



MAR 27 2008

MEMORANDUM FOR: Chief Financial Officers
FROM: *William F. Broglie*
William F. Broglie
SUBJECT: General and Special Purpose Lease Delegation Changes --
ACTION RESPONSE REQUESTED BY APRIL 21, 2008

This memorandum is being sent to communicate a major change in General Services Administration's (GSA) general and special purpose delegation, and to obtain your timely input regarding expiring leases immediately affected by the changes in FMR Policy Guide 2008-B1, Attachment 1. National Oceanic and Atmospheric Administration (NOAA) relies on these GSA delegations of authorities for its real property lease acquisitions.

The changes outlined below, became effective on November 20, 2007 and will have an ongoing impact on the delegated leases that support NOAA's operations.

- Delegations of 20,000 rentable square feet and greater no longer are granted to agencies. GSA will be responsible for all acquisition and management of leases in this size category.
- Delegations must be requested at least 18 months prior to instituting any new, succeeding, extension or superseding lease action.
- All delegations will be made by Public Building Service headquarters and not by GSA regional offices.
- Additional justifying documentation will be needed for the delegation request as well as post-award reporting. All lease files will be subject to GSA and GSA Inspector General (IG) oversight and audit.
- No delegation will be granted solely for the purpose of accelerated delivery.
- NOAA must demonstrate that it has an organizational structure and staffing plan to support the delegation, identifying trained and experienced warranted contracting staff, post occupancy lease administration staff, real estate legal support, and technical staff to ensure compliance with all applicable laws, regulations and GSA directives governing lease acquisitions and administration of lease contracts.

For Special Purpose Space (atmospheric and oceanic research laboratories and National Weather Service meteorological facilities) delegations, FMR 2008-B1 has made the following change:

- Special purpose lease delegations involving 2,500 or more rentable square feet of space must follow the same delegation requirements as the general purpose space (listed above).



What all this means is that any new requests for building space or land acreage acquisitions that fall under FMR 2008 B-1 delegation thresholds have to be made to the Real Property Management Division at least 20-24 months prior to planned occupancy. In addition, these changes will impact all building leases that NOAA has acquired through past delegations as they need to be replaced, extended, or expanded.

To support changes to existing leases that meet the new criteria, attached to this memo is a listing of general and special purpose building leases that will be coming to the end of their terms between now and FY 2014. A similar call letter will be issued annually to ascertain direction for leases expiring in subsequent years.

The Real Property Management Division must receive a new Real Property Space Request form (Attachment 2) for each facility lease that has a continuing mission need. For each of the leases, except where noted as being under way, input is now needed from your programs to enable development of preliminary delegation request to GSA for the leases expiring between now and FY 2010. In addition, if this listing does not identify a requirement you may have for leasing of space through FY 2010, you will need to complete a Real Property Space Request form. Because new GSA delegations have to be requested at least 18 months prior to instituting any new, succeeding, extension option or superseding lease action, the completed form **must be received by April 21, 2008.**

If there are any questions regarding GSA's new delegation requirements or information is needed to initiate real property actions, your staff should contact Andrew Duran, Director of the Real Property Management Division on 301-713-0937, or e-mail him at andrew.c.duran@noaa.gov.

Attachments

Distribution:

CFO: Robert J. Byrd – NWS
Gary Reisner – NMFS
Mark Brown – OAR
Mitch Luxenberg - OMAO
Eric Wolfe – NOS
Michael H. Abreu – NESDIS

FMC: NOS – Jean Durosko
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NMFS – Carol Ciufolo
OAR – Sharon Berner
NWS – Ed Awni
RPMD (ER) – Nancy King
RPMD (WR) – David Garton

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Trans No.	Acquiring	Acquired	Entities
20080096	The Resolute Fund II, L.P	David B. Garcia	CEDRA Corporation, Cedra Holding, Inc.
TRANSACTIONS GRANTED EARLY TERMINATION—10/30/2007			
20080011	SRAM Corporation	Andrew J. Ording	Compositech, Inc.
20080021	ValueAct Capital Master Fund, L.P	Sara Lee Corporation	Sara Lee Corporation.
20080025	ValueAct Capital Master Fund III, L.P	Sara Lee Corporation	Sara Lee Corporation.
20080040	Sims Group Limited	Metal Management, Inc.	Metal Management, Inc.
20080080	AMB Industries Incorporated	Lord Ashcroft	OneSource Services, Inc.
20080105	Gores Capital Partners II, LP	Charterhouse Equity Partners III, L.P	United Road Services, Inc.
20080119	MX International S.a.r.l.	Gryphon Partners III, L.P	Consolidated Fire Protection Holdings, Inc.
TRANSACTIONS GRANTED EARLY TERMINATION—10/31/2007			
20080116	Getco Holding Company, LLC	BATS Trading, Inc	BATS Trading, Inc.
TRANSACTIONS GRANTED EARLY TERMINATION—11/01/2007			
20072091	Reuters Group PLC	StarMine Corporation	StarMine Corporation.
20080027	Coinstar, Inc	Jose Francisco Leon	GroupEx Financial Corporation, JRJ Express Inc.
20080060	Thomas F. Marsico	Bank of America Corporation	Marsico Capital Management, LLC, Marsico Fund Advisors, LLC.
20080122	Honeywell International Inc	Hand Held Products, Inc	Hand Held Products, Inc.
TRANSACTIONS GRANTED EARLY TERMINATION—11/02/2007			
20071867	Helix Energy Solutions Group, Inc	Horizon Offshore, Inc	Horizon Offshore, Inc.
20080019	Petroliam Nasional Berhad	KKR European Fund II, Limited Partnership.	Sole Italia S.p.A.
20080084	Svoboda, Collins Fund II, L.P	John C. Tlapek	Cape Electrical Supply, Inc.
20080130	Renaissance Health Service Corporation.	Delta Dental Plan of Michigan, Inc	Delta Dental Plan of Michigan, Inc.
20080134	Electronic Arts Inc	Elevation Partners, L.P.	VG Holding Corp.
20080137	ADC Telecommunications, Inc	LGC Wireless, Inc	LGC Wireless, Inc.
20080147	Spectrum Equity Investors V, L.P	The Generations Network, Inc	The Generations Network, Inc.
20080153	Inverness Medical Innovations, Inc	TA X L.P	Alere Medical Incorporated.

