



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**

**Peter A. DeFazio**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**AMENDED COMMITTEE RESOLUTION**

Katherine W. Dedrick, Democratic Staff Director

**LEASE**  
**EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND**  
**IMMIGRATION AND CUSTOMS ENFORCEMENT**  
**SAN FRANCISCO, CA**  
**PCA-01-SF17**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 91,100 rentable square feet of space, including 25 official parking spaces, for the Department of Justice, Executive Office of Immigration Review and the Department of Homeland Security, Immigration and Customs Enforcement, Office for Principle Legal Advisors currently located at 100 Montgomery Street in San Francisco, California at a proposed total annual cost of \$6,832,500 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution. This resolution amends the prior authorization of prospectus PCA-01-SF16 on March 2, 2016.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 556 square feet or less per person for the Executive Office of Immigration Review and 210 square feet or less per person for the Office of Principle Legal Advisors, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.*

*Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 556 square feet or higher per person for the Executive Office of Immigration Review or 210 square feet or higher per person for the Office of Principle Legal Advisors.*

*Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.*

*Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.*

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **September 14, 2016**

A handwritten signature in blue ink, appearing to read "Bill Shuster". The signature is fluid and cursive, with the first name "Bill" and last name "Shuster" clearly distinguishable.

Bill Shuster, M.C.  
Chairman

DAVID VITTER, LOUISIANA  
JOHN BARRASSO, WYOMING  
SHELLEY MOORE CAPITO, WEST VIRGINIA  
MIKE CRAPO, IDAHO  
JOHN BOOZMAN, ARKANSAS  
JEFF SESSIONS, ALABAMA  
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EDWARD J. MARKEY, MASSACHUSETTS

# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

RYAN JACKSON, MAJORITY STAFF DIRECTOR  
BETTINA POIRIER, DEMOCRATIC STAFF DIRECTOR

114th Congress  
2<sup>nd</sup> Session

## United States Senate COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

### COMMITTEE RESOLUTION

**LEASE  
EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
SAN FRANCISCO, CALIFORNIA  
PCA-01-SF17**

**RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE  
UNITED STATES SENATE**

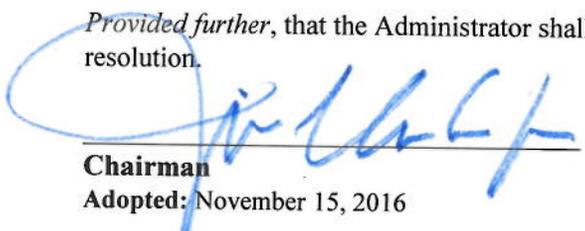
that pursuant to title 40 U.S.C. § 3307, an amended prospectus to PCA-01-SF16 providing for the authority to continue leasing 6,800 rentable square feet of space, previously removed from the Department of Homeland Security, Immigration and Customs Enforcement, Office of Principle Legal Advisors (OPLA) housing requirement in PCA-01-SF16, in order to house an increase in attorneys and staff, at a maximum proposed rental rate of \$75 per rentable square foot, at a proposed total annual cost of \$6,832,500 for a lease term of up to 10 years, a description of which is attached hereto and by reference made part of this resolution, is approved.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

*Provided*, that to the maximum extent practicable, the Administrator of General Services shall require that the procurement include energy efficiency requirements as would be required for the construction of a federal building.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Environment and Public Works of the United States Senate prior to exercising any lease authority provided in this resolution.

*Provided further*, that the Administrator shall not delegate to any other agency the authority granted by this resolution.

  
Chairman

Adopted: November 15, 2016

  
Ranking Member

**AMENDED PROSPECTUS – LEASE  
EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
SAN FRANCISCO, CA**

Prospectus Number: PCA-01-SF17  
Congressional District: 12

**Executive Summary**

The General Services Administration (GSA) proposes to amend prospectus PCA-01-SF16 which proposed a lease of up to 85,000 rentable square feet for the Department of Justice, Executive Office of Immigration Review and Department of Homeland Security, Immigration and Customs Enforcement, Office for Principle Legal Advisors (OPLA), for a term of 10 years at a maximum cost of \$76.00 per rentable square foot. The Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure approved the original prospectus on January 20, 2016 and March 2, 2016. This amended prospectus seeks authority to continue leasing 6,800 rentable square feet, previously removed from the OPLA housing requirement in PCA-01-SF16, in order to house an increase in attorneys and staff.

