



AUG 12 2009

RSL-2009-06

MEMORANDUM FOR REGIONAL COMMISSIONERS, PBS
REGIONAL REALTY SERVICES OFFICERS

FROM:

for SAMUEL J. MORRIS, III *J. Kenneth Schellert*
ASSISTANT COMMISSIONER FOR OFFICE OF REAL ESTATE
ACQUISITION - PR

SUBJECT:

Acquisition Planning for Leases – Revised

1. **Purpose.** This Realty Services Letter (RSL) issues revised instructions for applying acquisition planning within the leasing process. It implements new dollar thresholds and associated approving officials for acquisition plans within GSA and eliminates the distinction between Limited and Comprehensive Acquisition Plans consistent with Acquisition Letter V-09-03 and the General Services Administration Acquisition Manual (GSAM) 507 Rewrite.

2. **Background.**

- a. The GSA Office of Acquisition Policy issued GSA Order OGP 2800.1, Acquisition Planning, dated January 1, 2004, which required acquisition planning for every procurement action, regardless of dollar value. In addition, this Order required different degrees of documentation and approval of acquisition plans depending on the anticipated dollar value of the procurement action.
- b. To implement this Order, GSA PBS issued RSL PQ-2005-02, entitled “Acquisition Planning for Leasing,” which issued revised instructions for applying acquisition planning within the leasing process. This RSL required GSA Realty Associates complete comprehensive acquisition plans for leases, including lease construction, in excess of \$50 million total contract value, including options, or complex, politically sensitive type projects of any size over the Simplified Lease Acquisition Threshold (SLAT). Limited acquisition plans were necessary when the acquisition was over the SLAT and did not meet the criteria for a comprehensive acquisition plan.
- c. On May 18, 2009, GSA’s Office of the Chief Acquisition Officer issued Acquisition Letter V-09-03 that eliminates the distinction between limited and comprehensive plans and implements new dollar thresholds and associated approving officials for acquisition plans within GSA.

3. **Effective Date/Expiration Date.** This RSL and instructions are effective immediately and

will expire 5 years after the date of issuance unless modified, canceled, or reissued earlier.

4. **Cancellation.** Not applicable.

5. **Applicability.** This RSL applies to all real property leasing activities.

6. **Instructions/Procedures.** See Attachment 1.

Attachments: Attachment 1 – Acquisition Planning Guidance
Attachment 2 – Lease Acquisition Plan Template

Acquisition Planning Guidance

1. GSA Order OGP 2800.1, Acquisition Planning, was issued on January 1, 2004. Paragraph 7.f of the Order specifically references acquisition of leasehold interests in real property.
2. All leases, regardless of dollar value, require acquisition planning.
3. Leases over the Simplified Lease Acquisition Threshold (SLAT) must have a written acquisition plan approved by the appropriate approving official (identified in section 6, entitled "Approval Threshold") prior to issuing a Solicitation For Offers (SFO). The term "Simplified lease acquisition threshold" means \$100,000 average annual rent for the term of the lease, including option periods and excluding the cost of operational services. For leases under SLAT, the requirement for some form of written acquisition plan does exist. However, the region has the flexibility to determine the level of approval, and format used and filed for these leases.
4. The requirement to prepare a written acquisition plan may be waived in cases of unusual and compelling urgency. Where approval to waive the requirement for a written plan is granted, an oral acquisition plan must be prepared and approved. A written summary of the oral plan must be prepared, including the name of the approving official and the nature of the urgency involved. The written summary may be prepared after award.
5. Required Notification. The Planner or the Contracting Officer (CO) must submit the written plan or the summary of an oral plan electronically to the Office of Acquisition Policy, Office of Governmentwide Policy, within 7 days of approval to acquisitionplans@gsa.gov.
6. **Approval Threshold.** The following are dollar value thresholds and approving official levels for approving and waiving written plans. The Head of the Contracting Activity (HCA) may authorize higher level approving officials for the thresholds set out as follows:

| Thresholds (Including All Options) | Approving Official |
|---|--|
| Below the Simplified Lease Acquisition Threshold (SLAT) defined in GSAM Part 570. | Lease Contracting Officer. |
| SLAT to, and including, \$5.5 million. | One Level above Lease Contracting Officer. |
| Over \$5.5 million to, and including, \$20 million. | Contracting Director/Real Estate Director |
| Over \$20 million to, and including, \$50 million. | Regional Commissioner or Deputy Regional Commissioner. |
| Over \$50 million. | HCA |

| Thresholds (Including All Options) | Approving Official |
|--|--------------------|
| Any dollar value acquisition that: <ul style="list-style-type: none"> is complex, critical to agency strategic objectives and mission, highly visible or politically sensitive. | HCA |

7. **Acquisition Plan Template.** To facilitate compliance with this RSL, a sample acquisition plan template is attached. This template should be used as the basis for all Lease Acquisition Plans in excess of SLAT, no matter the size or dollar value and tailored to each particular procurement when managing lease projects. It is imperative that those responsible for completing the Acquisition Plans understand that they are not restricted to the amount of space provided for input on the attached template and should use as much space as necessary to clearly explain the decision-making process that went into the formulation of the Acquisition Plan.