FOR FURTHER INFORMATION CONTACT:
Sandra M. Peay, Contact Representative
OR Renee Hallman, Contract
Representative. Federal Trade
Commission, Premerger Notification
Office, Bureau of Competition, Room H-
303, Washington, DC 20580, (202) 326-
3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 07-5727 Filed 11-06-07; 8:45 am]

BILLING CODE 6750-01-M

GENERAL SERVICES ADMINISTRATION

[FMR Bulletin 2008-B1]

Delegations of Lease Acquisition Authority—Notification, Usage, and Reporting Requirements for General Purpose, Categorical, and Special Purpose Space Delegations

AGENCY: General Services
Administration.

ACTION: Notice of bulletin.

SUMMARY: The Government
Accountability Office and the General
Services Administration Office of
Inspector General have reported that
some Federal agencies using the
delegated leasing authority issued to
Federal agencies on September 25, 1996,
are not following properly the
instructions specified as a condition for
use of the leasing delegation. The
attached bulletin re-emphasizes and
updates the conditions, restrictions and
reporting requirements specified in the
delegation of authority and its
supporting information. This bulletin is
in keeping with the spirit of Executive
Order 13327, "Federal Real Property
Asset Management," to maximize the
increased governmentwide emphasis on
real property inventory management.
The Federal Management Regulation
and any associated documents may be
accessed at GSA's Web site at [http://
www.gsa.gov/fmr](http://www.gsa.gov/fmr). Click on FMR
Bulletins.

SUPPLEMENTARY INFORMATION: FPMR D-
239, published in the **Federal Register**
on October 16, 1996, announced a new
GSA leasing program called "Can't Beat

GSA Leasing" and the delegation of
lease acquisition authority issued by the
Administrator of General Services to the
heads of all Federal agencies in his
letter of September 25, 1996. GSA
Bulletin FPMR D-239, Supplement 1,
published in the **Federal Register** on
December 18, 1996, issued supporting
information for the delegation. GSA
Bulletin FMR 2005-B1, published in the
Federal Register on May 25, 2005,
revised and re-emphasized certain
procedures associated with the
delegation of General Purpose leasing
authority.

There have been several instances
reported of agencies failing to meet the
conditions required for use of the lease
delegation:

1. Several agencies have failed to
notify GSA prior to conducting a
specific leasing action;
2. Semi-annual performance reports
on use of the lease delegation are not
being submitted to GSA on a regular
basis;
3. Some agencies have exceeded the
authority of the delegation, which is

restricted to below prospectus level actions; and

4. Some agencies have used untrained and non-warranted and, therefore, unauthorized contracting personnel to execute contracts on behalf of the Government.

The following bulletin re-emphasizes and updates the conditions, restrictions, and reporting requirements applicable to GSA leasing delegations.

DATES: *Effective Date:* November 19, 2007.

FOR FURTHER INFORMATION CONTACT:

Stanley C. Langfeld, Director, Regulations Management Division, Office of Governmentwide Policy, 202-501-1737, or Stanley.langfeld@gsa.gov.

Dated: October 5, 2007.

Kevin Messner,

Acting Associate Administrator, Office of Governmentwide Policy.

Real Property

To: Heads of Federal Agencies.

Subject: Revised Implementation Requirements for Delegations of Lease Acquisition Authority.

1. *Purpose.* This bulletin re-emphasizes and modifies certain procedures associated with the use of the delegation of General Purpose leasing authority provided by GSA in 1996 as part of the leasing program called "Can't Beat GSA Leasing," and two other longstanding delegations for Categorical and agency-specific Special Purpose space as currently provided in 41 CFR part 102-73.

2. *Expiration.* This bulletin cancels and replaces Federal Management Regulation (FMR) Bulletin 2005-B1, Delegations of Lease Acquisition Authority—Notification, Usage, and Reporting Requirements for General Purpose, Categorical, and Special Purpose Space Delegations, which was published in the **Federal Register** on May 25, 2005. It contains information of a continuing nature and will remain in effect until canceled.

