	----	----	----	----

%	%	%	%	%
---	---	---	---	---

7. Planned subcontracting to **women-owned small business concerns** is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
------	------------	------------	------------	------------

\$	\$	\$	\$	\$
----	----	----	----	----

%	%	%	%	%
---	---	---	---	---

8. Planned subcontracting to **service-disabled veteran-owned small business concerns** is:

BASE	1ST OPTION	2ND OPTION	3RD OPTION	4TH OPTION
\$	\$	\$	\$	\$
%	%	%	%	%

B. (For information purposes only. FAR 19.704(a)(3) requires a description of the principal types of supplies and services to be subcontracted and an identification of the types planned for subcontracting to SB, to HZSB, to SDB, to WOSB, to VOSB; and to SDVOSB concerns.) (Check all below that apply.)

The principal types of products and/or services that **[Company XXX]** anticipates to be subcontracted and the identification of the type of business concern planned are as follows:

BUSINESS CATEGORY OR SIZE							
PRODUCT/SERVICE	LARGE	SMALL	HZSB	SDB	WOSB	VOSB	SDVOSB

C. (For information purposes only. FAR 19.704(a)(4) requires a description of the method used to develop the subcontracting goals for SB, for HZSB, for SDB, for WOSB, for VOSB, and for SDVOSB concerns. Explain the method and state the quantitative basis (in dollars) used to establish the percentage goals; how the areas to be subcontracted to SB, to HZSB, to SDB, to WOSB, to VOSB; and to SDVOSB concerns were determined; and how the capabilities of each were determined. Identify all source lists used in the determination.)

[Company XXX] used the following method to develop the subcontracting goals:

D. (For information purposes only. FAR 19.704(a)(5) requires a description of the method used to identify potential sources for solicitation purposes.)

[Company XXX] identifies potential subcontractors using the following source list and organizations:

E. (For information purposes only. FAR 19.704(a)(6) requires a statement as to whether or not your company included indirect costs in establishing subcontracting goals, and a description of the method used to determine the proportionate share of indirect costs to be incurred with SB, HZSB, SDB, WOSB, VOSB; and SDVOSB concerns.)

Indirect and overhead costs _____ HAVE BEEN or _____ HAVE NOT BEEN included in the dollar and percentage subcontracting goals stated above. The indirect and overhead portion was based on the following:

IV. PROGRAM ADMINISTRATOR:

(For information purposes only. FAR 19.704(a)(7) requires information about the company employee who will administer the subcontracting program. Please provide the name, title, address, telephone number, fax machine number, position within the corporate structure, and the duties of that employee.)

Name: _____

Title: _____

Position: _____

Address: _____

Telephone No: _____

Fax No. _____

Duties: The Program Administrator shall have general overall responsibility for the Contractor's subcontracting program, i.e., developing, preparing, and executing individual subcontracting plans and monitoring performance relative to this particular plan. These duties may include, but are not limited to the following activities.

- A. Developing and promoting company/division policy statements that demonstrate the company's/division's support for awarding contracts and subcontracts to small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns.
- B. Developing and maintaining bidders' lists of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns from all possible sources.
- C. Ensuring periodic rotation of potential subcontractors on bidders' lists.
- D. Assuring that small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns are included on the bidders' list for every subcontract solicitation for products and services they are capable of providing.
- E. Ensuring that subcontract procurement "packages" are designed to permit the maximum possible participation of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small businesses.
- F. Reviewing subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small businesses.
- G. Ensuring that the subcontract bid proposal review board documents its reasons for not selecting any low bids submitted by small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small businesses.
- H. Overseeing the establishment and maintenance of contract and subcontract award records.

- I. Attending or arranging for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
- J. Directly or indirectly counseling small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns on subcontracting opportunities and how to prepare bids to the company
- K. Providing notice to subcontractors concerning penalties for misrepresentations of business status as small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the contractor's subcontracting plan.
- L. Conducting or arranging training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act on purchasing procedures.
- M. Developing and maintaining an incentive program for buyers that supports the subcontracting program.
- N. Monitoring the company's performance and making any adjustments necessary to achieve the subcontract plan goals.
- O. Preparing and submitting timely reports.
- P. Coordinating the company's activities during compliance reviews by Federal agencies.

