



GSA Public Buildings Service

September 22, 2021

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

FROM:

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SUBJECT:

Leasing Alert (LA-21-13) – Publicizing Request for Lease
Proposals (RLPs) and Presolicitation Notices on the System for
Award Management (SAM.gov)

1. **Purpose.** This Leasing Alert issues national policy requiring the posting of Request for Lease Proposals (RLP) packages and subsequent RLP amendments on SAM.gov or any subsequent Governmentwide point of entry (GPE) platform that allows for the centralized posting of federal contracting opportunities. This Leasing Alert also removes the 10,000 square foot advertising (hereinafter referred to as “presolicitation notice”) threshold stated under GSAR 570.106(a).
2. **Background.**
 - A. In order to implement the principles of transparency, openness and consistency in government, the PBS Office of Leasing (OL) is mandating the posting of RLP packages (including all attachments) and RLP Amendments on SAM.gov for lease procurements seeking offers through full and open competition.
 - B. In addition, presolicitation notices for lease actions over \$25,000 Total Contract Value (TCV) must be publicized on SAM.gov, unless:
 - i. The action falls under one of the following exemptions under [FAR 5.202](#), including:
 1. Disclosure would compromise national security
 2. Unusual and compelling urgency

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3. **Meets all** of the following 3 criteria:
 - a. Is for an amount not expected to exceed the Simplified Lease Acquisition Threshold (SLAT)
 - b. Will be made through a means that provides access to the notice of proposed contract action through the GPE (i.e., the RLP is posted on SAM.gov); and
 - c. Permits the public to respond to the solicitation electronically (i.e., offers may be sent as pdf attachments through email or through Lease Offer Platform – Requirement Specific Acquisition Platform (LOP-RSAP))

OR

- ii. The action falls under one of the following categories:
 1. Extension
 2. Renewal option evaluated as part of the original lease award*
 3. Alteration performed under the scope of the lease
 4. Expansion performed under the scope of the lease

*The LCO or his/her designee must post a notice on SAM.gov for the other two categories of renewal options (pre-existing option/evaluated prior to exercising, or, added or unpriced option/evaluated prior to exercising).

C. These changes will start to bring the GSA leasing community in line with other acquisition communities within the government. SAM.gov is currently the official GPE platform for the centralized posting of federal contracting opportunities.

3. Effective Date. This Leasing Alert is effective as of the date of issuance unless modified, canceled, or re-issued.

4. Applicability. This Leasing Alert and its attachments apply to all General Services Administration (GSA) real property leasing and to activities delegated by GSA to other Federal agencies.

5. Cancellation. None.

6. Instructions and Procedures. Instructions and procedures are outlined below:

The requirement to post RLPs on SAM.gov applies to all RLP packages, including those using RSAP, except as follows:

- Automated Advanced Acquisition Platform (AAAP) RLPs*
- Non-competitive RLPs (i.e., sole source succeeding or superseding leases)
- RLPs issued under Unusual and Compelling Urgency [FAR 6.302-2](#), including FEMA disaster “oral” RLPs

*The Office of Leasing will post all AAAP RLPs to SAM.gov (or subsequent GPE platform) once per fiscal year, on October 1.

A. Process Steps

The following reflects changes to Parts 2 and 3 of Leasing Desk Guide (LDG) Chapter 2, New or Replacing Lease. Future updates to LDG Chapter 2 and GSAR 570 will reflect these process changes.

i. Presolicitation Notice

Unless exempted as noted under part 2 above, LCOs or their designees **must** post a presolicitation notice on SAM.gov at least 3 days prior to issuance of an RLP. The advertisement should use “Presolicitation” notice type, not “Sources Sought.” *Exception: SLAT model and AAAP procurements follow a different process with respect to these notices. A presolicitation notice is required for succeeding or superseding lease actions using the SLAT model. However, as indicated under the exception outlined under 2.B.i above, a presolicitation notice is not required when a competitive SLAT model RLP will be posted on SAM.gov. AAAP procurements have their own notice process as outlined under LDG Chapter 22.*

ii. Market Survey

At this time, there are no changes to the market survey process itself; note that, as discussed under LDG Chapter 2, the consensus determination reached with the client agency is not whether or not to solicit a property but is instead “*whether a property meets or is capable of meeting the requirements of the agency.*”