3. *Background.*

(a) GSA has the statutory authority for acquiring and providing Federal agencies with space. The General Purpose leasing delegation was an outgrowth of GSA's commitment to streamline its leasing operations. Under this program, GSA provided each Federal agency a simple choice: Either engage GSA to acquire the space, or use the delegated leasing authority to perform the space acquisition on its own. This bulletin establishes new requirements for agencies requesting authorization to use the General Purpose and Special Purpose delegation authority and establishes revised

reporting requirements, including the submission of documents to GSA at various points in the lease acquisition process, and requires agencies to have in place an organizational structure to address customer issues, correct property deficiencies and enforce all provisions of the lease. This bulletin also addresses requirements for another longstanding delegation for Categorical space, as currently provided in 41 CFR part 102-73.

(b) Executive Order No. 13327, "Federal Real Property Asset Management" (69 FR 5897), dated February 4, 2004, promotes the efficient and economical use of Federal real property resources. Among other things, the Executive Order requires Federal agencies to establish performance measures addressing the cost, value, and efficiency of all acquisitions, within the scope of an overall agency asset management plan. Agencies using any of the three GSA lease delegations ((1) General Purpose, (2) Categorical [41 CFR 102-73.140] and (3) Special Purpose [41 CFR 102-73.155]) are expected to apply these measures to their acquisitions.

(c) By letter of September 25, 1996, the Administrator delegated authority to the heads of all Federal agencies to perform all functions related to the leasing of General Purpose space for a term of up to 20 years regardless of geographic location. Lease procurements using this delegation must be compatible with the GSA community housing plans for new Federal construction or any suitable space that will become available in GSA-controlled Federally-owned or -leased space. GSA will advise the agency about any limiting factors (e.g., length of term), so that the lease will be consistent with any community housing plans. The 1996 delegation of authority does not alter the space delegation authorities in Part 102-73 of the FMR, which pertain to "Categorical Space Delegations" and "Special Purpose Space Delegations." None of the GSA delegations provide authorization for agencies to conduct procurements on behalf of or to collect rent from other agencies.

4. *General Conditions for the Use of All Leasing Delegations.*

(a) Relocation of Government employees from GSA-controlled Federally-owned or -leased space may not take place unless prior written confirmation has been received from GSA that suitable Government-controlled owned or vacant leased space cannot be provided for them. See 41 CFR 102-73.10.

(b) The average net annual rent (gross annual rent excluding services and

utilities) of any lease action executed under these delegations must be below the threshold applicable to GSA's submission of a lease prospectus to its Congressional oversight committees under 40 U.S.C. 3307. The prospectus threshold may be adjusted annually in accordance with 40 U.S.C. 3307(g). The current threshold for each fiscal year can be accessed by entering GSA's Web site at <http://www.gsa.gov/annualprospectusthreshold>.

(c) The authority to lease granted by the delegations may only be exercised by a warranted realty contracting officer fully meeting the experience and training requirements of the Contracting Officer Warrant Program as specified in section 501.603-1 of the General Services Administration Acquisition Manual (GSAM).

(d) Agencies using the GSA leasing delegations are responsible for compliance with all laws, Executive orders, regulations, and Office of Management and Budget (OMB) Circulars governing warranted GSA realty contracting officers. GSA retains the right to assess, at any time, both the integrity of each individual lease action as well as the capability of an agency to perform all aspects of the delegated leasing activities, and, if necessary, to revoke an agency's delegation in whole or in part. Improper use of any delegation may result in revocation of the delegation and denial of future delegation requests.

(e) Federal agencies must acquire and use the space in accordance with all applicable laws, Executive Orders, regulations, and OMB Circulars that apply to Federal space acquisition activities. Attachment 1 is a non-exhaustive list of laws, regulations, Executive Orders, and OMB Circulars governing the space acquisition process. This list may be added to or amended from time to time. As discussed in greater detail in OMB Circular A-11, all leases must be scored prior to execution and must be budgeted in accordance with OMB's scorekeeping rules.

(f) Agencies are responsible for maintaining the capacity to support all delegated leasing activities, including the use of a warranted realty contracting officer, legal review and oversight, construction and inspection management, cost estimation, lease management and administration, and program oversight. Prior to each leasing action, the agency must conduct an assessment of its needs to establish technical requirements and the amount of space necessary to meet mission requirements. Additionally, agencies are expected to acquire space at charges consistent with prevailing market rates

for comparable facilities in the community. Accountability for all leasing activities shall be coordinated through the agency's Senior Real Property Officer.

(g) As a condition for the use of GSA leasing delegation authorizations, agencies are required to make their lease files available for audit by GSA Office of Inspector General personnel or other GSA personnel or authorized agents as determined by the GSA Director, Real Estate Acquisition Division, or his or her successor.

(h) Agencies using the General Purpose delegation are required to provide GSA no less than 18 months advance notice of lease expiration, if there is a continuing need for the space and the agency wishes to use the delegation again to satisfy the requirement.

(i) Effective immediately upon issuance of this bulletin, agencies are no longer authorized to use the General Purpose delegation to enter into leases in excess of 19,999 rentable square feet of space. In addition, agencies are prohibited from using the General Purpose leasing delegation to enter into a Supplemental Lease Agreement to expand the amount of space currently under lease, if such an expansion will cause the agency to lease a total of more than 19,999 rentable square feet of General Purpose space at the leased premises.

