




**AUG 25 2017**

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

**FROM:** LANCE FEINER   
ACTING ASSISTANT COMMISSIONER FOR THE OFFICE  
OF LEASING - PR

**SUBJECT:** LEASING ALERT (LA-FY17-10) – FEMA Lease Documents  
and Instructions

1. **Purpose.** This Leasing Alert issues revised documents and instructions for short term FEMA disaster leases acquired in response to a Presidential disaster declaration under the Robert T. Stafford Act.
2. **Effective Date.** This Leasing Alert and attachments are effective immediately for all FEMA disaster lease acquisitions issued on or after the signature date.
3. **Cancellation.** None
4. **Applicability.** This Leasing Alert and its attachments apply to any lease acquisition performed for FEMA to support disaster relief activities authorized by a Presidential declaration where the anticipated occupancy is 18 months or less for office space or 12 months or less for unimproved land.
5. **Instructions and Procedures.** This Leasing Alert, instructions, and attachments are effective for all FEMA disaster lease acquisitions initiated on or after the effective date of this Leasing Alert.
  - Attachment 1, FEMA Disaster Lease Document Summary and Instructions
  - Attachment 2, FEMA Disaster Lease Supplemental Office Lease Requirements
  - Attachment 3, FEMA Disaster Lease Supplemental Land Lease Requirements
  - Attachment 4, FEMA Disaster Lease File Checklist
  - Attachment 5, FEMA Oral RLP (R103D)

## **ATTACHMENT 1**

### **FEMA Disaster Lease Document Summary and Instructions**

FEMA disaster lease acquisitions occur in an expedited timeframe, often in areas with a limited office market, and are generally for very short terms. Lease Contracting Officers (LCOs) must locate space within the delineated area that is available for immediate occupancy and the ownership is willing to accept a lease with a very limited term, generally 30 or 60 days firm. This combination of factors can make finding suitable space difficult.

This Leasing Alert issues revised documents applicable to FEMA disaster lease acquisitions in order to provide LCOs with a pre-edited version of the Small Lease Supplemental Lease Requirements. These documents are only for use for short term disaster leases acquired in response to a Presidential disaster declaration where the initial occupancy term (not including potential future extensions or renewals) is 18 months or less for office space and 12 months or less for unimproved land leases. FEMA disaster land leases for land with any improvements, such as roads or concrete pads, can be leased for longer terms pursuant to GSA's normal leasing authority. Office leases with a longer initial occupancy period, including Long Term Recovery Offices, acquired for FEMA disaster relief should utilize the appropriate standard leasing documents, such as the Small or Global Lease package.

### **FEMA Disaster Lease Package**

The FEMA disaster lease package contains a pre-edited version of the small lease supplemental lease requirements that removes unnecessary clauses and includes special clauses unique to this type of lease contract, such as FEMA's invoicing instructions. For all standard lease documents, such as the Small Lease Form 3626 or General Clauses Form 3517, the LCO shall use the current version as posted on the National Office of Leasing google site under the Lease Forms tab.

Oral RLP (R103D): As authorized by FAR 15.203(f), the LCO may use an oral solicitation for emergency acquisitions. The LCO must provide the following information to all potential Offerors through verbal discussions:

- (1) Lease number and date;
- (2) Name and contact information of the contracting officer;
- (3) Description of the lease contract, including square feet, term, and required occupancy date (generally immediate occupancy)
- (4) Instructions to offerors and evaluation criteria
- (5) Proposal due date and time; and
- (6) Other relevant information

To assist LCOs in using the oral solicitation process properly, the Oral RLP document will provide appropriate content reminders to guide LCOs in discussions with Offerors. This Oral RLP is not intended to be completed for each acquisition. The specific acquisition information that is customarily inserted into the RLP for each acquisition, such as the square feet and term, is conveyed orally by the LCO. The Oral RLP document is distributed to Offerors along with the other lease documents to notify them of the terms of the solicitation. This allows LCOs to complete multiple leases quickly in the field without having to rely on office resources which may not be immediately available during a deployment.

**3626 Short Form Lease:** The LCO shall use this form for the Offeror to submit their offer and shall complete section II of the 3626 according to the standard procedures used for Small Leases to award the lease.

**FEMA Office Space or Land Lease Supplemental Lease Requirements:** The LCO shall use either the office space or land lease requirements as applicable.

**3517B or 3517A General Clauses:** The LCO shall use the 3517B (over SLAT) or 3517A (under SLAT) depending on the dollar value of the lease contract. Note that the 3517D is no longer required when using the FEMA Office Space or Land Lease Supplemental Lease Requirements as the required deviations to the standard General Clauses have been incorporated into the FEMA Office and Land Lease Supplemental Requirements documents.

**3518 Representations and Certifications:** The LCO shall use the 3518 and advise the Lessor of the requirement to register in SAM within 30 days of award in order to receive payment.

**SF 3881 FEMA Vendor Payment Form:** The LCO shall collect the Lessor's payment information using this form and provide it to the FEMA Logistics Chief.

### **FEMA Disaster Leases and Leasing Program Systems (REXUS and G-REX)**

FEMA disaster leases are lease contracts entered into by GSA Lease Contracting Officers under GSA's leasing authority. These leases, while unique in many aspects, remain a part of the GSA lease inventory and therefore GSA must be able to properly track and report on this part of our inventory to external stakeholders. When acquiring a lease for FEMA disaster relief purposes, the LCO will use the REXUS project module to acquire a lease number using the special AB code 7060, which is specific to FEMA disaster relief actions. The LCO will then **de-activate** the project. The resulting FEMA disaster lease number will be affixed to the lease acquired for FEMA in lieu of the previous FEMA generated contract numbering system.

Once the lease action is complete, the LCO must upload all file contents into G-REX through the "disaster leasing" module. This module uses an expedited input process that does not require users to complete the process flows associated with routine lease actions. When entering the project, the LCO or other designee will manually enter and update project data as needed. The LCO or other designee will upload documents against a checklist of items rather than using a task based workflow.

In order for PBS to maintain an accurate listing of FEMA disaster leases, it is important that the LCO or other designee update the information in G-REX when it is no longer accurate, such as updating the lease expiration date when a lease is extended or if it is terminated early. Tracking the inventory in this manner will prevent the need for manual data calls.

**ATTACHMENT 2**

**FEMA Office Space Supplemental Lease Requirements**

**ATTACHMENT 3**

**FEMA Land Lease Supplemental Lease Requirements**

## **ATTACHMENT 4**

### **FEMA Disaster Lease File Checklist**

**ATTACHMENT 5**

**FEMA Oral RLP (R103D)**