

Federal Property Management Regulations

§ 101-18.104

needs cannot be satisfactorily met in Government-controlled space and:

(1) Leasing proves to be more advantageous than the construction of a new or alteration of an existing Federal building;

(2) New construction or alteration is not warranted because requirements in the community are insufficient or indefinite in scope or duration; or

(3) Completion of a new building within a reasonable time cannot be ensured.

(b) Available space in buildings under the custody and control of the United States Postal Service (USPS) will be given priority consideration in fulfilling Federal agency space needs.

(c) Acquisition of space by lease will be on the basis most favorable to the Government, with due consideration to maintenance and operational efficiency, and only at charges consistent with prevailing scales for comparable facilities in the community.

(d) Acquisition of space by lease will be by negotiation except where the sealed bid procedure is required by 41 U.S.C. 253(a). Except as otherwise provided in 41 U.S.C. 253, full and open competition will be obtained among suitable available locations meeting minimum Government requirements.

(e) When acquiring space by lease, the provisions of §101-17.205 regarding determination of the location of Federal facilities shall be strictly adhered to.

(f) When acquiring space by lease, the provisions of section 110(a) of the National Historic Preservation Act of 1966 (16 U.S.C. 470), as amended, regarding the use of historic properties shall be strictly adhered to.

§ 101-18.101 Acquisition by GSA.

(a) GSA will perform all functions of leasing building space, and land incidental thereto, for Federal agencies except as provided in this subpart.

(b) Officials or employees of agencies for which GSA will acquire leased space shall at no time, before or after a space request is submitted to GSA or after a lease agreement is made, directly or indirectly contact lessors, offerors, or potential offerors for the purpose of making oral or written representation or commitments or agree-

ments with respect to the terms of occupancy of particular space, tenant improvements, alterations and repairs, or payment for overtime services, unless authorized by the Director of the Real Estate Division in the responsible GSA regional office or facility support center.

§ 101-18.102 Acquisition by other agencies.

(a) Acquisitions of leased space by agencies possessing independent statutory authority to acquire such space are not subject to GSA approval or authority.

(b) Upon request, GSA will perform, on a reimbursable basis, all functions of leasing building space, and land incidental thereto, for Federal agencies possessing independent leasing authority.

(c) GSA reserves the right to accept or reject reimbursable leasing service requests on a case-by-case basis.

§ 101-18.103 Agency cooperation.

The heads of executive agencies shall:

(a) Cooperate with and assist the Administrator of General Services in carrying out his responsibilities respecting office buildings and space;

(b) Take measures to give GSA early notice of new or changing space requirements;

(c) Seek to economize their requirements for space; and

(d) Continuously review their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency.

§ 101-18.104 Delegation of leasing authority.

(a) Agencies are authorized to perform for themselves all functions with respect to the acquisition of leased space in buildings and land incidental thereto when the following conditions are met:

(1) The space may be leased for no rental, or for a nominal consideration of \$1.00 per annum, and shall be limited to terms not to exceed one (1) year;

(2) Authority has been requested by an executive agency and a specific delegation has been granted by the Administrator of General Services;

(3) A categorical delegation has been granted by the Administrator of General Services for space to accommodate particular types of agency activities, such as military recruiting offices or space for certain county level agricultural activities. A listing of categorical delegations is found at §101-18.104-2; or

(4) The required space is found by the Administrator of General Services to be wholly or predominantly utilized for the special purposes of the agency to occupy such space and is not generally suitable for use by other agencies. Prior approval of GSA shall be obtained before an agency initiates a leasing action involving 2,500 or more square feet of such special purpose space. The request for approval and a Standard Form 81 shall be filed with the GSA regional office having jurisdiction in the area of the proposed leasing action as shown in §101-17.4801. GSA's approval shall be based upon a finding that there is no vacant Government-owned or leased space available that will meet the agency's requirements.

A listing of agency special purpose space delegations is found at §101-18.104-3.

(b) The Departments of Agriculture, Commerce, and Defense may lease their own building space, and land incidental to its use, and provide for its operation, maintenance, and custody when the space is situated outside an urban center. Such leases shall be for terms not to exceed five (5) years. A list of urban centers follows.

