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(c) It is essential that this information regarding the requirement for ADP space be transmitted to GSA as far as possible in advance of delivery of equipment so that space can be provided in a timely and economical manner.

§ 101-17.101-6 Procurement of parking for Government-owned vehicles.

Agencies having a need for other than temporary parking accommodations in the urban centers listed in § 101-18.102, for Government-owned motor vehicles not regularly housed by GSA, shall, prior to initiating procurement action for parking accommodations, make their needs for such facilities known to the appropriate GSA office as outlined in § 101-17.101. The request, which may be in the form provided in Standard Form 81. Request for Space, will be reviewed by GSA to determine the availability of Government-controlled space. The agency will be notified promptly should no such space be available. This notification will become a part of the file supporting the subsequent procurement.

§ 101-17.102 Procedures for assigning space.

§ 101-17.102-1 Assignment by GSA.

(a) GSA will perform all functions with respect to the assignment and reassignment of space:

(1) In Government-owned buildings which GSA controlled for assignment and reassignment purposes on June 30, 1950.

(2) In specific Government-owned buildings for which assignment and reassignment functions were transferred to GSA pursuant to section 1 of Reorganization Plan No. 18 of 1950 (3 CFR; 40 U.S.C. 490 note) or section 210(d) of the Federal Property and Administrative Service Act of 1949, as amended (40 U.S.C. 490(d)).

(3) In Government-owned buildings or space acquired by GSA by purchase, condemnation, transfer, lease, or otherwise.

(4) In Government-owned buildings which have been or may be determined to be within the assignment and reassignment authority of GSA.

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(b) GSA may, in accordance with policies and directives prescribed by the President, including Executive Order 12072 of August 16, 1978 (43 FR 36869), under sections 205(a) and 210(e) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(a) and 490(e)), and after consultation with the agencies affected, assign and reassign space of any executive agencies after determining that such assignments or reassignment is advantageous to the Government in terms of economy, efficiency, or national security.

[39 FR 23196, June 27, 1974, as amended at 45 FR 37203, June 2, 1980]

§ 101-17.102-2 Assignment by agencies.

Except for the space covered by § 101-17.102-1(a), and subject to the provisions of § 101-17.102-1(b), agencies may perform all functions with respect to the assignment and reassignment of space. The Administrator of General Services may, in specific cases, authorize executive agencies to perform any of the functions described in § 101-17.102-1(a).

§ 101-17.103 Application of socio-economic considerations.

(a) Agencies shall cooperate with GSA in coordinating proposed programs and plans for buildings and space in a manner designed to exert a positive economic and social influence on the development or redevelopment of the areas in which such facilities will be located.

(b) Whenever actions are proposed to accomplish the reassignment or utilization of space through the relocation of an existing major work force, the impact on low- and moderate-income and minority employees shall be considered where:

(1) 100 or more low- and moderate-income employees are expected to be employed in the new space; and

(2) The relocation involves residential relocation of a majority of the existing low- and moderate-income work force, a significant increase in their transportation or parking costs, travel time that exceeds 45 minutes to the new location or a 20 percent increase in travel time if travel time to the

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present facility already exceeds an average of 45 minutes.

(c) The Department of Housing and Urban Development will be consulted concerning the availability on a non-discriminatory basis of low- and moderate-income housing to the project area for those Federal employees who will work in the space to be assigned or reassigned when the action meets the criteria in paragraph (b) of this section.

(d) When, after consultation, it is determined that (1) there is a lack of low- and moderate-income housing on a nondiscriminatory basis within reasonable proximity and (2) the location is not readily accessible from other areas of the urban center, an affirmative action plan shall be developed as described in §101-19.101-4 with agency participation as described in §101-19.101-5.

[42 FR 57462, Nov. 3, 1977]

§ 101-17.104 Reviews and appeals of space assignment actions.

(Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c))

§ 101-17.104-1 Informal review.

Agencies may, at any time, request a regional review of space assignment actions without resorting to formal procedures. Space assignment actions include but are not limited to space allowances, measurements, classifications, layouts, delineated areas, recommended offers, and proposed relocations. Requests for an informal review shall be directed to the appropriate GSA regional office (see §101-17.4801), which will furnish a written response if it is requested.

(Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c))

[42 FR 57462, Nov. 3, 1977]

§ 101-17.104-2 Formal review.

A request for a formal review of a space assignment action shall initially be submitted to the appropriate GSA regional office by the agency official authorized to sign the Standard Form 81, Request for Space. A request for a formal review shall be in writing and shall include all pertinent information and supporting documentation. The

GSA regional office will verify the data and perform additional investigation as necessary. The Regional Director, Space Management Division, will review all data and make a written determination. A copy of the decision will be sent to the requesting agency.

(Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c))

[42 FR 57462, Nov. 3, 1977]

§ 101-17.104-3 Initial appeal.

Within 30 calendar days after receipt of the decision, the regional agency head (or his designee) may submit an appeal of that decision to the Regional Administrator, GSA.

(a) In the appeal the agency official shall state, in writing, the basis for the original request for formal review. Only information provided with that request will be considered. Any new or additional information or facts introduced at this level will require that the appeal undergo another formal review.

(b) Within 30 calendar days the Regional Administrator, GSA, will notify the agency of his decision. In cases requiring more detailed analysis than can be accomplished within 30 days, the Regional Administrator will notify the agency and establish a date on which his decision will be rendered.

(Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c))

[42 FR 57462, Nov. 3, 1977]

§ 101-17.104-4 Further appeals.

(a) Within 30 calendar days after the agency has been notified of the Regional Administrator's decision, a further appeal may be filed by the agency head with the Administrator of General Services. Substantial justification should be furnished that the decision was arbitrary, capricious, or not supported by the evidence presented. The Administrator will render the agency's decision within 30 calendar days of receipt of the appeal.

(b) [Reserved]

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

[42 FR 57462, Nov. 3, 1977, as amended at 44 FR 16394, Mar. 19, 1979]