iii. Post Market Survey Notifications

As currently outlined under LDG Chapter 2, once consensus is reached, the LCO or his/her designee **must** send written notification to prospective offerors after the market survey to address when the property does not or cannot meet the requirements of the agency. The notification **must** address, at a minimum, areas where the

property does not **meet** the government's **minimum** requirements and where the owner is either unwilling to or incapable of **meeting** RLP **minimum** requirements. However, such notification should avoid references to "*not being issued an RLP*," since RLPs are no longer being directly issued to pre-screened properties deemed "acceptable" to the government but are instead posted on SAM.gov (or subsequent GPE platform) and are therefore available to the entire public. See Attachment 1 for **sample** notification **template**.

iv. **RLP Posting/Notification (competitive actions only)**

Once the RLP has been finalized, the LCO or his/her designee must post the RLP package on the Contract Opportunities domain of SAM.gov. If a presolicitation notice was posted, create a new opportunity and link it to the prior presolicitation notice. (See Attachment 4 for additional guidance on the posting process.) Immediately after the RLP is posted, the LCO or his/her designee must notify everyone whose building was deemed "acceptable" during the market survey tour. In addition, notification must also be sent to the incumbent lessor, even if the current location is incapable of meeting current requirements. See Attachment 2 for sample notification template. Upload documentation of the RLP posting and the notifications to G-REX under Tab 3, Solicitation Phase. Also upload copies of correspondence sent to project stakeholders (e.g., agency representative, Lease Administration Manager, Federal Protective Service) forwarding a copy of the RLP or a link to the SAM.gov posting.

v. **RLP Amendments, presolicitation/preproposal conference materials**

Amendments to the RLP **made** prior to the receipt of proposals **must** also be posted on SAM.gov, so that all potential offers have the **same** information. The **same** is true for clarifications or other **materials** issued as a result of a preproposal conference (**example**, written **Q&As**). **Amendments** **made** after receipt of proposals do not have to be posted on SAM.gov and **may** instead be issued only to those offerors who submitted a proposal, unless it reflects a cardinal change such that an offeror that otherwise did not submit a proposal can now do so. **Amendments** reflecting a cardinal change **must** be posted on SAM.gov. **Amendments** **must** include instructions for offerors to sign and acknowledge receipt and return the signed **amendment** back to the LCO or his/her designee. **Once**

the date for offers has passed, offerors **must** be notified of any additional **amendment** postings.

B. Posting of RLPs Containing Controlled, Unclassified Information (CUI) or Other Sensitive Technical Requirements

Federal SAM.gov users must restrict/control access to RLP attachments containing CUI (e.g., technical drawings or blueprints containing CUI) or other sensitive technical requirements (e.g., security specifications for law enforcement agencies) by using the toggle in the attachments section of the application. LCOs or their designees will receive an email notification when an access request from a vendor (prospective offeror) is pending. The LCO or his/her designee is responsible for authenticating that request and approving access to the CUI/sensitive attachment within the SAM.gov application. Alternatively, in lieu of uploading and locking access to the sensitive attachment in SAM.gov, the LCO may instead decide to post a generic attachment notifying prospective offerors to contact the LCO or his/her designee to obtain the attachment containing the CUI/sensitive information; upon receipt of such request and authenticating the requestor's business need to know, the LCO or his/her designee would then send the attachment separately. Note that this alternative distribution method applies only to the attachment containing CUI/sensitive information and not the RLP package itself. See Attachment 3 for a sample template. Follow the guidance under [GSA Order 3490.3 PBS CHGE 1 Security for Sensitive Building Information Related to Federal Buildings, Grounds, or Property, or subsequent issuances](#), for protocols related to CUI information.

C. Additional Guidance

Attachment 4 provides informational screenshots to assist users in posting an RLP on SAM.gov. Additional SAM.gov guidance can be found by going to the SAM.gov Help page.

Attachment 1, Post Survey Notification Template for Locations that Do Not Meet Minimum Government Requirements

Attachment 2, RLP Posting Notification Email Template

Attachment 3, Generic Sensitive Information Template

Attachment 4, Additional Guidance and Screenshots