LIST OF URBAN CENTERS

Aberdeen, SD:
Brown County.
Abil:
Jones County.
Taylor County.
Akron, OH:
Portage County.
Summit County.
Alaska:
The entire State.
Albany, GA:
Dougherty County.
Albany, IL:
Whiteside County.
Albany, OR:

Linn County.
Albany-Schenectady-Troy, NY:
Albany County.
Rensselaer County.
Saratoga County.
Schenectady County.
Albuquerque, NM:
Bernalillo County.
Alexandria, LA:
Rapides Parish.
Allentown-Bethlehem-Easton, PA-NJ:
Lehigh County, PA.
Northampton County, PA.
Warren, NJ.
Altoona, PA:
Blair County.
Amarillo, TX:
Potter County.
Randall County.
Anaheim-Santa Ana-Garden Grove, CA:
Orange County.
Ann Arbor, MI:
Washtenaw County.
Asheville, NC:
Buncombe County.
Athens, GA:
Clarke County.
Atlanta, GA:
Clayton County.
Cobb County.
De Kalb County.
Fulton County.
Gwinnett County.
Atlantic City, NJ:
Atlantic County.
Augusta, GA-SC:
Richmond County, GA.
Aiken County, SC.
Augusta, ME:
Kennebec County.
Austin, TX:
Travis County.
Bakersfield, CA:
Kern County.
Baltimore, MD:
Baltimore City.
Anne Arundel County.
Baltimore County.
Carroll County.
Howard County.
Baton Rouge, LA:
East Baton Rouge Parish.
Battle Creek, MI:
Calhoun County.
Bay City, MI:
Bay County.
Beaumont-Port Arthur, TX:
Jefferson County.
Orange County.
Billings, MT:
Yellowstone County.
Binghamton, NY-PA:
Broome County, NY.
Tioga County, NY.
Susquehanna County, PA.
Birmingham, AL:
Jefferson County.

Federal Property Management Regulations**§ 101-18.104**

Bismarck, ND:
 Burleigh County.

Boise, ID:
 Ada County.

Boston, MA:
 Essex County.
 Middlesex County.
 Norfolk County.
 Plymouth County.
 Suffolk County.

Bridgeport, CT:
 Fairfield County.
 New Haven County.

Brockton, MA:
 Bristol County.
 Norfolk County.
 Plymouth County.

Brownsville-Harlingen-San Benito, TX:
 Cameron County.

Buffalo, NY:
 Erie County.
 Niagara County.

Burlington, VT:
 Chittenden County.

Butte, MT:
 Silver Bow County.

Calexico-El Centro, CA:
 Imperial County.

Canton, OH:
 Stark County.

Casper, WY:
 Natrona County.

Cedar Rapids, IA:
 Linn County.

Champaign-Urbana, IL:
 Champaign County.

Charleston, SC:
 Berkeley County.
 Charleston, County.

Charleston, WV:
 Kanawha County.

Charlotte, NC:
 Mecklenburg County.
 Union County.

Charlottesville, VA:
 Charlottesville City.
 Albemarle County.

Chattanooga, TN-GA:
 Hamilton County, TN.
 Walker County, GA.

Cheyenne, WY:
 Laramie County.

Chicago, IL:
 Cook County.
 Du Page County.
 Kane County.
 Lake County.
 McHenry County.
 Will County.

Cincinnati, OH-KY-IN:
 Clermont County, OH.
 Hamilton County, OH.
 Warren County, OH.
 Boone County, KY.
 Campbell County, KY.
 Kenton County, KY.

Dearborn, IN.

Cleveland, OH:
 Cuyahoga County.
 Geauga County.
 Lake County.
 Medina County.

Clinton, OK:
 Custer County.

Cody, WY:
 Park County.

Colorado Springs, CO:
 El Paso County.

Columbia, MO:
 Boone County.

Columbia, SC:
 Lexington County.
 Richland County.

Columbus, GA-AL:
 Chattahoochee County, GA.
 Muscogee County, GA.
 Russell County, AL.

Columbus, OH:
 Delaware County.
 Franklin County.
 Pickaway County.

