



September 12, 2019

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

FROM: JOHN D. THOMAS
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LEASING - PR

SUBJECT: LEASING ALERT (LA 19-09) – Revisions to Leasing Forms
and Templates

1. **Purpose.** This Leasing Alert issues revisions to GSA PBS leasing forms and templates as follows:

RLP and Lease Templates

- Global Model - R100 and L100 (RLP and Lease)
- Simplified Model - R101A and L201A (RLP and Lease)
- On-Airport Model - L201D
- Warehouse Model - R101WH and L201WH (RLP and Lease)
- Small Model - Form R103 (RLP) and Supplemental Lease Requirements
- FEMA – Supplemental Office and Land Lease Templates; Oral RLP template (R103D) is unchanged.

The changes, which include language approved under previously issued Leasing Alerts, are summarized under Attachment 1. Note that the Automated Advanced Acquisition Program (AAAP) RLP and Lease templates will be revised to conform as appropriate.

2. **Background.**

A. Sustainability:

Multiple revisions were made to sustainability-related (sub) paragraphs as a result of new guidance in the recent Executive Order (E.O.) 13834: Efficient Federal Operations (May 2018). The specific Implementing Instructions for the EO (issued in April 2019) apply a 10,000 RSF or greater size threshold for the reporting of sustainable and Guiding Principle compliant leases, compared to 5,000 RSF

previously. Based on these instructions, Guiding Principle standards were either removed from the lease templates (Small and Simplified lease), or revised with instructional blue text (Global, Warehouse) to allow deletion for leases less than 10,000 RSF. Also, in 2019, federal agencies replaced the use of multiple sustainable standards (including detailed Key Sustainable Product specs) with a single reference to the federal Green Procurement Compilation (GPC), a comprehensive green product resource that identifies both statutory and recommended standards. These references are also reflected in the lease templates, as appropriate.

B. Lease Offer Platform – Requirements Specific Acquisition Program (LOP-RSAP). Alternative RLP language was added to allow for the electronic submission of offers through LOP-RSAP, as outlined under Lease Alert 19-09, issued on September 9, 2019.

C. System for Award Management (SAM)

Several edits were made related to SAM registration, to reflect updated FAR 52.204-07 requirement which changed the date required for SAM registration from “prior to award” to “when submitting an offer.” In addition, payment language was clarified to remove references to a payee and address the potential for rental delay in the event the Lessor does not maintain an active registration in SAM.

D. General Clauses

The Simplified Lease template reflects FAR updates to several General Clauses which are incorporated by reference.

2. **Effective Date.** This Leasing Alert and attachments are effective immediately for all RLPs issued on or after October 1, 2019.
3. **Cancellation.** Prior revisions of applicable RLP and Lease templates are canceled and replaced by versions containing the new language attached hereto.
4. **Applicability.** This Leasing Alert and its attachments are mandatory and apply to all General Services Administration (GSA) real property leasing activities and to activities delegated by GSA to other Federal agencies.
5. **Instructions and Procedures.** This Leasing Alert, instructions, and attachments are effective for all RLPs issued on or after the effective date of this Leasing Alert. RLP packages issued prior to this date may be modified at the discretion of the LCO

- Attachment 1, Summary of Significant Changes
- Attachment 2, Global RLP template, GSA Form R100
- Attachment 3, Global Lease template, GSA Form L100

- Attachment 4, Simplified RLP template, GSA Form R101A
- Attachment 5, Simplified Lease template, GSA Form L201A
- Attachment 6, On-Airport Lease template, GSA Form L201D
- Attachment 7, Warehouse RLP template, GSA Form R101WH
- Attachment 8, Warehouse Lease template, GSA Form L201WH
- Attachment 9, Small RLP template, GSA Form R103
- Attachment 10, Small Supplemental Lease Requirements Template
- Attachment 11; FEMA Office Supplemental Lease Requirements Template
- Attachment 12; FEMA Land Supplemental Lease Requirements Template

ATTACHMENT 1

LEASING ALERT - SUMMARY OF SIGNIFICANT CHANGES

Request for Lease Proposals (RLP) templates (note that changes vary according to model)

- Added references to “Covered Telecommunications Equipment or Services Representation” as a required submittal, to comply with Leasing Alert LA-19-05.
- Updated threshold listed under “North American Industry Classification System (NAICS) Code and Small Business Size Standard” from \$38.5 million to \$41.5 million.

- Global RLP
 - Added alternative to “Receipt of Lease Proposals” to allow for electronic submission of offers via LOP-RSAP.

- Global and Warehouse RLP
 - Modified “Additional Submittals” in order to require SAM registration as part of the initial offer submission (note that, due to existing wording under other models, similar edits are unnecessary).

Lease templates (note that changes vary according to model)

- Modified or added language related to “Rent and Other Considerations” as follows:
 - clarified payment of rent using EFT information in SAM and allowing for rental delay if the Lessor does not maintain an active registration in SAM.
 - addressed succeeding lease scenarios where rent is started but tenant improvement and/or BSAC work is not completed yet.
- Added references to “Covered Telecommunications Equipment or Services Representation” as a required exhibit, to comply with Leasing Alert LA-19-05.
- Modified “As-Built Drawings” paragraph to clarify the types of drawings required.