5. Additional Delegation Requirements.

(a) Pre-authorization submittal requirements from requesting agency for all general purpose lease delegations and for special purpose lease delegations involving 2,500 or more square feet of such special purpose space.

Prior to instituting any new, succeeding, extension or superseding lease action under the General Purpose delegation or the Special Purpose delegation involving 2,500 or more square feet of such Special Purpose space, the head of a Federal agency or its designee shall submit a request for authorization to use this General or Special Purpose lease delegation authority, in writing, to the GSA Director for Real Estate Acquisition Division, Public Buildings Service, 1800 F Street, NW., Washington, DC 20405, or his or her successor, to satisfy the agency's need for General or Special Purpose space. The request also may be submitted electronically to delegationrequest@gsa.gov. The requesting agency must submit:

1. A detailed narrative, including cost estimates, explaining why the granting of the request is in the best interests of

the Government and how the agency's use of the delegated authority is cost-effective for the Government;

2. The name of the warranted realty contracting officer conducting the procurement; such individual must fully meet the experience and training requirements of the contracting officer warrant program as specified in section 501.603-1 of the GSAM;

3. An acquisition plan for the procurement in accordance with the requirements specified by Subpart 507.1—Acquisition Plans of the GSAM. A sample limited acquisition plan is available online at <http://www.gsa.gov/leasingform>;

4. Justification for the delineated area in accordance with applicable laws and Executive Orders, including the Rural Development Act of 1972, as amended (7 U.S.C. 2204b-1), Executive Order 12072 and Executive Order 13006;

5. A floodplain check in accordance with Executive Order 11988, "Floodplain Management;"

6. An organizational structure and staffing plan to support the delegation, identifying trained and experienced warranted contracting staff, post-occupancy lease administration staff, real estate legal support, and technical staff to ensure compliance with all applicable laws, regulations and GSA directives governing lease acquisitions and administration of lease contracts;

7. A plan for meeting or exceeding GSA's performance measures (lease cost); GSA's performance measures can be found on OMB's Web site at <http://www.whitehouse.gov/omb/expectmore/detail/10001157.2005.html>; and

8. The total amount of space required, any special requirements, and any associated parking requirements.

GSA will decide whether the requesting agency's exercise of the delegation is in the Government's best interest. Prior to granting the agency's request for a leasing delegation, GSA will consider the following factors: Compatibility with the GSA community housing plan and GSA activities in the specific market, adequacy of the organizational structure and staffing proposed for the delegation, demonstrated ability of the requesting agency to meet or exceed GSA's Public Buildings Service published performance measures for cost of leased space, whether the requesting agency has complied with all applicable laws, Executive Orders, regulations, OMB Circulars, and reporting requirements under previously authorized delegations, and whether the granting of the delegation authorization is cost-effective for the Government. Failure to demonstrate compliance with any of the

enumerated factors shall be a basis for denying the agency's request. No delegation will be granted solely for the purpose of accelerated delivery, and no delegation will be granted for space acquisitions totaling more than 19,999 rentable square feet of General Purpose space.

The requesting agency may exercise the authority contained in this delegation only after the GSA Director for the Real Estate Acquisition Division, Public Buildings Service, or his or her successor, notifies the requesting agency, in writing, that suitable GSA-controlled Federally-owned or -leased space is not available to meet its space need and GSA authorizes the agency to conduct the lease procurement. If the agency subsequently decides not to exercise the requested authority, it must provide written notice of such to the GSA Director for the Real Estate Acquisition Division, Public Buildings Service, or his or her successor.

(b) Additional post-award submittal requirements from requesting agency.

If the awarded lease is for an average annual rental in excess of \$100,000, including option periods and excluding the cost of operational services, within thirty days after the lease award, the agency must submit to the GSA Director for the Real Estate Acquisition Division, Public Buildings Service, or his or her successor, the following documents or evidence of compliance:

1. The fully-executed lease document and all attachments;
2. The solicitation for offers (SFO) (and any amendments issued during the procurement);
3. The pre-solicitation ad posted on FEDBIZOPPS or in a local publication;
4. If a sole source contract, a Justification for Other Than Full and Open Competition in accordance with section 6.303 of the Federal Acquisition Regulation (FAR) and sections 502.101 and 504.803 of the GSAM;
5. The market survey data identifying properties considered in connection with the space need, including historic buildings considered in accordance with Executive Order 13006;
6. Documentation of compliance with the National Environmental Policy Act of 1969, as amended, in accordance with 40 CFR § 1508.9 and GSA guidance;
7. Documentation that vending facilities will be provided in accordance with the Randolph-Sheppard Act;
8. The final scoring evaluation in accordance with OMB Circular A-11 (2002), Criteria and Scoring Ramifications for Operating and Capital Leases;

9. The Price Negotiation

Memorandum, prepared in accordance with section 570.307 of the GSAM and section 15.406-3 of the FAR;

10. Documentation that the building meets all applicable fire and life safety requirements;

11. The seismic Compliance Certification from Successful Offeror consistent with Executive Order 12699 for new buildings (new lease construction) and Executive Order 12941 for existing buildings;

12. Copy of the Post-Award Synopsis posted in FEDBIZOPPS;

13. The small business subcontracting plan, if required, in accordance with section 19.702 of the FAR;

14. Documentation that the Excluded Parties List (also known as the Debarred Bidders List) was checked;

15. The pre-occupancy final inspection report verifying measurement of the demised space as shown on a CAD floorplan, correction of deficiencies, and punch-list items;

16. A Funds Availability Statement signed prior to lease award by a budget official with the requesting agency; and

17. Documentation that the negotiated rental rate is within the prevailing market rental rate for the class of building leased in the delegated action; the documentation may include information from organizations such as SIOR, Black's Guide, Torto-Wheaton, or Co-Star; if the negotiated rental rate exceeds the market range, provide information as to why the market rate was exceeded.