Concord, NH:
 Merrimack County.

Corpus Christi, TX:
 Nueces County.

Dallas, TX:
 Collin County.
 Dallas County.
 Denton County.
 Ellis County.

Davenport-Rock Island-Moline, IA-IL:
 Scott County, IA.
 Henry County, IL.
 Rock Island County, IL.

Dayton, OH:
 Greene County.
 Miami County.
 Montgomery County.
 Preble County.

Decatur, IL:
 Macon County.

Denver, CO:
 Adams County.
 Arapahoe County.
 Boulder County.
 Denver County.
 Jefferson County.

Des Moines, IA:
 Polk County.

Detroit, MI:
 Macomb County.
 Oakland County.
 Wayne County.

Dubuque, IA:
 Dubuque County.

Duluth-Superior, MN-WI:
 St. Louis County, MN.
 Douglas County, WI.

Durango, CO:
 LaPlata County.

Durham, NC:
 Durham County.

Elkins, WV:
 Randolph County.

§ 101-18.104**41 CFR Ch. 101 (7-1-02 Edition)**

El Paso, TX:
El Paso County.

Erie, PA:
Erie County.

Eugene, OR:
Lane County.

Evansville, IN-KY:
Vanderburgh County, IN.
Warrick County, IN.
Henderson County, KY.

Fall River, MA-RI:
Bristol County, MA.
Newport County, RI.

Fargo-Moorhed, ND-MN:
Cass County, ND.
Clay County, MN.

Fayetteville, NC:
Cumberland County.

Fitchburg-Leominster, MA:
Middlesex County.
Worcester County.

Flint, MI:
Genesee County.
Lapeer County.

Fort Collins, CO:
Larimer County.

Fort Lauderdale-Hollywood, FL:
Broward County.

Fort Smith, AR-OK:
Crawford County, AR.
Sebastian County, AR.
Le Flore County, OK.
Sequoyah County, OK.

Fort Wayne, IN:
Allen County.

Fort Worth, TX:
Johnson County.
Tarrant County.

Frankfort, KY:
Franklin County.

Fresno, CA:
Fresno County.

Gadsden, AL:
Etowah County.

Gainesville, FL:
Alachua County.

Galveston-Texas City, TX:
Galveston County.

Gary-Hammond-East Chicago, IN:
Lake County.
Porter County.

Grand Forks, ND:
Grand Forks County.

Grand Island, NE:
Hall County.

Grand Junction, CO:
Mesa County.

Grand Rapids, MI:
Kent County.
Ottawa County.

Great Falls, MT:
Cascade County.

Greeley, CO:
Weld County.

Green Bay, WI:
Brown County.

Greensboro-High Point, NC:
Guilford County.

Greenville, SC:
Greenville County.
Pickens County.

Greenwood, MS:
Le Flore County.

Hamilton-Middletown, OH:
Butler County.

Harrisburg, PA:
Cumberland County.
Dauphin County.
Perry County.

Hartford, CT:
Hartford County.
Middlesex County.
Tolland County.

Hawaii:
The entire State.

Helena, MT:
Lewis and Clark County.

Hot Springs, AR:
Garland County.

Houston, TX:
Harris County.

Huntington-Ashland, WV-KY-OH:
Cabell County, WV.
Wayne County, WV.
Boyd County, KY.
Lawrence County, OH.

Huntsville, AL:
Limestone County.
Madison County.

Huron, SD:
Beadle County.

Idaho Falls, ID:
Bonneville County.

Indianapolis, IN:
Hamilton County.
Hancock County.
Hendricks County.
Johnson County.
Marion County.
Morgan County.
Shelby County.

Jackson, MI:
Jackson County.

Jackson, MS:
Hinds County.
Rankin County.

Jackson, TN:
Madison County.

Jacksonville, FL:
Duval County.

Jefferson City, MO:
Cole County.

Jersey City, NJ:
Hudson County.

Johnstown, PA:
Cambria County.
Somerset County.

Kalamazoo, MI:
Kalamazoo County.

Kansas City, MO-KS:
Cass County, MO.
Clay County, MO.
Jackson County, MO.
Platte County, MO.

