



SEP 30 2011

LAC-2011-14

MEMORANDUM FOR REGIONAL COMMISSIONERS, PBS
REGIONAL REALTY SERVICES OFFICERS

FROM: JAMES C. WISNER
ACTING ASSISTANT COMMISSIONER FOR OFFICE OF
LEASING - PR

A handwritten signature in black ink, appearing to read "J. Wisner", located to the right of the "FROM:" field.

SUBJECT: Lease Proposals Transmitted by Email

1. **Purpose.** This Lease Acquisition Circular (LAC) issues revisions to the Leasing Desk Guide (Desk Guide) chapter entitled *Introduction: General Information, Lease Authorities, and Responsibilities* to authorize offerors to transmit lease proposals as attachments to emails. This LAC also issues revisions to the solicitation for offers (SFO) paragraph, entitled *Offer Procedures*, and the Request for Lease Proposal (RLP) paragraph entitled *Receipt of Offers*.
2. **Effective Date.** This LAC and instructions are effective immediately and will expire 5 years after the date of issuance unless modified, cancelled, or reissued earlier.
3. **Applicability.** The Desk Guide applies to all General Services Administration (GSA) real property leasing activities and to activities delegated by GSA to other Federal agencies.
4. **Cancellation.** None.
5. **Instructions and Procedures.** Instructions and procedures are attached.

Attachment 1, LAC-2011-14 Summary and Filing Instructions

Attachment 2, Revised TI SFO and RLP Paragraphs

Attachment 3, Loose-leaf Leasing Desk Guide

LAC-2011-14 SUMMARY AND FILING INSTRUCTIONS

Revision of Leasing Desk Guide

Our current Solicitation Provisions (GSA Form 3516A) allow Offerors to “submit facsimile proposals as responses to this solicitation” and states that “Facsimile proposals are subject to the same rules as paper proposals.” In addition, these solicitation provisions allow proposals to be “transmitted through an electronic commerce method authorized by the solicitation.” The term “electronic commerce” means electronic techniques for accomplishing business transactions including email or messaging, World Wide Web technology, purchase cards, electronic funds transfer, and electronic data interchange. GSA anticipates that allowing offerors to transmit lease proposals by email will speed up the offer submission process (since offerors will not have to deliver or mail paper lease proposals), will support the use of eLease since offer documents can be loaded directly (without the need for scanning) into eLease, and more effectively support GSA environmental and sustainability goals.

To implement this new policy, Lease Acquisition Circular (LAC) 2011-14 issues revisions to the Desk Guide chapter, entitled *Introduction: General Information, Lease Authorities, and Responsibilities*, by adding paragraph 5., *Electronic Offer Submission*, which reads as follows:

“5. Electronic Offer Submission. An offeror is authorized to transmit its lease proposal as an attachment to an email. Offeror's email shall include the name, address, and telephone number of the offeror and identify the name and title of the individual signing on behalf of the offeror. Offeror's signed lease proposal shall be saved in a generally accessible format (such as in a portable document format (pdf)), which displays a visible image of all original document signatures, and shall be transmitted as an attachment to the email. Only emails transmitted to, and received at, the GSA email address identified in the request for lease proposals will be accepted. An offeror submitting a lease proposal by email shall retain the original, signed proposal and make it available to GSA upon request. An offeror choosing not to submit a lease proposal via email may still submit it by U.S. mail or other express delivery service of the offeror's choosing.

Leasing Specialists shall include the paragraphs authorizing electronic offer submissions in solicitations and Requests for Lease Proposals.”

In addition, the following numbering and sequencing changes are made to existing paragraphs:

3.d. *PBS Milestones* is changed to 4. *PBS Milestones* and 4. *General Roles and Responsibilities* is changed to 6. *General Roles and Responsibilities*.

Revision to the SFO Paragraph “Offer Procedures” and RLP Paragraph “Receipt of Offers”

The revised SFO paragraph, entitled *Offer Procedures (SEP 2011)* and revised RLP paragraph, entitled *Receipt of Offers (SEP 2011)* are being incorporated into eLease and the manual SFO.

Leasing Desk Guide Filing Instructions

Part	Remove Pages	Insert Pages
Introduction: General Information, Lease Authorities, and Responsibilities	i, ii, 6 - 14	i, ii, 6 - 15

Revised TI SFO and RLP Paragraphs

1. "Offer Procedures" SFO Paragraph

**OFFER PROCEDURES
MANDATORY PARAGRAPH
MAY BE ALTERED BUT MUST CONTAIN SUBSTANTIALLY THE SAME
INFORMATION**

OFFER PROCEDURES (SEP 2011)

A. An offeror is authorized to transmit its lease proposals as an attachment to an email. Offeror's email shall include the name, address, and telephone number of the offeror and identify the name and title of the individual signing on behalf of the offeror. Offeror's signed lease proposal shall be saved in a generally accessible format (such as in a portable document format (pdf)), which displays a visible image of all original document signatures, and shall be transmitted as an attachment to the email. Only emails transmitted to, and received at, the GSA email address identified in the solicitation will be accepted. An offeror submitting a lease proposal by email shall retain the original, signed proposal and make it available to GSA upon request. An offeror choosing not to submit a lease proposal via email may still submit it by U.S. mail or other express delivery service of the offeror's choosing.