V. EQUITABLE OPPORTUNITY:

(For information purposes only. FAR 19-704(8) requires a description of the efforts the contractor will make to ensure that SB, HZSB, SDB, WOSB, VOSB; and SDVOSB concerns will have an equitable opportunity to compete for subcontracts.

[Company XXX] will make every effort to ensure that small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns will have an equitable opportunity to compete for subcontracts. These efforts include, but are not limited to, the following activities:

- A. Outreach efforts to obtain sources:
 - ___ Contacting minority and small business trade associations
 - ___ Contacting business development organizations
 - ___ Requesting sources from the Small Business Administration's Procurement Marketing and Access Network (PRO-Net) System
 - ___ Attending small, minority, and women-owned business procurement conferences and trade fairs

B. Internal efforts to guide and encourage purchasing personnel:

- ___ Presenting workshops, seminars and training programs
- ___ Establishing, maintaining and using small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business source lists, guides and other data for soliciting subcontracts
- ___ Monitoring activities to evaluate compliance with the subcontracting plan

C. Additional efforts: (Please describe.)

VI. CLAUSE INCLUSION AND FLOW DOWN:

(For information purposes only. FAR 19-704(d)(9) requires that your company include FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting opportunities. Your company must require all subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) to adopt a plan that complies with the requirements of FAR 52.219-9, "Small Business Subcontracting Plan.")

[Company XXX] agrees to include the clause at FAR 52.219-8, "Utilization of Small Business Concerns" in all subcontracts that offer further require all subcontractors (except SB concerns), who receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) to adopt a plan that complies with the requirements of the clause at FAR 52.219-9, "Small Business Subcontracting Plan."

VII. REPORTING AND COOPERATION:

(For information purposes only. FAR 19-704(d)(10) requires your company (1) cooperate in any studies or surveys as may be required, (2) submit periodic reports which show compliance with the subcontracting plan; (3) submit Standard Form (SF) 294, "Subcontracting Reports for Individual Contracts," and SF 295, "Summary Subcontract Report," in accordance with the instructions on the forms; and (4) ensure that subcontractors agree to submit SF 294 and SF 295.)

[Company XXX] agrees to: (1) cooperate in any studies or surveys as may be required; (2) submit periodic reports, which show compliance with the subcontracting plan; (3) submit SF 294 and SF 295 in accordance with the instructions on the forms; and (4) ensure that subcontractors agree to submit SF 294 and SF 295.

Reports are to be submitted within 30 days after the close of each calendar period indicated below:

<u>Calendar Period</u>	<u>Report Due</u>	<u>Date Due</u>	<u>Send Report To</u>
------------------------	-------------------	-----------------	-----------------------

10/01-03/31	SF 294	04/30	CO & Small Business Technical Advisor
04/01-09/30	SF 294	10/30	CO & Small Business Technical Advisor
<u>Calendar Period</u>	<u>Report Due</u>	<u>Date Due</u>	<u>Send Report To</u>
10/01--09/30	SF 295*	10/30	CO, Small Business Technical Advisor, & the Associate Administrator for the Office of Small Business Utilization

*SF 295 shall also be submitted to SBA Commercial Market Representative at the address provided by SBA (202-205-6475).

Small Business Technical Advisor's address is: GSA, Public Building Service (PX) 18 th and F Street Washington, DC 20405	Director, Office of Small Business Utilization address is: Associate Administrator General Services Administration 18th & F Streets, NW, Room 6029 Washington, DC 20405
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Note: SF 294/295 forms may be obtained at: <http://www.gsa.gov>. Click *Financial Applications and Forms Online*, click *U.S. Government Forms (GSA, Standard, and Optional)*, click *Access the Forms Library*.

VIII. RECORDKEEPING:

(For information purpose only. FAR 19-704(d)(11) requires a list of the types of records your company will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan.)