Federal Property Management Regulations**§ 101-18.104**

Johnson County, KS.
Wyandotte County, KS.
Kenosha, WI:
Kenosha County.
Klamath Falls, OR:
Klamath County.
Knoxville, TN:
Anderson County.
Blount County.
Knox County.
Lafayette, LA:
Lafayette Parish.
Lake Charles, LA:
Calcasieu Parish.
Lancaster, PA:
Lancaster County.
Lansing, MI:
Clinton County.
Eaton County.
Ingham County.
Laredo, TX:
Webb County.
Las Vegas, NV:
Clark County.
Lawrence-Haverhill, MA-NH:
Essex County, MA.
Rockingham County, NH.
Lawton, OK:
Comanche County.
Lewiston-Auburn, ME:
Androscoggin County.
Lexington, KY:
Fayette County.
Lima, OH:
Allen County.
Lincoln, NE:
Lancaster County.
Little Rock-North Little Rock, AR:
Pulaski County.
Logan, UT:
Cache County.
Lorain-Elyria, OH:
Lorain County.
Los Angeles-Long Beach, CA:
Los Angeles County.
Louisville, KY/IN:
Jefferson County, KY.
Clark County, IN.
Floyd County, IN.
Lowell, MA:
Middlesex County.
Lubbock, TX:
Lubbock County.
Lynchburg, VA:
Lynchburg City.
Amherst County.
Campbell County.
Macon, GA:
Bibb County.
Houston County.
Madison, WI:
Dane County.
Manchester, NH:
Hillsborough County.
Merrimack County.
Manhattan, KS:
Riley County.
McCook, NE:
Red Willow County.
Medford, OR:
Jackson County.
Memphis, TN-AR:
Shelby County, TN.
Crittenden County, AR.
Meriden, CT:
New Haven County.
Meridian, MS:
Lauderdale County.
Miami, FL:
Dade County.
Midland, TX:
Midland County.
Milwaukee, WI:
Milwaukee County.
Ozaukee County.
Waukesha County.
Minneapolis-St. Paul, MN:
Anoka County.
Dakota County.
Hennepin County.
Ramsey County.
Washington County.
Missoula, MT:
Missoula County.
Mobile, AL:
Baldwin County.
Mobile County.
Monroe, LA:
Ouachita Parish.
Montgomery, AL:
Elmore County.
Montgomery County.
Morgantown, WV:
Monongahela County.
Muncie, IN:
Delaware County.
Muskegon-Muskegon Heights, MI:
Muskegon County.
Muskogee, OK:
Muskogee County.
Nashville, TN:
Davidson County.
Sumner County.
Wilson County.
Newark, NY:
Essex County.
Morris County.
Union County.
New Bedford, MA:
Bristol County.
Plymouth County.
New Britain, CT:
Hartford County.
New Haven, CT:
New Haven County.
New London-Groton-Norwich, CT:
New London County.
New Orleans, LA:
Jefferson Parish.
Orleans Parish.
St. Bernard Parish.
St. Tammany Parish.
Newport News-Hampton, VA:
Hampton City.

§ 101-18.104

41 CFR Ch. 101 (7-1-02 Edition)

Newport News City.
York County.
New York, NY:
Bronx County.
Kings County.
Nassau County.
New York County.
Queens County.
Richmond County.
Rockland County.
Suffolk County.
Westchester County.
Norfolk-Portsmouth, VA:
Chesapeake City.
Norfolk City.
Portsmouth City.
Virginia Beach City.
Norwalk, CT:
Fairfield County.
Odessa, TX:
Ector County.
Ogden, UT:
Weber County.
Oklahoma City, OK:
Canadian County.
Cleveland County.
Oklahoma County.
Olympia, WA:
Thurston County.
Omaha, NE-IA:
Douglas County, NE.
Sarpy County, NE.
Pottawattamie County, IA.
Orlando, FL:
Orange County.
Seminole County.
Parkersburg, WV:
Wood County.
Paterson-Clifton-Passaic, NJ:
Bergen County.
Passaic County.
Pensacola, FL:
Escambia County.
Santa Rosa County.
Peoria, IL:
Peoria County.
Tazewell County.
Woodford County.
Philadelphia, PA-NJ:
Bucks County, PA.
Chester County, PA.
Delaware County, PA.
Montgomery County, PA.
Philadelphia County, PA.
Burlington County, NJ.
Camden County, NJ.
Gloucester County, NJ.
Phoenix, AZ:
Maricopa County.
Pierre, SD:
Hughes County.
Pittsburgh, PA:
Allegheny County.
Beaver County.
Washington County.
Westmoreland County.
Pittsfield, MA:

