

# Justification for Other Than Full and Open Competition, Succeeding Lease

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U.S. General Services Administration

GSA Region 4

Tampa Service Center/Leasing Division

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

PROJECT NUMBER: 8FL2595

Agency Name: Social Security Administration (SSA)

### 1. NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED.

The General Services Administration currently leases 10,622 ABOA/12,215 rentable square feet (RSF) of office space at 2659 Professional Circle, Naples, FL under lease number GS-04B-61834 for the SSA. The current lease expires 3/21/2023. Approval is requested to negotiate a succeeding lease with the incumbent Lessor without full and open competition for continued occupancy at this leased location. The procedures for pursuing a succeeding lease are detailed in GSAR 570.402: Succeeding Leases.

### 2. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS (INCLUDING ESTIMATED VALUE).

SSA submitted a continuing need letter in June 2021 for 8,046 usable square feet of office and related space. SSA also indicated that an internal cost-benefit analysis had been conducted which concluded that costs for relocation, moving of all furnishings and equipment and the costs required to build-out new space to suit the agency needs, would not be recoverable. SSA further indicated that the current 10,622 usable square footage would be acceptable should GSA determine that a succeeding lease would be in the best interest of the Government.

This requirement is for 10,622 ABOA/12,215 RSF of space for a 15-year term to commence on 4/1/2023. The estimated cost of this lease is [REDACTED] per rentable square feet per year for an annual cost [REDACTED] for years 1-5, [REDACTED] per rentable square feet per year for an annual cost of [REDACTED] years 6-10 and [REDACTED] per rentable square feet per year for an annual cost of [REDACTED] for years 11-15 and a total contract value of [REDACTED]. The delineated area is North: Immokalee Rd., South: Airport Pulling Rd., West: Pine Ridge Rd., East: Collier Blvd. . There is no vacant Federal Space available.

### 3. IDENTIFICATION OF STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION.

41 U.S.C. 3304(a)(1): Only one responsible source and no other supplies or services will satisfy agency requirements. This statutory authority is implemented through GSAR 570.402. In accordance with GSAR 570.402, use of the sole source authority is appropriate where it is determined that award to any other offeror would result in substantial duplication of costs to the Government that are not expected to be recovered through competition.

### 4. DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR NATURE OF THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED.

It is in the best interest of the Government to remain at the current location. Award to other than the current Lessor would require relocation of the entire requirement and would cause SSA to incur move and

*Revised 05-20-2021*

replication costs that would not be recovered through competition. Relocation costs are estimated to be [REDACTED]. Additionally, this allows the Government to make use of existing tenant improvements, avoiding replication costs of [REDACTED]. The agency special requirements for Roxbury Windows and barrier walls for safety, drops for data and various other technical supports would all have to be replicated if the SSA were to move. A cost-benefit analysis was completed following the procedures set forth in GSAR 570.402-6. The cost of relocating SSA using the low-cost quote exceeds the cost of remaining at 2659 Professional Circle, Naples, FL. The total savings to the Government is [REDACTED].

**5. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE.**

Per the requirements of GSAR 570.402, the GSA Lease Contracting Officer placed an advertisement on the Contracting Opportunities domain of SAM.gov in May of 2022 for 21 days. In addition, PBS conducted market research using LoopNet and calls to local brokers.

**6. DEMONSTRATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.**

Recent market surveys conducted by PBS in Naples, FL via LoopNet showed the rental rate within the delineated area ranges from [REDACTED] to [REDACTED] per RSF.

Therefore, the proposed rental rates for this succeeding lease [REDACTED]/RSF, are near the current market range for this submarket and are deemed fair and reasonable by the GSA Lease Contracting Officer.

**7. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND THE RESULTS.**

GSAR 570.402-5 allows for negotiation with the incumbent Lessor when a cost-benefit analysis shows that the Government cannot expect to recover relocation and duplication costs through competition.

In May of 2022, PBS conducted market research using LoopNet to identify potential locations and identified 1(one) potential acceptable location (the incumbent lessor) that might meet the agency's needs within the delineated area. In addition, PBS posted an advertisement conforming to GSAR 570.402-2 on the Contract Opportunities domain of SAM.gov website in May of 2022. The incumbent Lessor's expression of interest indicated that the rate would be [REDACTED] per RSF.

See Figure 1 below for the results of the market research and SAM.gov advertisement, including the incumbent.

Address	Source [EOI/CoStar, etc.]	Asking Full Service Rental Rate
Northbrooke Professional Village, LLC 2639 Professional Circle, Ste 101 Naples, FL 34119-8089	Incumbent Lessor	[REDACTED]
5801 Pelican Bay Blvd Naples, FL	LoopNet	[REDACTED]

**Figure 1: Market Research Comparables**

**8. OTHER FACTS SUPPORTING USE OF OTHER THAN FULL AND OPEN COMPETITION.**

The GSA Building Manager indicated that there have been some minor concerns from SSA Management regarding Janitorial Cleaning and supplies. The Contracting Officer will ensure this issue is corrected before the execution of a succeeding lease. The lessor has a history of responsiveness to the needs of the agency and the space is well maintained.

**9. LIST OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION.**

Incumbent Lessor: Northbrooke Professional Village, LLC

10. **STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION.**

In advance of an existing lease contract's expiration, considerations will be given to allow for sufficient time to conduct a full and open procurement. The Government will consider the time and cost of moving from the existing location, and the time and cost to build out new space when deciding whether it is economically advantageous to stay at the existing building or undergo a competitive action.

Additionally, consideration will be given to the customer agency's mission and security requirements (if applicable) to include limiting any agency space requirements that may be deemed unduly restrictive and thus favor the incumbent. The Government will remain conscious of the effort to continuously encourage competition when practicable.

11. **CONTRACTING OFFICER CERTIFICATION.**

By signature on this Justification for Other than Full and Open Competition, the GSA Lease Contracting Officer certifies that the award of a succeeding lease of [REDACTED] RSF is in the Government's best interest and that this Justification is accurate and complete to the best of the GSA Lease Contracting Officer's knowledge and belief.

6/16/2022

X *keitra e. harris*

Keitra E. Harris

Lease Contracting Officer

Signed by: KEITRA HARRIS

12. **PREPARER'S TECHNICAL CERTIFICATION.**

I certify that the supporting data used to form the basis of this Justification is complete and accurate to the best of my knowledge and belief.

6/16/2022

X Judy A. Davidson

Judy A. Davidson

Realty Specialist

Signed by: JUDY DAVIDSON

8FL2595 SSA Naples – JOTFOC

Total Contract Value: [REDACTED]

Total Cost Saving: [REDACTED]

Concurred



Recoverable Signature

X LaShone Butler

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LaShone Butler

Branch Chief

Signed by: e2988242-bd56-4fc0-b353-f6e949a18b66

Concurred

6/21/2022

X Heather Driskell

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Heather Driskell

LAO

Signed by: HEATHER DRISKELL

Concurred

6/21/2022

X LaSonya A Glover

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LaSonya Glover

Leasing Director

Signed by: LASONYA GLOVER

LD4 Review and concurrence to be provided in a separate email or memo.

Approved

6/30/2022

X Pamela Mitschke

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Pamela Mitschke

Competition Advocate

Signed by: PAMELA MITSCHKE