



August 22, 2008

RSL-2008-04

MEMORANDUM TO ASSISTANT REGIONAL ADMINISTRATORS, PBS
REGIONAL REALTY SERVICES OFFICERS

FROM: SAMUEL J. MORRIS, III (Signed)
ASSISTANT COMMISSIONER FOR OFFICE OF
REAL ESTATE ACQUISITION – PR

SUBJECT: Revised Solicitation for Offers Template, Revised GSA Form
1364, Security Unit Price List

1. Purpose. This Realty Services Letter (RSL) issues a revised standard solicitation for offers (SFO) template and policy for use of the SFO. This RSL also issues a revised GSA Form 1364, *Proposal to Lease Space*, a new Security Unit Price List, and a Liquidated Damages worksheet.
2. Background.
 - a. The standard SFO “boilerplate” was updated in 2000 by RSL PX-2000-03 to implement the provisions of the Pricing Guide. Since then several paragraphs have been updated by various RSLs. This RSL reflects a wholesale review and update of the “boilerplate” language.
 - b. As part of this update of the standard SFO, the SFO was reorganized. The new SFO flows from a summary of basic requirements, through how to offer, to the tenant improvement process, to ongoing lease administration, and to detailed lease requirements. The purpose of this reorganization is to address the leasing process in a chronological manner and simplify the ongoing lease administration processes by putting many of those paragraphs in one section of the SFO.
 - c. GSA Form 1364A, *Proposal to Lease Space*, (For use with TI SFO and/or National Broker Contract), was issued in 2004 by RSL 2004-04.
3. Effective Date/Expiration Date. This RSL is effective for all SFOs issued 60 days after the date of issuance, and will expire 5 years after the date of issuance. Individual SFO paragraphs and instructions may be modified prior to the expiration date of this RSL.
4. Cancellation. PX-2000-03 and PQ-2004-04 are canceled; however, they are archived on InSite under the current RSLs for reference as needed.
5. Applicability. This RSL applies to all real property leasing activities.
6. Instructions/Procedures.
 - a. SFO text changes and forms are attached. The SFO replaces all prior SFOs, except it does not apply to existing national programmatic customer-specific

SFOs, such as the FBI field office, Census, and FEMA emergency leasing SFOs. The new SFO, however, must be used when developing new programmatic SFOs.

- b. The attached GSA Form 1364, *Proposal to Lease Space*, replaces all prior 1364s, including 1364A, and is revised to identify all pricing elements for better compatibility with Occupancy Agreement inputs. RSL 2000-03 also implemented a Rate Structure attachment that is incorporated into the Form 1364. See additional information in Attachment 2.
- c. To further implement the provisions of Pricing Policy Modifications #13 and #21, this RSL establishes a Security Unit Price List (SecUP) that will enable offerors to properly categorize the security costs, realty professionals to capture these separate costs in the lease document, and realty professionals to bill the agency as appropriate. The attached SecUP identifies all security items required by the SFO. Instructions are provided in the new SFO language as well as on the Form 1364 and SecUP.
- d. We have included as an optional tool, the Liquidated Damages Worksheet, with instructions for use and applicability. Blue instructional hidden text for the paragraph of the SFO titled *Liquidated Damages, GSAR 552.270-15 (SEP 1999)*, states that this tool may be used to compute an estimate for actual damages. If computed, this estimate must then be included in the SFO. Other methods to calculate liquidated damages may be used if approved by Regional Counsel.
- e. The revised 1364 and SecUP must be included in all solicitation packages, including those using Simplified Lease Acquisition procedures, issued after the effective date of this RSL.
- f. Regional versions and deviations of the Form 1364 are not authorized.
- g. Regional revisions and additional paragraphs to Mandatory SFO paragraphs should be reviewed by Regional Counsel for consistency and legal sufficiency prior to inclusion, and must be approved at a level above the Contracting Officer (Branch Chief, Team Lead, etc.).
- h. The SFO, Form 1364, SecUP, and Liquidated Damages Worksheet will be available on PBS InSite and on www.gsa.gov/leasing.
- i. Where the language in specific paragraphs of this SFO differs from the language provided in prior topic specific RSLs, such as the Green Lease RSL 2007-12, the language of this SFO takes precedence and supersedes the prior language. Such earlier RSLs otherwise remain in force and effect.

Attachments:

Attachment 1 – Standard SFO template revisions

Attachment 2 – Guidance to GSA Form 1364, Proposal to Lease Space and Security Unit Price List

Attachment 3 – GSA Form 1364

Attachment 4 – GSA Form 1364 Instructions

Attachment 5 – Security Unit Price List

Attachment 6 – Liquidated Damages Calculation Spreadsheet