

**Subpart 101-17.4—Space Planning and Layout**

- 101-17.400 Scope of subpart.
- 101-17.401 Space planning assistance.
- 101-17.402 Use of contractual services for space planning.

**Subpart 101-17.5—Providing Space in New Public Buildings**

- 101-17.500 Scope of subpart.
- 101-17.501 General.
- 101-17.502 Responsibility of GSA.
- 101-17.503 Responsibility of agencies.
- 101-17.504 Postoccupancy evaluation.

**Subparts 101-17.6—101-17.46 [Reserved]**

**Subpart 101-17.47—Exhibits**

- 101-17.4700 Scope of subpart.
- 101-17.4701 Memorandum of understanding between the U.S. Department of Agriculture and the General Services Administration concerning the location of Federal facilities.
- 101.4702 Memorandum of agreement between the General Services Administration and the U.S. Postal Service for implementing the President's urban policy.

**Subpart 101-17.48—GSA Regional Offices**

- 101-17.4800 Scope of subpart.
- 101-17.4801 GSA regional offices.

**Subpart 101-17.49—Forms**

- 101-17.4900 Scope of subpart.
- 101-17.4901 Standard forms.
- 101-17.4901-81 Standard Form 81, Request for Space.
- 101-17.4902 GSA forms.
- 101-17.4902-144 GSA Form 144, Space Requirements.

AUTHORITY: 63 Stat. 377, as amended (40 U.S.C. 285, 304c, 601 *et seq.*, 490 note); E.O. 11512, 35 FR 3979.

SOURCE: 39 FR 23196, June 27, 1974, unless otherwise noted.

**§ 101-17.000 Scope of part.**

This part prescribes the policies and procedures relative to the assignment and utilization of space in Government-owned and -leased buildings, or portions thereof, in the United States. The term *United States*, as used in this subchapter, shall mean the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

**§ 101-17.001 Authority.**

This part implements the applicable provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended; the Act of July 1, 1898 (40 U.S.C. 285); the Act of August 27, 1935 (40 U.S.C. 304c); the Public Buildings Act of 1959, as amended (40 U.S.C. 601 *et seq.*); the Rural Development Act of 1972 (86 Stat. 674); Reorganization Plan No. 18 of 1950 (40 U.S.C. 490 note); the Public Buildings Cooperative Use Act of 1976 (90 Stat. 2507); Executive Order 12072 of August 16, 1978 (43 FR 36869); the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 531-535); title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601); and the National Environmental Policy Act of 1969, as amended.

[45 FR 37200, June 2, 1980]

**§ 101-17.002 Basic policy.**

GSA will acquire and use federally owned and leased office buildings and space located in the United States and will issue standards and criteria for the use of this space. GSA will assign and reassign this space to Federal agencies and certain non-Federal organizations. GSA has oversight responsibility for Federal agency compliance with Executive Order 12072, including space acquisition in urban areas accomplished under authority other than the Federal Property and Administrative Services Act of 1949, as amended. As required by section 901(b) of the Agriculture Act of 1970, 84 Stat. 1383, as amended by section 601 of the Rural Development Act of 1972, 86 Stat. 674 (42 U.S.C. 1322(b)), it is the responsibility of each agency to determine which of its new offices should be located in rural areas. When it is determined that agency space needs require an urban location, GSA and other Federal agencies shall be governed by the following policies for the assignment, reassignment, and use of buildings and space.

(a) Federal facilities and Federal use of space in urban areas shall serve to strengthen the Nation's cities and to make them attractive places to live and work. Federal space shall conserve existing urban resources and encourage the development and redevelopment of cities.

## Federal Property Management Regulations

§ 101-17.002

(b) Serious consideration shall be given to the impact that a location or relocation will have on improving the social, economic, environmental, and cultural conditions of the communities in an urban area. To the extent feasible, plans and programs for meeting space needs shall enhance and support the development, redevelopment, and revitalization objectives and priorities of cities in urban areas and shall enhance and support the employment and economic base of these cities. Both positive and negative impacts of space acquisition actions shall be weighed with the objective of obtaining maximum socioeconomic benefits from these actions.

