

**U.S. GOVERNMENT LEASE FOR REAL PROPERTY**  
*(Short Form)*

I. LEASE NUMBER  
GS-09B-02586

PART I - SOLICITATION/DESCRIPTION OF REQUIREMENTS (To be completed by Government)

A. REQUIREMENTS

893

AS WELL AS 2M SURFACE PARKING SPACES

2. The Government of the United States of America is seeking to lease approximately ~~874~~ rentable square feet of office space, located within the boundaries of NORTH: Ygnacio Valley Road, between 1-680 on the West and Walnut Blvd on the East; EAST: Walnut Blvd, South to Sierra Drive, South to San Miguel; SOUTH: Newell Avenue between 1-680 on the West and San Miguel Drive on the East; WEST: 1-680 between Ygnacio Valley Road on the North and Newell Avenue on the South of Walnut Creek, CA for occupancy not later than 09/01/2010 for a term of 5 years firm. Rentable space must yield a minimum of 760 to a maximum of 798 square feet of ANSI/BOMA Office Area (ABOA) for use by Tenant for personnel, furnishing, and equipment.

3. INITIAL OFFERS ARE DUE ON OR BEFORE CLOSE OF BUSINESS at 4:00pm on June 16th, 2010.

B. STANDARD CONDITIONS AND REQUIREMENTS

4. The following standard conditions and requirements shall apply to any premises offered for lease to the UNITED STATES OF AMERICA (the GOVERNMENT):

- a. Space offered must be in a quality building of sound and substantial construction meeting the Government's requirements for the intended use.
- b. The Lessor shall provide floor plans for the offered space and a valid Certificate of Occupancy for the intended use of the Government and shall meet, maintain, and operate the building in conformance with all applicable current (as of the date of this solicitation) codes and ordinances. If space is offered in a building to be constructed for lease to the Government, the building must be in compliance with the most recent edition of the building code, fire code, and ordinances adopted by the jurisdiction in which the building is located.
- c. An award of contract will not be made for a property located within a base flood plain or wetland unless the Government has determined it to be the only practicable alternative.
- d. Offered space shall meet or be upgraded to meet the applicable egress requirements in National Fire Protection Association (NFPA) 101, *Life Safety Code* or an alternative approach or method for achieving a level of safety deemed equivalent and acceptable by the Government. Offered space located below-grade, including parking garage areas, and all areas referred to as "hazardous areas" (defined in NFPA 101) within the entire building (including non-Government areas), shall be protected by an automatic sprinkler system or an equivalent level of safety. Additional automatic fire sprinkler requirements will apply when offered space is located on or above the 6<sup>th</sup> floor. Unrestricted access to a minimum of two remote exits shall be provided on each floor of Government occupancy. Scissor stairs shall be counted as only one approved exit. Open-air exterior fire escapes will not be counted as an approved exit. Additional fire alarm system requirements will apply when offered space is located 2 or more stories in height above the lowest level of exit discharge.
- e. The Building and the leased space shall be accessible to persons with disabilities in accordance with appendices C and D of 36 CFR Part 1191 (ABA Chapters 1 and 2 and Chapters 3 through 10 of the ADA-ABA Accessibility Guidelines).
- f. The leased space shall be free of all asbestos containing materials, except undamaged asbestos flooring in the space or undamaged boiler or pipe insulation outside the space, in which case an asbestos management program conforming to Environmental Protection Agency guidance shall be implemented. The space shall be free of other hazardous materials and in compliance with applicable Federal, State, and local environmental laws and regulations.
- g. Services, utilities, and maintenance will be provided daily, extending from 8:00 a.m. to 5:00 p.m. except Saturday, Sunday, and Federal holidays. The Government shall have access to the leased space at all times, including the use of electrical services, toilets, lights, elevators, and Government office machines without additional payment.
- h. The Lessor shall complete any necessary alterations within 60 days after receipt of approved layout drawings.
- i. The Offeror must have an active registration in the Central Contractor Registration (CCR) System (via the Internet at <http://www.ccr.gov>) prior to lease award and throughout the life of the lease. To remain active, the Lessor must update or renew its registration annually. The Government will not process rent payments to Lessors without an active CCR Registration. The Government will recognize no change of ownership of the leased premises until the new owner registers in the CCR system.

5. SERVICES AND UTILITIES (To be provided by Lessor as part of rent)

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|--|--|---|---|--|
| <input checked="" type="checkbox"/> HEAT               | <input checked="" type="checkbox"/> TRASH REMOVAL          | <input type="checkbox"/> ELEVATOR SERVICE   | <input checked="" type="checkbox"/> INITIAL & REPLACEMENT LAMPS, TUBES & BALLASTS   | <input type="checkbox"/> OTHER (Specify below) |
| <input checked="" type="checkbox"/> ELECTRICITY        | <input type="checkbox"/> CHILLED DRINKING WATER            | <input checked="" type="checkbox"/> WINDOW WASHING<br>Frequency <u>twice a year for all interior and exterior windows</u> | <input checked="" type="checkbox"/> PAINTING FREQUENCY<br>Space <u>every 5 years</u><br><del>Public Areas every 5 years</del> |  |
| <input type="checkbox"/> POWER (Special Equip)         | <input checked="" type="checkbox"/> AIR CONDITIONING       | <input checked="" type="checkbox"/> CARPET CLEANING<br>Frequency <u>every 2 years</u>                                     |   |  |
| <input checked="" type="checkbox"/> WATER (Hot & Cold) | <input checked="" type="checkbox"/> TOILET SUPPLIES        |   |   |  |
| <input type="checkbox"/> SNOW REMOVAL                  | <input checked="" type="checkbox"/> JANITORIAL SERV & SUPP |   |   |  |

6. OTHER REQUIREMENTS

Offerors should also include the following with their offers:

- Estimated cost to prepare the space for occupancy by the Government and the Offeror's proposed amortization rate for tenant alterations.
- The Government reserves the right to award the contract based on initial proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint.