- Global and Warehouse Lease
 - For the following paragraphs, a 10,000 RSF or greater size threshold was applied to relevant sustainability-related sub-paragraphs. Language was also revised to replace prior green standards with statutory or recommended, environmentally preferable criteria under the federal Green Procurement Compilation (when relevant/applicable):
 - Existing Fit-out, Salvaged, or Reused Building Material -- applies only to Lessor’s requirement to submit a reuse plan
 - Construction Waste Management
 - Wood Products
 - Adhesives and Sealants

- Ceilings (Global only)
 - Insulation: Thermal, Acoustic, and HVAC
 - Painting- Shell -- applies to paint primer
 - Plumbing Fixtures- Water Conservation
 - Doors: Suite Entry and Doors: Interior
 - Partitions: Subdividing
 - Green Lease Submittals
 - Wall Finishes (T.I.)
 - Painting- T.I.
 - Floor Coverings and Perimeters -- applies to product sustainability and environmental requirements within carpet specifications subparagraph (D.1.)
- For the following paragraphs, a threshold of 10,000 RSF or greater AND 100% occupancy was applied to relevant sustainability-related subparagraphs:
 - Partitions: General
 - Partitions: Permanent
 - Selection of Cleaning Products
 - Selection of Paper Products
 - Landscaping
- Removed full lease paragraph:
 - Environmentally Preferable Products Requirements – language is covered in other sections of the lease
- Modified lease language:
 - Wood Products – Revised formaldehyde standard
 - Adhesives and Sealants – Revised formaldehyde standard
 - Ceilings – Removed the multi-attribute ceiling tile standard for new lease construction.
 - Insulation – Revised formaldehyde standard
 - Floors and Floor Load: Removed recovered material requirement for new lease construction
 - Security for New Construction: Revised standard for window glazing and façade protection
 - Indoor Air Quality During Construction – Removed redundant language
 - Green Lease Submittals: Revised waiver provision for certain submittal requirements
 - Doors: Suite Entry and Doors: Interior – Revised formaldehyde standard
 - Wall Finishes – Revised standard related to commercial grade weight
 - Landscaping – Revised language related to landscape management practices

- Indoor Air Quality – Revised language to reference PBS Indoor Air Quality Desk Guide (PBS 1000.8)
 - Electrical- Shell – Revised language related to distribution panel voltage
 - Lighting- Interior and Parking (Warehouse) – Added lighting standard for ware yards and revised lighting standards for parking structure to conform with Global
 - Warehouse Lease – Multiple revisions were made to conform with Global language
- Simplified and Small Lease
 - Removed full lease paragraph based on new E.O. guidance that applies sustainability standards only to leases 10,000 RSF or greater:
 - Environmentally Preferable Products Requirements
 - Plumbing Fixtures: Water Conservation
 - Selection of Cleaning Products
 - Selection of Paper Products
 - Removed sustainability sub-paragraph(s) based on new E.O. guidance that applies sustainability standards only to leases 10,000 RSF or greater:
 - Wood Products – applies to sub-paragraph restricting the use of endangered wood species
 - Adhesives and Sealants – removed requirement to meet Green Procurement Compilation criteria
 - Ceilings -- Removed requirement to meet Green Procurement Compilation criteria
 - Partitions: Permanent – removed requirement to meet Greenguard Gold certification or zero grams of VOCs.
 - Insulation -- removed requirement to meet EPA CPG recovered material criteria, and revised formaldehyde standard
 - Painting-Shell – removed requirement for primer to meet Green Seal standard.
 - Floors and Floor Load: removed recovered material standard for new lease construction
 - Lighting: Interior and Parking-Shell – removed requirement for high-efficiency interior fixtures
 - Green Lease Submittals: removed re-use plan requirement for Existing Fit-out, Salvaged, or Reused Building Material, and waiver provision for Environmentally Preferable Product Requirements
 - Doors: Suite Entry and Doors: Interior – removed low-VOC requirement for prime paint and revised formaldehyde standard
 - Partitions: Subdividing – removed requirement to meet Greenguard Gold certification or zero grams of VOCs
 - Wall Finishes – removed Green Seal standard for high performance paint coating

- Painting- TI -- removed requirement to meet Green Seal standard and EPA's CPG standard.
- Floor Coverings and Perimeters – removed reference/applicability to Green Procurement Compilation in carpet specs (D.1.)
- Modified lease language:
 - Existing Fit-out, Salvaged, or Reused Building Materials – removed requirement for Lessor to submit a reuse plan.
 - Wood Products – revised formaldehyde standard
 - Adhesives & Sealants – revised formaldehyde standard
 - Partitions: Permanent – revised language
 - Lighting (Small) – revised illuminance level for parking structures
 - Indoor Air Quality During Construction: removed redundant language
 - Indoor Air Quality – revised language to reference PBS Indoor Air Quality Desk Guide (PBS 1000.8)
 - Clause Incorporated by Reference – updated eight FAR/GSAR clauses
- On-Airport Lease
 - Rent and Other Consideration (On-Airport) - revised to clarify EFT payment and allowing for rental delay if the Lessor does not maintain an active registration in SAM
 - System For Award Management – revised to require SAM registration at offer stage and require active registration throughout lease term
 - Indoor Air Quality – revised language to reference PBS Indoor Air Quality Desk Guide (PBS 1000.8)
- FEMA Lease
 - Building Shell Requirements - removed reference to Form 1217
 - Indoor Air Quality – revised language to reference PBS Indoor Air Quality Desk Guide (PBS 1000.8)
 - General Clause Substitutions (FEMA) – updated SAM clause incorporated by reference

COVER PAGE FOR ATTACHMENTS 2 THROUGH 12