To determine whether the delegation was in the Government's best interest, GSA shall evaluate whether a delegation was cost effective for the Government in the acquisition and delivery of the space. In evaluating cost-effectiveness, GSA shall consider the negotiated rental rate in comparison to the prevailing market rental rate for a similar class of building, and may consider factors as GSA deems appropriate, including, but not limited to, overhead costs, personnel costs, support contract costs, travel costs, accounting costs, and reporting costs. The agency must provide, upon request by GSA, detailed acquisition costs.

If the awarded lease is for an average annual rental of \$100,000 or less, including option periods and excluding the cost of operational services, the agency must submit to the GSA Director for the Real Estate Acquisition Division, Public Buildings Service, or his or her successor, the following documents or evidence of compliance:

1. The fully-executed lease document and all attachments;

2. If a sole source contract, a Justification for Other Than Full and Open Competition in accordance with section 6.303 of the Federal Acquisition Regulation (FAR) and sections 502.101 and 504.803 of the GSAM;

3. The market survey data identifying properties considered in connection with the space need, including historic buildings considered in accordance with Executive Order 13006;

4. The final scoring evaluation in accordance with OMB Circular A-11 (2002), Criteria and Scoring Ramifications for Operating and Capital Leases;

5. The Price Negotiation Memorandum, prepared in accordance with section 570.307 of the GSAM and section 15.406-3 of the FAR;

6. Copy of the Post-Award Synopsis posted in FEDBIZOPPS;

7. The small business subcontracting plan, if required, in accordance with section 19.702 of the FAR;

8. Documentation that the Excluded Parties List (also known as the Debarred Bidders List) was checked; and

9. A Funds Availability Statement signed prior to lease award by a budget official with the requesting agency.

6. Federal Real Property Profile Reporting Requirements for General Purpose, Categorical and Special Purpose Leasing Delegations.

(a) The bi-annual reporting of lease performance information for General Purpose, Categorical, and Special Purpose lease delegations to GSA's Office of Governmentwide Policy, as stated in FMR Bulletin 2005-B1 (Delegations of Lease Acquisition Authority—Notification, Usage, and Reporting Requirements for General Purpose, Categorical, and Special Purpose Space Delegations) is no longer required. In its place, and in accordance with Executive Order 13327, Federal agencies are required to submit data for assets in their real property inventory to the Federal Real Property Profile (FRPP). Agencies are required to provide data on all leased assets acquired under a delegation from GSA.

The FRPP data elements that must be submitted for each leased asset include, but are not limited to:

1. Agency/Bureau Name;
2. Size;
3. Location; and
4. Type of Space.

Agencies will also have to indicate whether the leased asset was acquired through a General Purpose, Categorical, or Special Purpose space delegation. A complete list of the FRPP data elements and definitions can be found in the Federal Real Property Council's Guidance for Real Property Inventory

Reporting, a copy of which can be obtained from the agency's Senior Real Property Officer. FRPP data concerning GSA lease delegation actions may be provided to GSA PBS upon prior approval of the Federal Real Property Council.

(b) GSA also reserves the right to request additional information on agencies' delegated lease activities based on the data submitted to the FRPP. Failure of an agency to timely or fully provide this additional information may result in GSA's revocation of the delegation to that agency.

Attachment 1

The listing below of laws, regulations, Executive Orders, and OMB Circulars affecting leasing may have applicability thresholds or other factors that impact applicability, and agency contracting officers must determine the individual applicability of each. These laws, Executive Orders, regulations, and OMB Circulars, each as may have been amended from time to time, include, but are not limited to, the following:

1. Anti-Kickback Act of 1986 (41 U.S.C. 51-58);
2. Assignment of Claims Act of 1940 (31 U.S.C. 3727);
3. Balanced Budget Act of 1997 (2 U.S.C. 900, *et seq.*);
4. Competition in Contracting Act of 1984 (41 U.S.C. 251, *et seq.*);
5. Contract Disputes Act of 1978 (41 U.S.C. 601-613);
6. Contract Work Hours and Safety Standards Act of 1962 (40 U.S.C. 3701-3708);
7. Copeland Act of 1934 (18 U.S.C. 874; 40 U.S.C. 3145(a));
8. Covenant Against Contingent Fees (41 U.S.C. 254(a));
9. Davis-Bacon Act of 1931 (40 U.S.C. §§ (40 U.S.C. 3141-3148);
10. Drug-Free Workplace Act of 1988 (41 U.S.C. 701-707);
11. Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701-7706);
12. Energy Policy Act of 1992 (42 U.S.C. 8253);
13. Examination of Records (41 U.S.C. 254d);
14. Leasing Authority (40 U.S.C. 585);
15. Fire Administration Authorization Act of 1992 (15 U.S.C. 2227);
16. Intergovernmental Cooperation Act of 1968 (40 U.S.C. 901-905);
17. National Historic Preservation Act of 1966 (16 U.S.C. 470-470w-6);
18. Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678);
19. Officials Not to Benefit (41 U.S.C. 22);
20. Prohibitions on Use of Appropriated Funds to Influence Federal Contracting (31 U.S.C. 1352);