[Company XXX] will maintain at least the following types of records to demonstrate procedures adopted to comply with the requirements and goals in the subcontracting plan. These records include, but are not limited to:

- A. Small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concern source lists, guides, and other data identifying such vendors.
- B. Organizations contacted for small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business sources.
- C. On a contract-by-contract basis, all subcontract solicitations over \$100,000 which indicate for each solicitation (1) whether small business concerns were solicited, and if not, why not; (2) whether HUBZone small business concerns were solicited, and if not, why not; (3) whether small disadvantaged business concerns were solicited, and if not, why not; (4)

whether women-owned small business concerns were solicited, and if not, why not; (5) whether veteran-owned small business concerns were solicited, and if not, why not; (6) whether service-disabled veteran-owned small business concerns were solicited, and if not, why not; and, (7) reasons for the failure of solicited concerns to receive the award.

D. Records to support other outreach efforts, e.g., contacts with minority and small business trade associations, attendance at small, minority, and women-owned small business procurement conference and trade fairs.

E. Records to support internal activities to (1) guide and encourage purchasing personnel, e.g., workshops, seminars, training programs, incentive awards; and (2) monitor activities to evaluate compliance.

F. On a contract-by-contract basis, records to support subcontract award data including the name, address and business size of each subcontractor. (This item is not required for company or division wide commercial product plans).

G. Other records to support your compliance with the subcontracting plan: (Please describe)

IX. TIMELY PAYMENTS TO SUBCONTRACTORS:

(For information purpose only. FAR 19-702 requires your company to establish and use procedures to ensure the timely payment of amounts due pursuant to the terms of your subcontracts with small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns.

[Company XXX] uses procedures to ensure timely payments of amounts due, pursuant to the terms of its subcontracts with small business concerns, as required in FAR 19.702.

X. DESCRIPTION OF GOOD FAITH EFFORT:

(For information purposes only. Maximum practicable utilization of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns as subcontractors in Government contracts is a matter of national interest with both social and economic benefits. When a contractor fails to make a good faith effort to comply with a subcontracting plan, these objectives are not achieved, and 15 U.S.C. 637(d)(4)(F) directs that liquidated damages

shall be paid by the contractor. In order to demonstrate your compliance with a good faith effort to achieve the small, HUBZone small, small disadvantaged, and women-owned small business subcontracting goals, outline the steps your company plans to take.)

[Company XXX] will take the following steps to demonstrate compliance with a good faith effort in achieving small business subcontracting goals:

These steps will be negotiated with the contracting officer prior to approval of the plan. **[Company XXX]** understands that this subcontracting plan will be made a material part of the contract and that the submission of the SF 294 and SF 295 will be made a line item deliverable in the contract.

XI. SIGNATURES REQUIRED:

This subcontracting plan was SUBMITTED by:
Signature:

Typed Name:

Title

Date:

SUBCONTRACTING GOALS

(How to do the math calculations)

Goals must be stated in both dollars (\$) and percents (%). The contractor must state the total subcontracting dollars, then state separately the **total dollars that will be subcontracted to (1) small business, (2) HUBZone small, (3) small disadvantaged, (4) women-owned small, (5) veteran-owned small, and service-disabled veteran-owned small business concerns.** The small business dollar amount must include the HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business dollar amounts. The dollar amounts planned for subcontracting to small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business concerns must be expressed in the subcontracting plan as **percentages of the total subcontracting dollars.**

\$ and % below for EXAMPLE ONLY:

<u>Percentage</u>	<u>Dollars</u>
Total dollars to be subcontracted 100% (to large and small business, including HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small)	100,000
To Large business 60% (included here for example only)	60,000
To Small business 40% (includes HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small)	40,000
To HUBZone Small Business 2%	2,000
To Small Disadvantaged Business 5%	5,000
To Women-Owned Small Business 5%	5,000
To Veteran-Owned Small Business 2%	3,000
To Service-Disabled Veteran-Owned Small Business 3%	3,000

(Note that of the 40% to ALL SMALL, 18% is going to the minority category (HUBZone small, sdb, wosb, vosb, and sdvosb), and the remaining 22% is going to the non-minority category (other small).)

EXHIBIT 14
Small Business Contractors

This exhibit provides possible small business sources to assist large business concerns with developing the Small Business Subcontracting Plan. This list is not an all inclusive list and is provided for information only. This list does not constitute a recommendation by GSA.

A. Previous Small Business Contractors

This is a list of previous small business concerns that have or have had GSA real estate contracts. Offerors must verify with the concern that they still meet the small business size standard for NAICS code, 531210 of \$2.0 million in average annual receipts and verify the firm's status as an 8(a), HUBZone, SDB, woman-owned, etc.