(c) In meeting space needs in urban areas:

(1) First consideration shall be given to a centralized business area and adjacent areas of similar character in the central city of Standard Metropolitan Statistical Areas (SMSA) defined by the Department of Commerce publication (Government Printing Office Stock Number 041-001-00101-8), including other specific areas of a city recommended by the elected chief executive officer of the local government or a designee, except where this type of consideration is otherwise prohibited. Space needs will be met outside the central business area of a central city of an SMSA only when one of the following circumstances exist:

(i) The service area of an activity is limited to a clearly defined sector of a city or a suburban or rural community, as is the case with satellite or branch offices; or where onsite activities are involved, such as inspection and/or maintenance operations at border stations, airports, seaports, or other similar activities;

(ii) Immediate compliance is not possible due to existing leasing commitments in areas outside the central business area (CBA). In these cases, plans for the future compliance shall be made; i.e., the activity shall be relocated to the central business area upon expiration of the lease;

(iii) The proposed facility or the activity's use of a facility is not in compliance with local land use or zoning ordinances; or

(iv) The elected chief executive officer of the local government or a designee advises the agency that an activity or facility should be located in an area of the central city other than the CBA.

(2) If location outside the central business area of the central city is required, preference shall be given to location within the central city.

(3) If location outside the central city is required, preference shall be given to locations in the central business area of noncentral cities.

(4) If location outside an SMSA is required, preference shall be given to central business area of non-SMSA cities.

(d) Decisions to relocate activities from existing noncentral business area locations into the central business area shall take into consideration an analysis of the comparative costs in relationship to the anticipated benefits of the proposed relocation. These cost/benefit analysis shall compare the costs of relocation into the central business area to the costs of alternative locations that would be delineated were there no plans to relocate the activity into the central business area. In conducting cost/benefit analyses the following steps shall be followed:

(1) An estimate of the comparative costs of a central business area location versus the costs of non-CBA locations shall be made, including an analysis of:

(i) The estimated annual per-square-foot market rent for comparable space in the central business area versus similar estimated market rents for delineated noncentral business area locations under consideration, plus

(ii) The estimated per-square-foot costs of duplicating permanent special-type alterations (such as laboratory or ADP space) amortized over the term of the lease and all renewal options; plus

(iii) The estimated per-square-foot cost of relocating offices to the various alternative locations, including the central business area amortized over the term of the lease and all renewal options, and

(iv) The estimated per-square-foot cost of residential relocation of employees, eligible for relocation under

the Federal Travel Regulations (FPMR 101-7), who will likely apply for relocation. (These costs also will be amortized over the term of the lease and all renewal options.)

(2) The sum of the cost factors listed in paragraph (d)(1) of this section shall be computed for each alternative location considered, including the central business area location. If the annual per-square-foot cost of locating into the central business area does not exceed by a margin of 15 percent of the per-square-foot cost of those alternative locations outside the central business area, relocation shall be accomplished without further study.

(3) When the per-square-foot costs of relocating an activity into the central business area exceeds by a margin of 15 percent the costs per square foot of the alternative noncentral business area locations, further study shall be conducted to identify anticipated intangible benefits to the Government and the urban area involved by relocating into the central business area. The assistance and advice of the local government may be solicited during this phase of analysis. This phase of analysis shall include, as appropriate, but not be limited to the identification of all benefits accruing to the Government and the local community as follows:

(i) The influence a relocation will have on any established plan of the city to develop or redevelop the central business area. This factor shall include consideration of the extent to which the plan has been or will be implemented locally through Federal financial assistance and other positive commitments by the local community and an assessment of the prospects for success of the plan;

(ii) The impact of the proposed action on the affected office space rental markets;

(iii) The extent to which the accessibility of low and moderate income housing on a nondiscrimination basis and nondiscrimination in the sale and rental of residential housing for Federal employees will be improved;

(iv) The extent to which the accessibility of the central business area location to all segments of the population

of the community served will be improved;

(v) The availability of parking and public transportation for employees and visitors to the central business area location; and

(vi) All other identified benefits particularly applicable to the local situation.