Berkshire County.
Portland, ME:
Cumberland County.
Portland, OR-WA:
Clackamas County, OR.
Multnomah County, OR:
Washington County, OR.
Clark County, WA.
Portsmouth, NH:
Rockingham County.
Providence-Pawtucket-Warwick, RI-MA:
Bristol County, RI.
Kent County, RI.
Newport County, RI.
Providence County, RI.
Washington County, RI.
Bristol County, MA.
Norfolk County, MA.
Worcester County, MA.
Provo-Orem, UT:
Utah County.
Pueblo, CO:
Pueblo County.
Puerto Rico:
The entire Commonwealth.
Racine, WI:
Racine County.
Raleigh, NC:
Wake County.
Rapid City, SD:
Pennington County.
Reading, PA:
Berks County.
Reno, NV:
Washoe County.
Richmond, VA:
Richmond City.
Chesterfield County.
Hanover County.
Henrico County.
Roanoke, VA:
Roanoke City.
Roanoke County.
Rochester, NY:
Livingston County.
Monroe County.
Orleans County.
Wayne County.
Rockford, IL:
Boone County.
Winnebago County.
Rolla, MO:
Phelps County.
Rome, GA:
Floyd County.
Sacramento, CA:
Placer County.
Sacramento County.
Yolo County.
Saginaw, MI:
Saginaw County.
St. Albans, VT:
Franklin County.
St. Joseph, MO:
Buchanan County.
St. Louis, MO-IL:
St. Louis City, MO.

Federal Property Management Regulations**§ 101-18.104**

Jefferson County, MO.
St. Charles County, MO.
St. Louis County, MO.
Madison County, IL.
St. Clair County, IL.
Salem, OR:
Marion County.
Polk County.
Salina, KS:
Saline County.
Salisbury, MD:
Wicomico County.
Salt Lake City, UT:
Davis County.
Salt Lake County.
San Angelo, TX:
Tom Green County.
San Antonio, TX:
Bexar County.
Guadalupe County.
San Bernardino-Riverside-Ontario, CA:
Riverside County.
San Bernardino County.
San Diego, CA:
San Diego County.
San Francisco-Oakland, CA:
Alameda County.
Contra Costa County.
Marin County.
San Francisco County.
San Mateo County.
San Jose, CA:
Santa Clara County.
Santa Barbara, CA:
Santa Barbara County.
Santa Fe, NM:
Santa Fe County.
Savannah, GA:
Chatham County.
Scottsbluff, NE:
Scotts Bluff County.
Scranton, PA:
Lackawanna County.
Seattle-Everett, WA:
King County.
Snohomish County.
Sheridan, WY:
Sheridan County.
Shreveport, LA:
Bossier Parish.
Caddo Parish.
Sioux City, IA-NE:
Woodbury County, IA.
Dakota County, NE.
Sioux Falls, SD:
Minnehaha County.
South Bend, IN:
St. Joseph County.
Marshall County.
Spartanburg, SC:
Spartanburg County.
Spokane, WA:
Spokane County.
Springfield-Chicopee-Holyoke, MA:
Hampden County.
Hampshire County.
Worcester County.
Springfield, IL:
Sangamon County.
Springfield, MO:
Greene County.
Springfield, OH:
Clark County.
Stamford, CT:
Fairfield County.
Steubenville-Weirton, OH-WV:
Jefferson County, OH.
Brooke County, WV.
Hancock County, WV.
Stillwater, OK:
Payne County.
Stockton, CA:
San Joaquin County.
Syracuse, NY:
Madison County.
Onondaga County.
Oswego County.
Tacoma, WA:
Pierce County.
Tallahassee, FL:
Leon County.
Tampa-St. Petersburg, FL:
Hillsborough County.
Pinellas County.
Temple, TX:
Bell County.
Terre Haute, IN:
Clay County.
Sullivan County.
Vermillion County.
Vigo County.
Texarkana, TX-AR:
Bowie County, TX.
Miller County, AR.
Toledo, OH-MI:
Lucas County, OH.
Wood County, OH.
Monroe County, MI.
Topeka, KS:
Shawnee County.
Trenton, NJ:
Mercer County.
Tucson, AZ:
Pima County.
Tulsa, OK:
Creek County.
Osage County.
Tulsa County.
Tuscaloosa, AL:
Tuscaloosa County.
Tyler, TX:
Smith County.
Utica-Rome, NY:
Herkimer County.
Oneida County.
Vallejo-Napa, CA:
Napa County.
Solano County.
Vicksburg, MS:
Warren County.
Virgin Islands:
The entire Territory.
Waco, TX:
McLennan County.