21. Prompt Payment Act (31 U.S.C. 3901–3907);
22. Prospectus Authority (40 U.S.C. 3307);
23. Randolph-Sheppard Act (20 U.S.C. 107, *et seq.*);
24. Architectural Barriers Act of 1968 (42 U.S.C. 4151–4157);
25. National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*);
26. Small Business Act (15 U.S.C. 631, *et seq.*);
27. Rural Development Act of 1972 (42 U.S.C. 3122);
28. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651–4655);
29. Resource Conservation and Recovery Act of 1976 (42 U.S.C. 690);
30. Executive Order No. 11375, “Equal Employment Opportunity” (Oct. 13, 1967, 32 FR 14303);
31. Executive Order No. 11988, “Floodplain Management” (May 24, 1977, 42 FR 26951);
32. Executive Order No. 11990, “Protection of Wetlands” (May 24, 1977, 42 FR 26961);
33. Executive Order No. 12072, “Federal Space Management” (Aug. 16, 1978, 43 FR 36869);
34. Executive Order No. 12699, “Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction” (Jan. 5, 1990, 55 FR 835);
35. Executive Order No. 13006, “Locating Federal Facilities on Historic Properties in Our Nation’s Central Cities” (May 1, 1996, 61 FR 26071);
36. Executive Order No. 13423, “Strengthening Federal Environmental, Energy and Transportation Management” (January 26, 2007, 72 FR 3919);
37. Executive Order No. 13327, “Federal Real Property Asset Management” (Feb. 4, 2004, 69 FR 5897);
38. Executive Order No. 12941, “Seismic Safety of Existing Federally Owned or Leased Buildings” (Dec. 5, 1994, 59 FR 62545);
39. Comprehensive Procurement Guideline For Products Containing Recovered Materials (40 CFR Chapter I Part 247);
40. OMB Circular A–11 (Capital Lease Scoring);
41. Federal Management Regulation (FMR) [41 C.F.R. Chapter 102]; and
42. General Services Administration Acquisition Manual (GSAM) (including the General Services Administration Acquisition Regulation (GSAR) [48 CFR Chapter 5]).

[FR Doc. E7–22530 Filed 11–16–07; 8:45 am]

BILLING CODE 6820–RH–P

GENERAL SERVICES ADMINISTRATION

Privacy Act of 1974; Notice of Updated System of Records

AGENCY: General Services Administration.

ACTION: Notice of updated system of records.

SUMMARY: The General Services Administration (GSA) is providing notice of an update to the record system, Acquisition Career Management Information System (ACMIS) (GSA/OAP–2). The system collects information to track, verify, update, and manage the careers of Federal employees in acquisition occupations and to manage funds, size, and strength of the Federal acquisition workforce.

DATES: Effective Dates: The system of records will become effective without further notice on December 19, 2007 unless comments received on or before that date result in a contrary determination.

FOR FURTHER INFORMATION CONTACT: Call or e-mail the GSA Privacy Act Officer: telephone 202–208–1317; e-mail gsa.privacyact@gsa.gov/.

ADDRESSES: Comments may be submitted to the Director, Federal Acquisition Institute (MVI), General Services Administration, 9820 Belvoir Road, Bldg. 205, Fort Belvoir, VA 22060.

SUPPLEMENTARY INFORMATION: GSA reviewed this Privacy Act system of record to ensure that it is relevant, necessary, accurate, up-to-date, and covered by the appropriate legal or regulatory authority. Nothing in the updated system notice indicates a change in authorities or practices regarding the collection and maintenance of information. Nor do the changes impact individuals’ rights to access or amend their records in the system of records. It also includes the new requirement from OMB Memorandum M–07–16 regarding a new routine use that allows agencies to disclose information in connection with a response and remedial efforts in the event of a data breach.

Dated: October 29, 2007.

Cheryl M. Paige,

Director, Office of Information Management.

GSA/OAP–2

SYSTEM NAME:

Acquisition Career Management Information System (ACMIS).

SYSTEM LOCATION:

The system is maintained for GSA under contract. Contact the System Manager for additional information.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Federal employees in acquisition and contracting jobs, including personnel in the 1100 occupational series, contracting officers, and other employees performing acquisition, contracting, and procurement functions for Federal agencies.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains information needed for managing the careers and training of employees in the Federal acquisition occupational field. Records may include but are not limited to: (1) Biographical data such as name, birth date, and educational level; (2) work related data such as service computation date and retirement information, duty station, occupational series and grade, and Social Security Number; and (3) training records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 37 of the Office of Federal Procurement Policy Act (41 U.S.C. 433).

PURPOSES:

To establish and maintain an electronic system to facilitate the career management of Federal employees in acquisition occupations; to ensure that employees meet mandated training requirements; and to effectively manage training funds and the size and qualifications of the Federal acquisition workforce. The system provides to management and to employees in the system up-to-date information on employee certification levels, qualification standards, academic degrees, mandatory and other pertinent training, and warrant status.