(4) Data gathered in paragraphs (d)(1) and (d)(3) of this section shall be used to reach a final decision on a proposed relocation into a central business area.

(5) In communities in which it is determined there is the potential for substantial relocations of agencies into the central business area over a medium ranged period of time (3 to 5 years), the GSA regional office may conduct a cost/benefit analysis on the cumulative impact of relocating agencies into the central business area over the planning period rather than on a case-by-case basis. These analyses will be conducted as described above. Any action taken during the planning period consistent with the conclusions of the cost/benefit analysis will not require an individual analysis. Periodic reviews of long-range cost/benefit analyses will be made as appropriate.

(e) Whenever the regional Public Buildings Service determines that it is impractical to locate a Federal activity consistent with the policy of paragraph (c)(1) of this section, it must obtain approval by the Regional Administrator of a waiver of the policy for the particular space action. These waivers may be granted for temporary periods because of local real estate market conditions or permanently, but must be based on documented facts, such as cost/benefit analyses described in paragraph (d) of this section.

(f) In SMSA's with more than one central city, or in urban areas with more than one city, GSA may make new space assignments in the central business area of the most distressed city. In addition, consideration may be given to meeting space needs in other than central cities when the following conditions exist: (1) A city in an SMSA is not a central city but has over 50,000 population and (2) the level of distress

in that city is determined by the Secretary of Housing and Urban Development to be equal to or greater than any of the central cities.

(g) Consistent with the policies cited in paragraphs (a), (b), (c), (d), and (f) of this section, consideration shall be given to the following criteria in meeting Federal space needs in urban areas:

(1) Impact on economic development and employment opportunities in the urban area, including use of human, natural, cultural, and community resources with the objective of targeting distressed areas;

(2) Compatibility of the site with State, regional, or local development, redevelopment, or conservation objectives;

(3) Conformity with the activities and objectives of other Federal agencies;

(4) Availability of adequate low- and moderate-income housing on a non-discriminatory basis for employees and nondiscrimination in the sale and rental of housing; and

(5) Availability of adequate public transportation and parking and accessibility to the public.

(h) The presence of the Federal Government in the National Capital Region is such that the distribution of Federal installations has been and will continue to be a major influence in the extent and character of development. In the interest of order and economy, and in view of the special nature of the National Capital Region, these policies shall be applied in the National Capital Region in conjunction with regional policies on development and distribution of Federal employment established by the National Capital Planning Commission and consistent with the general purposes of the National Capital Planning Act of 1952, as amended.

(i) Consistent with the policies cited in paragraphs (a), (b), (c), (d), and (f) of this section, alternative sources will be considered in meeting Federal space needs in urban areas in the following order:

(1) Availability of existing federally controlled facilities. Maximum use will be made of the facilities that, in the judgment of the Administrator of General Services, are adequate or economi-

cally adaptable to meeting the space needs of executive agencies;

(2) Use of buildings of historic, architectural, or cultural significance within the meaning of section 105 of the Public Buildings Cooperative Use Act of 1976 (90 Stat. 2507);

(3) Acquisition or use of existing privately owned facilities; and

(4) Construction of new facilities.

(j) Site selection and space assignment shall take into account:

(1) The management needs for consolidation of agencies or activities in common or adjacent space to improve management and administration and effect economies; and

(2) The efficient performance of the missions and programs of the agencies, the nature and function of the facilities involved, the convenience of the public served, and the maintenance of safe and healthful working conditions for employees.