Note: Use of the Acquisition Planning Wizard (APW) is not mandatory. However, it is recommended to use the Acquisition Planning Wizard as a tool to assist in the preparation of highly complex or involved acquisition plans.

8. As part of the planning process, the Contracting Officer must hold customer discussions. Discovery of any unique customer statutory or regulatory requirement applicable to or that may affect the acquisition process must be documented in the Acquisition Plan (i.e. DOD type regulations).
9. The Acquisition Plan is meant to be a progressive document. The plan is required to be developed prior to the Market Survey Phase of the lease acquisition process and updated accordingly to accommodate changes (e.g., attach a copy of the market survey report when complete, modify acquisition schedule dates as appropriate, etc.). Acquisitions over the SLAT must have a written acquisition plan before a solicitation is issued, unless the requirement for a written plan is waived.

LEASE ACQUISITION PLAN
(ACQUISITION OF LEASEHOLD INTERESTS IN REAL PROPERTY)

A. ACQUISITION BACKGROUND/OBJECTIVES

1. Requiring Agency _____
Location _____
2. Agency Contact Name _____
Telephone Number _____ () - _____
3. Estimated Square Footage (RSF and USF) _____ RSF / _____ USF
4. Estimated Lease Term From: _____ To: _____
5. Lease Action:
 - New Requirement
Provide description of the requirement, including services, if any, to be provided by the Lessor.

 - Continuing Need (Succeeding, Superseding, Expansion, Extension, Buy-Out, Renewal)
Explain (include current term, SF, rental rates, and any changes from existing lease).

 - New Lease Construction
Explain.

B. PLAN OF ACTION

1. Results of Market Survey of locations that will meet the agency's needs: *Attach approved Market Survey Report when available.*

2. Competition:
 - Full and Open Competition
 - Other Than Full and Open Competition. *Attach approved Justification.*

LEASE ACQUISITION PLAN
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Negotiations will be conducted so that the negotiated rate is supported by valid market data for the area.

3. Source Selection

Source Selection Type:

- Best Value
- Lowest Price/Technically Acceptable
- Other

Evaluation Factors:

4. New Requirement or Continuing Need

Project # or Current Lease # _____

Estimated Annual Rental \$ _____ USF / _____ RSF

(Total Annual Rent) \$ _____

Estimate Derived From

- STAR
- Other. *Explain how estimate was derived.*

Funding Availability

Year 1

- Yes
- No

Projected Total Contract Value \$ _____

5. Environmental/Energy Conservation Objectives:

List clauses that will be included in the SFO (a statement that all required Green Lease Clauses are included in the SFO is also acceptable), or provide justification for not including all "Green" lease clauses in the SFO (which were excluded and why).

6. Other Objectives (i.e., SBTA actions, Customer Regulatory Requirements [i.e., Title 10]):

Describe.

7. Discuss any conditions peculiar to the lease action [i.e., inclusion of evaluated renewal or expansion option(s)]:

LEASE ACQUISITION PLAN
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8. Lease Administration:

C. MILESTONE EVENTS

| | <u>ESTIMATED</u> | <u>ACTUAL</u> |
|---------------------------------|------------------|---------------|
| 1. Space Request Received | _____ | _____ |
| 2. Market Survey | _____ | _____ |
| 3. Issuance of Solicitation | _____ | _____ |
| 4. Offers Due | _____ | _____ |
| 5. Final Proposal Revisions Due | _____ | _____ |
| 6. Lease Award | _____ | _____ |
| 7. Lease Effective | _____ | _____ |
| 8. Occupancy | _____ | _____ |

D. REVIEW AND APPROVALS

Prepared by: _____
Typed Name, Leasing Specialist Date

Approved by: _____
Typed Name, Lease Contracting Officer Date

Approved by: _____
Typed Name, R.E. Director/Contracting Director/
Designee Date

Approved by: _____
Typed Name, Regional Commissioner/Deputy
Regional Commissioner/Designee Date

Approved by: _____
Typed Name, Head of the Contracting Activity/Designee ** Date

** Submit to:
Office of Acquisition Policy
Office of Governmentwide Policy
at acquisitionplans@gsa.gov
within 7 days of approval.