ROUTINE USES OF THE SYSTEM RECORDS, INCLUDING CATEGORIES OF USERS AND THEIR PURPOSE FOR USING THE SYSTEM:

System information may be accessed and used by employees themselves and their supervisors, designated analysts and managers, and training centers, to track, verify, and update system information. Designated program managers will use the information to manage training funds and the size and strength of the Federal acquisition workforce.

Information from this system also may be disclosed as a routine use:

- In any legal proceeding, where pertinent, to which GSA is a party before a court or administrative body.
- To a Federal, State, local, or foreign agency responsible for investigating,

National Weather Service

Program	Address	City	State	Rentable Sqft.	Net Annual Rent	Type of Space	Annual Rate	Lease Award Date	Lease Expiration Date	Delegation Type	Property Id	
NWS	1116 Strait Avenue	TOPEKA	KS	4,115	36,571.56	WFO	\$8.89	09/01/1989	06/30/2009	Special purpose	KSC01702	Delegation request underway
NWS	5460 Conestoga Court	BOULDER	CO	2,780	16,297.50	Warehouses	\$5.86	10/01/1999	09/30/2009	Special purpose	COM09901	
NWS	1235 Westheimer Drive	NORMAN	OK	3,500	9,966.70	Warehouses	\$2.85	10/01/1999	09/30/2009	Special purpose	OKM00302	
NWS	1353 FM 646	LEAGUE CITY	TX	5,159	33,247.50	WFO	\$6.44	04/11/2005	04/10/2010	Special Purpose	14000619	
NWS	1521 N Project Drive	TEMPE	AZ	4,517	33,961.58	WFO	\$7.52	04/18/1991	04/17/2011	Special purpose	AZW02901	
NWS	1424 Halley Avenue	NORMAN	OK	12,022	114,726.00	Office	\$9.54	09/24/2001	08/31/2011	Special purpose	14000077	
NWS	Federal Facilities Bldg. Cleveland Hopkins Airport	CLEVELAND	OH	5,521	81,834.72	WFO	\$14.82	10/01/1991	09/30/2011	Special purpose	OHE00601	
NWS	10159 East 11th Street Suite 300 Guaranty Bank Bld	TULSA	OK	9,618	164,125.39	WFO	\$17.06	11/01/1991	10/31/2011	Special purpose	OKM10801	
NWS	320 Sparkman Drive, S.W.	HUNTSVILLE	AL	5,800	69,787.56	WFO	\$12.03	09/15/2002	09/30/2012	Special purpose	14000163	
NWS	8400 Remount Road	NORTH LITTLE ROCK	AR	4,772	70,190.98	WFO	\$14.71	11/06/1992	11/05/2012	Special purpose	ARM00401	
NWS	2909 Aviation Way	WEST COLUMBIA	SC	6,078	67,313.42	WFO	\$11.07	02/01/1993	01/31/2013	Special purpose	SCE00601	
NWS	455 Myles Standish Blvd	TAUNTON	MA	10,417	298,103.00	WFO	\$28.62	05/19/1993	05/18/2013	Special purpose	MAE03501	
NWS	7777 Walnut Grove Road	MEMPHIS	TN	6,397	81,070.09	WFO	\$12.67	08/11/1993	07/31/2013	Special purpose	TNM01001	
NWS	3401 Northern Cross Rd	FORT WORTH	TX	10,500	216,070.32	WFO	\$20.58	09/27/1993	09/26/2013	Special purpose	TXM15002	
NWS	2579 South Loop289 Suite 100	LUBBOCK	TX	5,789	58,101.45	WFO	\$10.04	12/08/1993	11/30/2013	Special purpose	TXM15401	
NWS	1200 Westheimer Drive	NORMAN	OK	16,811	299,000.00	ROC	\$17.79	05/01/2007	11/30/2013	Special purpose	OKM08201	
NWS	1005 Capability Dr. Suite 300	RALEIGH	NC	5,000	161,676.00	WFO	\$32.34	12/15/1993	12/14/2013	Special purpose	NCE08101	
NWS	6707 N 289th Street	VALLEY	NE	6,000	125,343.00	WFO	\$20.89	03/01/1994	01/31/2014	Special purpose	NEC03401	
NWS	2341 Clark Carr Loop SE	ALBUQUERQUE	NM	4,245	124,139.47	WFO	\$29.24	03/02/1994	02/28/2014	Special purpose	NMM02101	
NWS	Great Falls Cascade Co	GREAT FALLS	MT	4,234	96,200.00	WFO	\$22.72	05/16/1994	04/30/2014	Special purpose	MTW05602	
NWS	1750 Forecast Drive	BLACKSBURG	VA	5,560	189,773.23	WFO	\$34.13	07/01/1994	06/30/2014	Special purpose	VAE07701	
NWS	5241 Northeast 122nd Ave	PORTLAND	OR	9,698	228,893.70	WFO	\$23.60	07/01/1994	06/30/2014	Special purpose	ORW09001	
NWS	9050 Harrison Street	DAVENPORT	IA	5,696	103,470.32	WFO	\$18.17	08/01/1994	07/31/2014	Special purpose	IAC01702	
NWS	Salt Lake City Airport	SALT LAKE CITY	UT	11,215	194,119.56	WFO	\$17.31	08/01/1994	07/31/2014	Special purpose	UTW02801	