§ 101-18.104-1

Walla Walla, WA:
Walla Walla County.
Benton County.

Washington, DC-MD-VA:
District of Columbia.
Montgomery County, MD.
Prince Georges County, MD.
Alexandria City, VA.
Fairfax City, VA.
Falls Church, VA.
Arlington County, VA.
Fairfax County, VA.

Waterbury, CT:
Litchfield County.
New Haven County.

Waterloo, IA:
Black Hawk County.

Wenatchee, WA:
Chelan County.

West Palm Beach, FL:
Palm Beach County.

Wheeling, WV-OH:
Marshall County, WV.
Ohio County, WV.
Belmont County, OH.

Wichita, KS:
Butler County.
Sedgwick County.

Wichita Falls, TX:
Archer County.
Wichita County.

Wilkes Barre-Hazleton, PA:
Luzerne County.

Wilmington, DE-NJ-MD:
New Castle County, DE.
Salem County, NJ.
Cecil County, MD.

Wilmington, NC:
New Hanover County.

Winston-Salem, NC:
Forsyth County.

Worcester, MA:
Worcester County.

Yakima, WA:
Yakima County.

York, PA:
Adams County.
York County.

Youngstown-Warren, OH:
Mahoning County.
Trumbull County.

Yuma, AZ:
Yuma County.

(c) The Administrator of General Services has granted specific delegations of lease acquisition authority which designate urban or major urban centers different from those listed in paragraph (b) of this section. The list in paragraph (b) does not supersede or alter in any way leasing areas which are attached to such specific delegations. Agencies may continue to exercise the leasing authority granted in

41 CFR Ch. 101 (7-1-02 Edition)

specific delegations in the manner and to the extent provided in those delegations.

§ 101-18.104-1 Limitations on the use of delegated authority.

(a) The authority granted in and pursuant to this subpart shall be exercised in accordance with the requirements and limitations of the Federal Property and Administrative Services Act of 1949, as amended; the Budget Enforcement Act of 1990 and OMB Bulletin 91-02, Part B; Federal Property Management Regulations, subchapter D, those authorities listed in §101-18.001; and other applicable laws and regulations, including the General Services Administration Acquisition Regulation (GSAR), the Competition in Contracting Act (CICA), and other OMB requirements.

(b) Pursuant to GSA's long-term authority contained in section 210(h)(1) of the Federal Property and Administrative Services Act of 1949, as amended, (40 U.S.C. 490(h)(1)), agencies delegated the authorities outlined herein may enter into leases for the term specified. In those cases where agency special purposes space delegations include the authority to acquire unimproved land, the land may be leased only on a fiscal year basis.

(c) In accordance with section 7(a) of the Public Buildings Act of 1959, as amended (40 U.S.C. 606), agencies must submit a prospectus to the Administrator of General Services for leases involving a net annual rental in excess of \$1.6 million excluding services and utilities.

NOTE: The thresholds for prospectuses are indexed, and change each year.

(d) 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 house by GSA, shall ascertain the availability of Government-owned or-controlled parking from GSA in accordance with the procedures outlined in §101-17.202-2 prior to instituting procurement action to acquire parking facilities or services.