

Justification for Other Than Full and Open Competition, Extension

U.S. General Services Administration

GSA Region <Region Number> Leasing

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

PROJECT NUMBER: <Project Number>

Agency Name: <Agency Name>

1. NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED.

The General Services Administration currently leases <Current Square Footage USF> ABOA/<Current Square Footage RSF> rentable square feet (RSF) of office space at <Building Name>, <Building Address>, <City>, <State> under lease number <Lease Number> for the <Agency Name>. The current lease expires <Lease Expiration Date>. Approval is requested to negotiate a lease extension with the incumbent Lessor without full and open competition for continued occupancy at this leased location. The procedures for pursuing a lease extension are detailed in GSAR 570.405: Lease extensions.

2. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS (INCLUDING ESTIMATED VALUE).

The government requires an extension of the current lease for <Extension Term> months to commence on <Extension Effective Date>. The estimated cost of this lease extension is \$<New Annual Rental Rate RSF> per rentable square feet per year for an annual cost of \$<New Annual Rent> and a total contract value of \$<Extension Term Value>.

3. IDENTIFICATION OF STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION.

41 U.S.C. 3304(a)(1): Only one responsible source and no other supplies or services will satisfy agency requirements. This statutory authority is implemented through GSAR 570.405. In accordance with GSAR 570.405, use of the sole source authority is appropriate when the government experiences a delay in acquiring replacement space.

- The agency occupying the leased space is scheduled to move into other Federally controlled space, but encounters unexpected delays in preparing the new space for occupancy
- The government encounters unexpected delays outside of its control in acquiring replacement space
- The government is consolidating various agencies and the contracting officer needs to extend the terms of some leases to establish a common expiration date
- The agency occupying the space has encountered delays in planning for a potential relocation to other federally controlled space due to documented organizational, financial, or other uncertainties

4. DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR NATURE OF THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED.

It is in the best interest of the Government to remain at the current location during the extension period. [Insert description of need for extension from 570.405 1 through 4 or other situation supporting extension]. Award to other than the current Lessor would require relocation of the entire requirement and would cause <Agency Name> to incur move and replication costs that would not be recovered through competition.

5. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE.

In accordance with GSAM 570.106(d) and 570.405, an advertisement is not required for extensions.

6. DEMONSTRATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.

Recent market research conducted by the Lease Contracting Officer in <City>, <State> showed the rental rate within the market area ranges from \$<Market FS Rate High> to \$<Market FS Rate Low>.

Therefore, the proposed rental rates for this lease extension of \$<New Annual Rent Rate RSF> per RSF, are within the current market range for this submarket and are deemed fair and reasonable by the GSA Lease Contracting Officer.

7. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND THE RESULTS.

On <Market Research Date>, market research was conducted using <Market Data Sources>. The market research showed the rental rate within the market area ranges from \$<Market FS Rate High> to \$<Market FS Rate Low>.

8. OTHER FACTS SUPPORTING USE OF OTHER THAN FULL AND OPEN COMPETITION.

Remaining at the current location under a <Extension Term> month extension avoids a holdover and allows the Government to continue operations without disruption.

9. LIST OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION.

N/A

10. STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION.

In advance of an existing lease contract's expiration, considerations will be given to allow for sufficient time to conduct a full and open procurement. The Government will consider the time and cost of moving from the existing location, and the time and cost to build out new space when deciding whether it is economically advantageous to stay at the existing building or to undergo a competitive action.

Additionally, consideration will be given to the customer agency's mission and security requirements (if applicable) to include limiting any agency space requirements that may be deemed unduly restrictive and thus favor the incumbent. The Government will remain conscious of the effort to continuously encourage competition when practicable.

11. CONTRACTING OFFICER CERTIFICATION.

By signature on this Justification for Other than Full and Open Competition, the GSA Lease Contracting Officer certifies that the award of a lease extension of <Extension Term> months for <Lease Number> is

in the Government's best interest and that this Justification is accurate and complete to the best of the GSA Lease Contracting Officer's knowledge and belief.

_____ Date _____

<Lease Contracting Officer>, Lease Contracting Officer

12. PREPARER'S TECHNICAL CERTIFICATION.

I certify that the supporting data used to form the basis of this Justification is complete and accurate to the best of my knowledge and belief.

_____ Date _____

<Leasing Specialist>, Leasing Specialist

See FAR 6.304 for appropriate signature threshold levels.

If Senior Procurement Executive (SPE) approval is required, must include signatures from Regional Contracting Director, Regional Counsel, and Head of Contracting Activity (HCA). Use of a separate signature page is required.