National Marine Fisheries Service

Program	Address	City	State	Rentable Sqft.	Net Annual Rent	Type of Space	Annual Rate	Lease Award Date	Lease Expiration Date	Delegation Type	Property Id
NMFS	144 Kingspoint Blvd.	SLIDELL	LA	3,000	41,996.00	Office	\$14.00	08/01/2006	07/31/2011	Provider of Choice	14000734
NMFS	704 East 1st Street	RUFUS	OR	4,200	8,624.62	Office	\$2.05	02/01/2003	01/31/2008	Special purpose	ORW06601
NMFS	32 Jonathan Bourne Driv	POCASSET	MA	14,250	99,744.00	Warehouses	\$7.00	10/01/2005	03/31/2009	Special purpose	MAE04701
NMFS	3305 E Commerce St.	PASCO	WA	22,915	131,753.04	Office	\$5.75	04/01/2003	12/31/2008	Special purpose	WAW07401
NMFS	705 Convent Avenue	PASCAGOULA	MS	2,850	42,603.00	Office	\$14.95	12/04/2004	12/03/2009	Special purpose	MSC04001
NMFS	74 Magruder Road	HIGHLANDS	NJ	32,641	1,185,000.00	Office	\$36.30	06/01/1994	05/31/2014	Special purpose	NJE02702

Oceanic Atmospheric Research

Program	Address	City	State	Rentable Sqft.	Net Annual Rent	Type of Space	Annual Rate	Lease Award Date	Lease Expiration Date	Delegation Type	Property Id
OAR	1750 Foote Drive	IDAHO FALLS	ID	11,833	64,472.51	Laboratories	\$5.45	04/01/2005	03/31/2010	General Purpose	IDM02901
OAR	1437 Kilauea Avenue	HILO	HI	5,838	179,839.06	Office	\$30.80	12/23/2005	11/30/2010	General Purpose	14000685
OAR	Princeton University, Forrestal Campus	PRINCETON	NJ	68,000	248,973.00	Office	\$3.66	09/01/1989	08/31/2014	Special purpose	NJE01403

NOAA of Marine and Aircraft Operations

Program	Address	City	State	Rentable Sqft.	Net Annual Rent	Type of Space	Annual Rate	Lease Award Date	Lease Expiration Date	Delegation Type	Property Id	
NMAO	1801 Fairview Ave E	SEATTLE	WA	28,501	458,049.93	Warehouses	\$16.07	07/01/2004	06/30/2011	Special purpose	WAW05408	Delegation request underway



REAL PROPERTY SPACE REQUEST

For Lease or Purchase with a Cost of Less than Prospectus (\$2.59M)

1. What type of space is needed?

- | | | |
|--------------------------------------|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Office | <input type="checkbox"/> Housing | <input type="checkbox"/> Land |
| <input type="checkbox"/> Storage | <input type="checkbox"/> Lab | <input type="checkbox"/> Pier/Dock |
| <input type="checkbox"/> Tower/ Roof | <input type="checkbox"/> Warehouse | <input type="checkbox"/> Other: _____ |

2. What type of action is being requested?

- New Lease (*new or relocation of existing site*)
 License (*only access is needed and no Federal improvements will be made*)
 Acquisition (*purchase*)
 Not sure

3. Can more than one location meet the programmatic need?

- Yes
 No: Then location needs to be based on programmatic requirements, please attach a written explanation to justify restricting competition.

4. What is the delineated area?

Describe the general location capable of meeting your mission-related space requirements, using area streets and/or buildings and landmarks to define the boundaries. If available, please attach a map of the local area. _____

5. How much space and/or parking (fed and employee) are needed?

Estimate for minimum square footage required _____ (*for office use 250 gsf per person*).
 Number of parking spots _____. Information on any special purpose needs or space requirements (*conference, files, servers, security*)

6. When do you need the space and for how long?

Space is required by _____. Duration needed is ____ Years. (*A long lease term may result in a capital lease.*)

REQUESTOR'S NAME: _____

LINE OFFICE: _____

E-MAIL: _____

PHONE NO: _____

CERTIFICATION OF FUNDS AVAILABLE

I have reviewed the information contained in this request for space in view of the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings). I certify that I have considered the impact of the Act and that agency funds are available.

Accounting Data: _____

Typed Name of Agency Certifying Official: _____

Signature of Certifying Official

Date

A capital lease (see definition below) is [] is not [] an acceptable outcome of this acquisition. (If not acceptable, the lease term identified earlier may have to be reduced.)

Capital Lease

A Capital lease means any lease other than a lease-purchase that does not meet the six OMB criteria of an operating lease in A-11 Appendix B. Budget authority will be scored in the year in which the authority is first made available in the amount of the net present value of the Government's total estimated legal obligation over the life of the contract. The Budget Outlay is an amount equal to the annual lease interest payments over lease term.

PLEASE SUBMIT YOUR REQUEST TO:

DOC/NOAA/CAO/REAL PROPERTY MANAGEMENT DIVISION
ATTENTION: Roy Eckert
1305 EAST WEST HIGHWAY, BLDG SSMC4, ROOM 5412
SILVER SPRING, MD 20910-3281