(k) To the maximum extent feasible, GSA will maintain continuous liaison with the elected chief executive officer of local government or a designee to obtain advice and consultation with respect to space assignment, acquisition, and construction activities in the community. To establish the framework for consultation on space actions, GSA will seek agreements with local governments, which shall:

(1) Establish acceptable geographic boundaries of the central business area;

(2) Identify areas of the city outside the central business area targeted for development or redevelopment that would benefit from the stimulus of the location of Federal space;

(3) Define the types and sizes of GSA projects of interest to local government;

(4) Establish appropriate timing for notifying local officials of a GSA project;

(5) Advise local officials of the availability of data on GSA plans and programs, and agree upon the exchange of planning information with local officials;

(6) Identify appropriate timing for periodic reviews of the agreement to ensure it is providing maximum consultation; and

(7) Include other appropriate information.

(l) Federal facilities and Federal use of space in rural areas shall serve to strengthen the Nation's rural communities. Federal space shall encourage growth and economic development and redevelopment in rural areas. Consistent with the provisions of section 601(b) of the Rural Development Act of 1972 (86 Stat. 674), each agency shall give first priority to meeting Federal space needs in rural areas.

(m) In meeting space needs in rural areas:

(1) First consideration shall be given to the central business area of incorporated jurisdictions, including adjacent areas of similar character and specific areas recommended by local officials, except where this type of consideration is prohibited.

(2) Serious consideration shall be given to the impact a site selection will have on improving the social, economic, environmental, and cultural conditions of the communities in a rural area. To the extent feasible, plans and programs for meeting space needs shall enhance and support the development, redevelopment, and revitalization objectives and priorities of communities in rural areas, as well as enhance and support the employment and economic base of these communities. Both positive and negative impacts of space acquisition actions shall be weighed with the objective of obtaining maximum socioeconomic benefits from these actions.

(3) In rural areas with more than one incorporated jurisdiction, space assignments shall be made in the most distressed jurisdiction.

(4) Space needs shall be met outside the central business area only when one of the exceptions contained in paragraphs (c)(1) (i), (ii), (iii), or (iv) of this section apply or in the case of county level field offices of USDA when the program requirements and needs of their clientele preclude locations in the central business area. The assignment and acquisition of facilities and space to house the activities of the U.S. Department of Agriculture are further defined in the USDA/GSA agreement in § 101-17-4701.

(n) Consistent with the policies cited in paragraphs (l) and (m) of this section, the site selection criteria con-

tained in paragraph (j) of this section, and the alternative space acquisition methods contained in paragraph (i) of this section shall be considered. In addition, consultation with local officials in rural areas shall be consistent with the requirements of paragraph (k) of this section.

(o) In accordance with the joint White House/Office of Management and Budget memorandum, dated March 9, 1979, heads of executive agencies that acquire or use federally owned or leased space under authority other than the Federal Property and Administrative Services Act of 1949, as amended, shall notify the appropriate GSA Regional Administrator before taking an irreversible action to acquire or use space when this action is inconsistent with the basic policies of paragraphs (a), (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), and (n) of this section.

(1) Notification shall include the:

(i) Description of the nature of the activity to be housed, type and amount of space involved, and number of employees to be housed;

(ii) Discussion and analysis of alternatives studies;

(iii) Documentation of advice received from local government;

(iv) Copy of the environmental assessment of the proposed action; and

(v) Citation of any statutory restrictions that preclude compliance with the above-referenced paragraphs of this section.

(2) Within 30 calendar days of receipt of the agency notification, the Regional Administrator shall notify the agency head in writing of concurrence with the proposed action. If the Regional Administrator does not concur with the proposed action, the Regional Administrator shall explain any objections in writing to the agency. The Administrator of General Services will notify the Director of the Office of Management and Budget of the basis for nonconcurrence.

[45 FR 37200, June 2, 1980]

#### § 101-17.003 Definition of terms.

The following definitions are established for terms used in this subchapter D.