

§ 101-21.602-1

Requirements Manual, Part VI, Chapter 5000. Non-OPAC, designated as BOAC (Billed Office Address Code) agencies, are billed on GSA Form 789, Statement, Voucher, and Schedule of Withdrawals and Credits (referenced in § 101-2.4902-789 of this chapter).

§ 101-21.602-1 Billing credits.

If an error in billing occurs, an adjustment may be requested through the applicable GSA Regional Office by letter, by GSA Form 2972 for OPAC Agencies, or by GSA Form 2992 for BOAC agencies. GSA applies a one year limitation standard to adjustment requests received by letter or by GSA Form 2972 or 2992. Adjustment requests must be received within one year from the date of the Rent bill.

§ 101-21.603 Budgeting information for reimbursable charges.

Concurrently with the Rent listings for the applicable budget year, GSA provides an estimate of increases in the cost of recurring reimbursable services through the budget year based on projections provided by the Office of Management and Budget. These may be used to escalate actual costs from current year or preceding year data. The use of this information is not mandatory.

§ 101-21.604 Billing procedures for reimbursable charges.

(a) Charges for reimbursable services are billed to the level of organization within an agency which relates to a Department of the Treasury assigned 8-digit station symbol (OPAC agencies). This is accomplished under the On-Line Payment and Collection (OPAC) procedure. (See Treasury Fiscal Requirements Manual, Part VI, Chapter 5000.) BOAC (Billed Office Address Code) agencies are charged for reimbursable services by GSA billing directly to the agency paying office cited on the reimbursable work authorization request. (See § 101-21.4901-2957, GSA Form 2957, Reimbursable Work Authorization.)

(b) GSA Form 789, Statement, Voucher, and Schedule of Withdrawals and Credits is used for billing purposes for BOAC agencies. (See illustration at § 101-2.4902-789 of this chapter).

41 CFR Ch. 101 (7-1-00 Edition)

(c) Rates charged for recurring above-standard-level reimbursable services shall be fixed to recover the approximate cost incurred by GSA in providing such services. Recurring above-standard-level reimbursable services are those recurring services, such as cleaning or utilities, which cannot readily be differentiated from the same type of services included in the standard level.

(d) The following basic types of reimbursable work are performed by GSA on a fixed price basis. The fixed price is the amount of the Reimbursable Work Authorization (RWA) which is the authorized amount:

(1) Non-recurring services performed above standard levels of service, such as out-of-cycle painting;

(2) Recurring services not included in the standard level for which a price can be established;

(3) Repairs and alterations in buildings not controlled by GSA;

(4) Special space alterations and adjustments performed by GSA in GSA-operated buildings, which are requested and financed by other agencies in accordance with § 101-20.106, Reimbursable services, of this chapter; and

(5) Alteration projects up to the prospectus threshold.

(e) Where the amount of the RWA is less than \$25,000, billing will occur at termination date. Other bills will be rendered at the customer's option, based on delivered orders either monthly or quarterly.

(f) RWAs above the prospectus threshold shall be performed on an actual cost basis. In special circumstances, when GSA and the ordering agency agree, non-prospectus alterations work may be performed on an actual cost basis. GSA will make every effort to obtain approval and certification of additional funds before incurring any obligations in excess of 10 percent of the authorized amount or \$500, whichever is greater. However, failure of GSA to notify the agency that obligations will exceed the authorized amount, regardless of dollar amount, does not relieve the agency of paying in full the actual costs.

(g) A Reimbursable Work Authorization request (Form 2957 or other acceptable request) must be completed

and approved by GSA and an agency official certifying that he/she has the authority to order the services and commit the agency to payment.

(h) Bills for recurring above-standard level services are rendered in advance at an established cost equal to the estimated amount. This type of work authorization, with the right to cancel (subject to incurred costs and obligations) upon 60 days notice by either party must be completed and forwarded to GSA prior to the commencement of the period for which services are required. With the exception of recurring work authorizations for utilities, which GSA may limit to 3-month periods, each recurring type work authorization must authorize charges for the full period during the fiscal year that the services will be required. These work authorizations must always begin and end within the same fiscal year.

(i) Agencies shall be responsible for timely payment and resolving any billing problems regarding orders they place under GSA contracts.

[57 FR 44693, Sept. 29, 1992, as amended at 62 FR 27973, May 22, 1997]

§ 101-21.605 Payment procedures.

Payment of billings for space and services to OPAC agencies shall be in accordance with the procedures prescribed by the Treasury Fiscal Requirements Manual, Part VI, Chapter 5000. Billings for space and services to BOAC agencies shall be paid promptly by check or transfer document upon receipt of the billing document, in accordance with the GAO Manual for Guidance of Federal Agencies, title 7, Fiscal Procedures, Ch. 2, Sec. 7.3(b).

§ 101-21.606 Reviews and appeals.

(a) Agencies may at any time request a regional review of the measurement, classification, service levels provided, or charges assessed that pertain to the space assignment without resorting to formal procedures. Such requests do not constitute appeals and should be directed to the appropriate GSA regional office.

(b) Agencies may file formal appeals on the Rent assessed, but only when the charge assessed is in excess of the comparable commercial square foot rates by 20 per cent or one dollar per

square foot, whichever is greater, and when the quarterly Rent charge is in excess of the comparable commercial charge for that quality of space by \$25,000. Formal appeals should be filed with the appropriate Regional Administrator. To determine if the Rent charge assessed is subject to appeal under this procedure, an agency is required to compare its assigned space with other space in the surrounding community that:

(1) is available in similar size blocks of space in a comparable location,

(2) is the same type of space as defined by GSA,

(3) provides similar service levels as part of the charges,

(4) contains similar contractual terms, conditions, and escalation clauses, and

(5) represents a lease transaction completed at a similar point in time.

Data from at least three comparable locations will be necessary to demonstrate a market trend sufficient to warrant revising a Rent rate. Agencies filing appeals must develop documentation supporting an appeal of the Rent charge assessed using the factors described in this paragraph.

(c) An appeal shall initially be filed by local agency officials with the appropriate GSA regional office and include all pertinent information and documentation supporting the need for the appeal. The GSA regional office will verify the data submitted and perform additional investigation as necessary. The GSA Regional Administrator will determine the validity of the appeal and will notify the appealing agency of his ruling.

(d) A further appeal may be filed by the agency's bureau level officials with the Commissioner, Public Buildings Service, GSA, if an equitable resolution has not been obtained from the initial appeal. The second stage appeal must provide supporting information justifying the continuation of the appeal.

(e) A head of an agency may further appeal to the Administrator of General Services only after the procedure to obtain prior resolution at the first two levels has been followed. Documentation of the procedure followed for prior resolution must accompany an appeal