7. NOTE: All offers are subject to the terms and conditions outlined above, and elsewhere in this solicitation, including the Government's General Clauses and Representations and Certifications.

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BASIS OF AWARD

- THE ACCEPTABLE OFFER WITH THE LOWEST PRICE PER SQUARE FOOT, ACCORDING TO THE ANSI/BOMA Z65.1-1996 DEFINITION FOR BOMA USABLE OFFICE AREA, WHICH MEANS "THE AREA WHERE A TENANT NORMALLY HOUSES PERSONNEL AND/OR FURNITURE, FOR WHICH A MEASUREMENT IS TO BE COMPUTED"
- OFFER MOST ADVANTAGEOUS TO THE GOVERNMENT, WITH THE FOLLOWING EVALUATION FACTORS BEING
- SIGNIFICANTLY MORE IMPORTANT THAN PRICE
  - APPROXIMATELY EQUAL TO PRICE
  - SIGNIFICANTLY LESS IMPORTANT THAN PRICE
  - (Listed in descending order, unless stated otherwise)
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**PART II - OFFER (To be completed by Offeror/Owner and remain open until lease award)**

**A. LOCATION AND DESCRIPTION OF PREMISES OFFERED FOR LEASE BY GOVERNMENT**

1. NAME AND ADDRESS OF BUILDING (Include ZIP Code)  801 Ygnacio Valley Road Walnut Creek, CA 94596	2. LOCATION(S) IN BUILDING <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">a. FLOOR(S)  2</td> <td style="width:50%;">b. ROOM NUMBER(S)  253</td> </tr> <tr> <td colspan="2">                     c. SQ. FT. <u>vsf 783</u> TYPE                      RENTABLE <u>893</u> <input checked="" type="checkbox"/> GENERAL OFFICE <input type="checkbox"/> OTHER (Specify)                      ABOA <u>783</u> <input type="checkbox"/> WAREHOUSE                      Common Area Factor <u>1.14</u> </td> </tr> </table>	a. FLOOR(S)  2	b. ROOM NUMBER(S)  253	c. SQ. FT. <u>vsf 783</u> TYPE RENTABLE <u>893</u> <input checked="" type="checkbox"/> GENERAL OFFICE <input type="checkbox"/> OTHER (Specify) ABOA <u>783</u> <input type="checkbox"/> WAREHOUSE Common Area Factor <u>1.14</u>	
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**B. TERM**

3. **TO HAVE AND TO HOLD** the said Premises with their appurtenances for the term beginning on acceptance of the space by the Government and continuing through the following five (5) years in accordance with the Paragraph entitled "Acceptance of Space" herein, subject to termination rights as may be hereinafter set forth. The actual dates will be established by a Supplemental Lease Agreement upon delivery of the space and the Government's acceptance for beneficial occupancy.

**C. RENTAL**

4. Rent shall be payable in arrears and will be due on the first workday of each month. When the date for commencement of the lease falls after the 15th day of the month, the initial rental payment shall be due on the first workday of the second month following the commencement date. Rent for a period of less than a month shall be prorated.

5. AMOUNT OF ANNUAL RENT \$17,145.60	7. HVAC OVERTIME RATE PER HOUR  N/A	8. ELECTRONIC FUNDS TRANSFER PAYMENT SHALL BE MADE TO (Name and Address) <div style="background-color: black; height: 40px; width: 100%;"></div>
6. RATE PER MONTH \$1,428.80		

9a. NAME AND ADDRESS OF OWNER (Include ZIP code. If requested by the Government and the owner is a partnership or joint venture, list all General Partners, using a separate sheet, if necessary.)  
 Ygnacio Properties I, P.O. Box 73, Alamo, CA 94507 117 Regent Place  
Alamo CA 94507A

9b. TELEPHONE NUMBER OF OWNER 925.838.9100	10. TYPE OF INTEREST IN PROPERTY OF PERSON SIGNING <input checked="" type="checkbox"/> OWNER <input type="checkbox"/> AUTHORIZED AGENT <input type="checkbox"/> OTHER (Specify)
11a. NAME OF OWNER OR AUTHORIZED AGENT (Type or Print) Alan Cotton	11b. TITLE OF PERSON SIGNING Owner / Managing Member
11c. SIGNATURE OF OWNER OR AUTHORIZED AGENT 	11d. DATE 7/19/10

**PART III - AWARD (To be completed by Government)**

Your offer is hereby accepted. This award consummates the lease which consists of the following attached documents:

1. This GSA Form 3626
2. Short Form Lease Amendments
3. GSA Form 3518A: "Representations & Certifications"
4. GSA Form 3517A: "General Clauses"
5. Minimum Security Standards
6. GSA Form 12000 or 12001 "Pre-Lease Fire Protection and Life Safety Form"
7. GSA Form B: "Document Security, Notice to Prospective Bidder/Offerors"

**2. THIS DOCUMENT IS NOT BINDING ON THE GOVERNMENT OF THE UNITED STATES OF AMERICA UNLESS SIGNED BELOW BY AUTHORIZED CONTRACTING OFFICER.**

3a. NAME OF CONTRACTING OFFICER (Type or Print) <b>PETER SHTEYN</b>	3b. SIGNATURE OF CONTRACTING OFFICER 	3c. DATE <b>8/19/10</b>
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