Capital CREAG

1300 Pennsylvania Ave., NW Suite 700
Washington, DC 20004
Contact: Arthur Russell, General Manager
Phone: (202) 204-3010

Winder Company

877 West Main Street, Suite 610
Boise, ID 83702
Contact: Charles Winder, President
Phone: (208) 343-2300

Johnson Management Group

190 Churchill Drive
Dunwoody, GA 30350
Contact: Chattman Johnson, Jr.
Phone: (770) 560-5001

Amelang Management Corporation

952 Echo Lane, Suite 100
Houston, TX 77024
Karl Amelang
Status: Small Business
Phone: (713) 469-6700

Crown Partnership, Inc.

45 John Street, Suite 1011
New York, NY 10038-3706
Contact: Robert Lipman
Phone: (212) 349-9400

Wallace & Stichen, Inc.

261 Hamilton Avenue, Suite 420
Palo Alto, CA 94301-2536

GS00P09BQD0018

Contact: Mr. John J. Wallace
Phone: (650) 328-0447

Kabler/Robbins Commercial Real Estate Inc.

3170 Crow Canyon Place, Suite 135
San Ramon, CA 94583
Contact: John Robbins
Phone: (925) 866-1300

LaBonde Land Inc.

601 Union Street, Suite 1725
Seattle, WA 98101
Contact: Sue Reinhart
Phone: (206) 623-1633

Schreck Company Inc.

200 West 34th Ave., #140
Anchorage, AK 99503
Contact: Mr. William Schreck, President
Phone: (907) 274-2007

B. Sources for Veteran Owned Businesses

The National Veterans Business Development Corporation
1800 Diagonal Road, Suite 230
Alexandria, VA 22214-2850

Direct line: (703) 739-5547

Department of Veteran Affairs Veteran Business Registry
<http://www.vip.vetbiz.gov/>

C. Other Small Business Sources

- Local SBA Offices
- SBA's Dynamic Small Business Search
- CCR.gov
- Department of Commerce's Minority Business Development agencies profile system.
- GSA Regional Offices of Enterprise Development
- State, County, and City minority business offices
- Local Chamber of Commerce
- Small, minority, and Women-Owned business associations at <http://www.gsa.gov/oed> , under "Suggested Resources for Identifying Small, Minority and Woman-Owned Businesses"
- Procurement Technical Assistance Centers (PTACs)
- Trade Associations

EXHIBIT 15
Range of Market Commissions
Metropolitaton Statistical Areas (MSAs) and Metro Divisions

