

RSL-2007-12

December 27, 2007

MEMORANDUM TO ASSISTANT REGIONAL ADMINISTRATORS, PBS
REGIONAL REALTY SERVICES OFFICERS

THRU: ANTHONY E. COSTA (signed)
DEPUTY COMMISSIONER - PD

FROM: SAMUEL J. MORRIS, III (signed Wendy Liebl for)
ACTING ASSISTANT COMMISSIONER FOR OFFICE OF
REAL ESTATE ACQUISITION - PQC

SAM HUNTER (signed)
ASSISTANT COMMISSIONER FOR OFFICE OF
APPLIED SCIENCE - PL

SUBJECT: Green Lease Policies and Procedures for Lease Acquisition

1. Purpose. To issue energy and environmental business practice requirements for leasing, applicable green lease solicitation for offers (SFO) language for all lease procurement types, and accompanying policy in accordance with Executive Order (EO) 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*, signed January 24, 2007, and the Energy Policy Act of 2005.
2. Background. This Realty Services Letter (RSL) implements a number of mandates and agreements and builds on existing requirements.
 - a. Realty Services Letter PX-2000-02, *Energy, Environmental, and Sustainable Design in Lease Acquisition*, signed July 18, 2000, issued SFO language relative to green leasing, energy efficiency, and sustainable design. It implemented EO 13123, *Greening the Government through Efficient Energy Management*, and EO 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*. These EOs were revoked and their energy and environmental requirements were then incorporated into EO 13423. Therefore, the energy and environmental paragraphs issued in 2000 that are not modified by this RSL remain in effect, are reissued by this RSL, and are required to be incorporated in all SFOs.
 - b. The Energy Policy Act of 2005 includes new energy performance standards for Federal buildings and requires sustainable design principles to be applied to the design and construction of all new and replacement buildings.
 - c. GSA was one of the signers of the Federal Leadership in High Performance and Sustainable Buildings Memorandum of Understanding (MOU) dated January 24, 2006. The MOU commits agencies to design, locate, construct, maintain, and operate facilities in an energy efficient and sustainable manner. It establishes a

common set of guiding principles for integrated design, energy performance, water conservation, indoor environmental quality, and material selection. This RSL incorporates those portions of the MOU applicable to lease acquisition in accordance with EO 13423 as described below.

- d. OMB introduced a new management scorecard for Environmental Stewardship on January 25, 2006. It includes a footnote requiring agencies to ask GSA to institute sustainable design in contracts and leases on their behalf.
 - e. Executive Order 13423, *Strengthening Federal Environmental, Energy and Transportation Management*, issued January 24, 2007, instructs Federal agencies to conduct their environmental, transportation, and energy-related activities in support of their missions in an environmentally, economically, and fiscally sound, integrated, continuously improving, efficient, and sustainable manner. This EO requires compliance with the Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings found in the previously mentioned MOU. To emphasize the importance of compliance, the Administrator appointed the Deputy Administrator to lead GSA's efforts to help Federal agencies comply with this EO.
3. Effective Date/Expiration Date. These mandatory policies and SFO textual changes are effective immediately for new lease SFOs prepared on or after the date of this RSL and will expire in 1 year unless modified, extended, or canceled earlier.
 4. Cancellation. This RSL incorporates and builds upon the policies and provisions of PX-2000-02. For administrative clarity and to eliminate the need for realty professionals to reference two RSLs, this RSL cancels and replaces PX-2000-02.
 5. Applicability.
 - a. Green lease solicitation paragraphs apply to all real property leasing activities.
 - b. A Leadership in Energy and Environmental Design for New Construction (LEED[®]-NC) Silver rating is required for all lease construction and major lease renovation projects of 10,000 Rentable Square Feet and above when the government is the sole occupant of the entire building with the exception of retail space. When a Silver rating is not supported by the market, (i.e., cannot secure sufficient competition, offered rates are excessive, etc.) the Contracting Officer must provide written justification in the Price Negotiation Record and the solicitation must contain, at a minimum, all green lease SFO paragraphs listed in Attachment 1 to this RSL.
 - c. The LEED[®] for Commercial Interiors (LEED[®]-CI) green lease solicitation text found in both Attachment 2 to this RSL and the Reference Chart (see Attachment 3 to this RSL) is provided as optional and available for use when specifically requested by a customer agency.
 6. Policies/Procedures.
 - a. Attachment 1 – Green Lease Policies and Procedures for Lease Acquisition
 - b. Attachment 2 – SFO Paragraphs with New and Revised Green Lease Text
 - c. Attachment 3 – Instructions for Use of Green Lease Solicitation Paragraph Reference Chart. The chart can be found at gsa.gov/leasing and PBS InSite. Website links provided in the chart are for informational purposes only and do not reflect the totality of possible reference sites.
 - d. Attachment 4 – Unrevised SFO Paragraphs Reissued