**Description**

Occupant:	Executive Office of Immigration Review and Immigration and Customs Enforcement
Current Rentable Square Feet (RSF)	91,100 (Current RSF/USF = 1.18)
Previously Awarded Lease RSF:	84,300 (RSF/USF = 1.18)
Estimated Maximum RSF:	91,100 (Proposed RSF/USF = 1.18)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	556/239
Estimated Usable Square Feet/Person:	556/210
Proposed Maximum Lease Term:	10 Years
Expiration Dates of Current Leases:	10/12/2016
Delineated Area:	100 Montgomery Street, San Francisco, CA
Number of Official Parking Spaces:	25
Scoring:	Operating lease
Estimated Proposed Rental Rate <sup>1</sup> :	\$75.00 / RSF
Estimated Total Annual Cost <sup>2</sup> :	\$6,832,500

<sup>1</sup>This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

<sup>2</sup>New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

**AMENDED PROSPECTUS – LEASE  
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Current Total Annual Cost: \$3,220,858 (leases effective  
10/13/2006 and 08/18/2008)

**Justification**

EOIR and OPLA are currently co-located at 100 Montgomery Street in San Francisco, CA under a lease that expires on October 12, 2016. In conjunction with approximately 9,000 RSF in a nearby Federal building, this location acts as one of the 59 EOIR Courts around the country. The judges and staff administer and interpret Federal immigration law and regulations through immigration court proceedings, appellate reviews, and administrative hearings.

On March 16, 2016, GSA awarded a 10 year lease for approximately 84,300 rentable square feet which will become effective immediately following the existing lease expirations on October 12, 2016. The original prospectus proposed to decrease OPLA's requirement by approximately 6,800 rentable square feet. OPLA is in the process of hiring 37 additional personnel not anticipated in the original prospectus to support the growing docket in the San Francisco EOIR Court and these personnel are anticipated to be onboard by July 2016. The existing space, removed from the previous prospectus is needed to meet this requirement. This prospectus decreases the requested approved rental rate per rentable square foot from \$76.00 to \$75.00, increases the estimated maximum rentable square feet from 85,000 to 91,100, and improves OPLA's overall utilization rate from 239 usable square feet (USF) per person to 210 USF per person.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

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**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 16, 2016

Recommended:   
Commissioner, Public Buildings Service

Approved:   
Administrator, General Services Administration

Locations	EFFECTIVE OCTOBER 13, 2016						ESTIMATED/PROPOSED					
	Personnel			Usable Square Feet (USF)			Personnel			Usable Square Feet (USF)		
	Office	Total	UR	Office	Storage	Special	Total	Office	Storage	Special	Total	
100 Montgomery Street, SF (EOIR)	98	98	98	12,805		41,653	54,458					
100 Montgomery Street, SF (OPLA)	71	71	71	5,023		11,954	16,977					
Estimated/Proposed Lease EOIR								98			12,805	
Estimated/Proposed Lease OPLA								108			10,726	
<b>Total</b>	<b>169</b>	<b>169</b>	<b>169</b>	<b>17,828</b>	<b>-</b>	<b>53,607</b>	<b>71,435</b>	<b>206</b>	<b>-</b>	<b>-</b>	<b>23,531</b>	

	Office Utilization Rates (UR) <sup>2</sup>	
	Current	Proposed
EOIR	102	102
OPLA	55	77

UR=average amount of office space per person

Current URs excludes 5,258 usf of office support space

Proposed URs excludes 6,513 usf of office support space

	Overall UR <sup>3</sup>	
	Current	Proposed
EOIR	556	556
OPLA	239	210

NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

<sup>2</sup>Calculation excludes Judiciary, Congress and agencies with less than 10 people

<sup>3</sup>USF/Person = housing plan total USF divided by total personnel.

<sup>4</sup>R/U Factor = Max RSF divided by total USF

Agency	Special Space	USF
OPLA	Secure Files/Bulk Storage	2,578
OPLA	Break Room	480
OPLA	Secure Waiting Area	240
OPLA	Telecom Suite	1,659
OPLA	Conference/Training Rooms	2,030
OPLA	Office Support Centers	666
OPLA	Administration File Room	3,601
OPLA	Law Library	720
EOIR	Courtroom	22,440
EOIR	Judges Secure corridor	1,560
EOIR	Reception/Waiting Area	2,128
EOIR	Interpreter Waiting Room	195
EOIR	ProBono Rooms	312
EOIR	ADP	156
EOIR	Conference/Training Room	710
EOIR	Printer/Copy/Mail Room	748
EOIR	File Room	11,913
EOIR	File Archive Room	390
EOIR	Supply Rooms	420
EOIR	Break Rooms	390
EOIR	Staff Rest Rooms	291
	<b>Total</b>	<b>53,607</b>

R/U Factor <sup>4</sup>	Total USF	RSF/USF	Max RSF
Current	71,435	1.18	84,300
Estimated/Proposed	77,138	1.18	91,100