Cities/Divisions	Low %	High %
1 Boston-Cambridge-Quincy, MA-NH Metropolitan Statistical Area		
2 Chicago-Naperville-Joliet, IL-IN-WI Metropolitan Statistical Area		
3 Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area		
4 Detroit-Warren-Livonia, MI Metropolitan Statistical Area		
5 Los Angeles-Long Beach-Santa Ana, CA Metropolitan Statistical Area		
6 Miami-Fort Lauderdale-Pompano Beach, FL Metropolitan Statistical Area		
7 New York-Northern New Jersey-Long Island, NY-NJ-PA Metropolitan Statistical Area		
8 Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metropolitan Statistical Area		
9 San Francisco-Oakland-Fremont, CA Metropolitan Statistical Area		
10 Seattle-Tacoma-Bellevue, WA Metropolitan Statistical Area		
11 Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area		
12 Atlanta-Sandy Springs-Marietta, GA Metropolitan Statistical Area		
13 Baltimore-Towson, MD Metropolitan Statistical Area		
14 Denver-Aurora, CO Metropolitan Statistical Area		
15 San Diego-Carlsbad-San Marcos, CA Metropolitan Statistical Area		
16 Virginia Beach-Norfolk-Newport News, VA-NC Metropolitan Statistical Area		
17 Minneapolis-St. Paul-Bloomington, MN-WI Metropolitan Statistical Area		
18 Houston-Sugar Land-Baytown, TX Metropolitan Statistical Area		
19 Nashville-Davidson--Murfreesboro--Franklin, TN Metropolitan Statistical Area		
20 Buffalo-Niagara Falls, NY Metropolitan Statistical Area		
21 Pittsburgh, PA Metropolitan Statistical Area		
22 Cincinnati-Middletown, OH-KY-IN Metropolitan Statistical Area		
23 Phoenix-Mesa-Scottsdale, AZ Metropolitan Statistical Area		
24 Ponce, PR Metropolitan Statistical Area		
25 Portland-Vancouver-Beaverton, OR-WA Metropolitan Statistical Area		
26 St. Louis, MO-IL Metropolitan Statistical Area		
27 San Antonio, TX Metropolitan Statistical Area		
28 Kansas City, MO-KS Metropolitan Statistical Area		
29 Little Rock-North Little Rock-Conway, AR Metropolitan Statistical Area		
30 Richmond, VA Metropolitan Statistical Area		
31 Anchorage, AK Metropolitan Statistical Area		
32 Memphis, TN-MS-AR Metropolitan Statistical Area		
33 Albuquerque, NM Metropolitan Statistical Area		
34 Charlotte-Gastonia-Concord, NC-SC Metropolitan Statistical Area		
35 Cleveland-Elyria-Mentor, OH Metropolitan Statistical Area		
36 Colorado Springs, CO Metropolitan Statistical Area		
37 Raleigh-Cary, NC Metropolitan Statistical Area		
38 Salt Lake City, UT Metropolitan Statistical Area		
39 Jacksonville, FL Metropolitan Statistical Area		
40 Louisville/Jefferson County, KY-IN Metropolitan Statistical Area		
41 Riverside-San Bernardino-Ontario, CA Metropolitan Statistical Area		

42	Las Vegas-Paradise, NV Metropolitan Statistical Area		
43	Columbus, OH Metropolitan Statistical Area		
44	El Paso, TX Metropolitan Statistical Area		
45	Tampa-St. Petersburg-Clearwater, FL Metropolitan Statistical Area		
46	Indianapolis-Carmel, IN Metropolitan Statistical Area		
47	Baton Rouge, LA Metropolitan Statistical Area		
48	Fresno, CA Metropolitan Statistical Area		
49	Honolulu, HI Metropolitan Statistical Area		
50	Orlando-Kissimmee, FL Metropolitan Statistical Area		
51	Austin-Round Rock, TX Metropolitan Statistical Area		
52	Charleston-North Charleston, SC Metropolitan Statistical Area		
53	Knoxville, TN Metropolitan Statistical Area		
54	Lexington-Fayette, KY Metropolitan Statistical Area		
55	Milwaukee-Waukesha-West Allis, WI Metropolitan Statistical Area		
56	Tallahassee, FL Metropolitan Statistical Area		
57	Tucson, AZ Metropolitan Statistical Area		
58	Macon, GA Metropolitan Statistical Area		
59	Madison, WI Metropolitan Statistical Area		
60	New Orleans-Metairie-Kenner, LA Metropolitan Statistical Area		
61	Providence-New Bedford-Fall River, RI-MA Metropolitan Statistical Area		
62	Trenton-Ewing, NJ Metropolitan Statistical Area		

EXHIBIT 16

COTR/COR Approval Points Identified in Section C

1. Requirements development, if done by contractor
2. Project Schedule completed at orientation
3. Initial Negotiation Objectives
4. Draft Advertisement
5. Pre Market Survey Recommendations and Itinerary
6. Market Survey Report and Revised Project Schedule
7. Draft SFO
8. Final SFO
9. Any SFO amendment required
10. Negotiation Objectives at Initial Evaluation
11. Any revised Negotiation Objectives
12. Competitive Range Recommendation
13. Price Negotiation Memorandum
14. Any letter prepared for COTR signature
15. All Documents prepared at FPR
16. Lease File through Tab 6 at award
17. Fed Biz Opps Post-award notice requirements - publishing award notice and all JOTFOCs supporting lease actions
18. Any SLAs required during post award phase
19. Lease Monitoring & Management Plan 4.2.11.1(b)
20. TI Cost Evaluation
21. Cost Benefit Analysis for Succeeding/Superseding actions
22. JOTFOC for Succeeding/Superseding/Extension actions
23. Any other actions required for Succeeding/Superseding actions
24. Completed file submission