B. In order to be considered for award, offers conforming to the requirements of the solicitation shall be received both by the Contracting Officer and authorized real estate broker of the General Services Administration (GSA) in one of the following ways:

1. No later than [time] [time zone] on the following date at the following designated office and addresses:

Date:
GSA
Office
and
Address:
Authorized
Real
Estate
Broker
Address

2. No later than [time] [time zone] on the following date at the following email addresses:

Date:
GSA
Contracting Officer
Email
Address:
Authorized Real
Estate
Broker
Email
Address:

B. In order to be considered for award, offers conforming to the requirements of the RLP shall be received in one of the following ways:

1. No later than [time] [time zone] on the following date at the following designated office and address:

Date:
GSA
Office and
Address:

2. No later than [time] [time zone] on the following date at the following email address:

Date:
GSA
Contracting Officer
Email
Address:

C. REQUIRED DOCUMENTS:

1. Documentation of ownership or control of the property and evidence of signature authority of the party/parties who will sign any lease documents. If claiming an historic preference in accordance with the Historic Preference paragraph above (GSAR 552.270-2, SEP 2004), Offeror shall submit one of the following as documentation that the property is historic or the site of the offered property is within a historic district: a letter from the National Park Service stating that the property is listed in the National Register of Historic Places or eligible for listing, with a date of the listing/decision; a letter from the State Historic Preservation Office stating that the property is listed in the National Register of Historic Places, or on a statewide register, or eligible for inclusion, with a date of the listing/decision; or, the National Register of Historic Places Identification Number and date of listing available from the National Register of Historic Places Database found at www.nps.gov/nr.
2. If there is a potential for conflict of interest because of a single agent representing multiple owners, present evidence that the agent disclosed the multiple representation to each entity and has authorization from each ownership entity offering in response to this SFO. Owners and agents in conflicting interest situations are advised to exercise due diligence with regard to ethics, independent pricing, and Government procurement integrity requirements. In such cases, the Government reserves the right to negotiate with the owner directly.
3. Refer to GSA Form 3516, Solicitation Provisions, for additional instructions. If additional information is needed, the Contracting Officer (or the Contracting Officer's authorized representative) should be contacted.
4. There will be no public opening of offers, and all offers will be confidential until the lease has been awarded. However, the Government may release proposals outside the Government such as to support contractors to assist in the evaluation of offers. Such Government contractors shall be required to protect the data from unauthorized disclosure. The Offeror who desires to maximize the protection of information in the offer may apply the restriction notice to the offer as described in GSA Form 3516, Solicitation Provisions, 552.270-1, subparagraph (d), Restriction on Disclosure and Use of Data.

2. "Receipt of Offers" RLP Paragraph:

**RECEIPT OF OFFERS
MANDATORY PARAGRAPH
MAY BE ALTERED BUT MUST CONTAIN SUBSTANTIALLY THE SAME
INFORMATION**

RECEIPT OF OFFERS (SEP 2011)

A. An offeror is authorized to transmit its lease proposal as an attachment to an email. Offeror's email shall include the name, address, and telephone number of the offeror, and identify the name and title of the individual signing on behalf of the offeror. Offeror's signed lease proposal shall be saved in a generally accessible format (such as in a portable document format (pdf)), which displays a visible image of all original document signatures, and shall be transmitted as an attachment to the email. Only emails transmitted to, and received at, the GSA email address identified in the request for lease proposals will be accepted. An offeror submitting a lease proposal by email shall retain the original, signed proposal and make it available to GSA upon request. An offeror choosing not to submit a lease proposal via email may still submit it by U.S. mail or other express delivery service of the offeror's choosing.

B. In order to be considered for award, offers conforming to the requirements of the RLP shall be received in one of the following ways:

1. No later than [time] [time zone] on the following date at the following designated office and address:

Date:
Office:
Address:

2. No later than [time] [time zone] on the following date at the following email address:

Date:
Email
Address:

C. Offers sent by United States mail or hand delivered (including delivery by commercial carrier) shall be deemed late if delivered to the address of the office designated for receipt of offers after the date and time established for receipt of offers.

D. Offers transmitted through email shall be deemed late if received at the designated email address after the date and time established for receipt of offers unless it was

received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals.

E. An Offer delivered through any means authorized by the RLP may be deemed timely if there is acceptable evidence to establish that it was received at the Government installation designated for receipt of proposals and was under the Government's control prior to the time set for receipt of proposals; or if it was the only proposal received.

F. There will be no public opening of offers, and all offers will be confidential until the lease has been awarded. However, the Government may release proposals outside the Government such as to support contractors to assist in the evaluation of offers. Such Government contractors shall be required to protect the data from unauthorized disclosure.

LOOSE-LEAF LEASING DESK GUIDE

The Leasing Desk Guide issuances follow this page.