

**PROSPECTUS – LEASE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
AND IMMIGRATION & CUSTOMS ENFORCEMENT  
MIAMI, FL**

Prospectus Number: PFL-01-MI19  
Congressional District: 24

**Executive Summary**

The General Services Administration (GSA) proposes a lease for approximately 123,000 rentable square feet (RSF) for the Department of Justice–Executive Office for Immigration Review (EOIR) and the Department of Homeland Security–Immigration and Customs Enforcement’s Office of the Principal Legal Advisor (OPLA), currently located at 333 South Miami Avenue in Miami, FL. The Government has occupied space in this building since 2004.

The proposed lease will enable EOIR and OPLA to provide continued housing for their missions in Miami, FL. EOIR and OPLA are uniquely responsible for adjudicating immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. The proposed lease will provide continued housing for the delivery of both agencies’ missions. Office utilization will reduce from 425 square feet per person to 162 usable square feet (USF) per person. Overall utilization rates will also decrease, from 546 to 421 USF per person.

**Description**

Occupant:	EOIR and OPLA
Current Rentable Square Feet (RSF)	127,212 (Current RU Factor = 1.10)
Estimated Maximum RSF <sup>1</sup> :	123,000 (Proposed RU Factor = 1.15)
Reduction RSF:	4,212
Current Usable Square Feet/Person:	546
Estimated Usable Square Feet/Person:	421
Expiration Dates of Current Lease(s):	12/31/2018
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	North: NW 11th St from I-95 to NW 1st Ave; NW 1st Ave north to NE 15th St; NE 15th St east to Biscayne Bay; East: Biscayne Bay; South: Miami River; NW 3rd St to I-95; I-95 north to NW 11th St including the Miami, FL CBD (as defined by the Miami Downtown Development Authority)
Number of Official Parking Spaces:	41
Scoring:	Operating
Current Total Annual Cost:	\$3,833,312 (lease effective 01/01/2004)

<sup>1</sup> The RSF/USF at the current location is approximately 1.10; however, to maximize competition, a RSF/USF ratio of 1.15 is used for the estimated proposed maximum RSF as indicated in the housing plan.

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Estimated Rental Rate <sup>2</sup> :	\$48.00 / RSF
Estimated Total Annual Cost <sup>3</sup> :	\$5,904,000

**Background**

EOIR and OPLA are currently co-located at 333 South Miami Avenue in Miami, FL. This location acts as one of the 59 EOIR courts around the country. The judges and staff serve the public interest through the application of immigration law in formal court proceedings, appellate reviews, and administrative hearings. OPLA is composed of attorneys and staff, and is the legal representative and litigator for the Federal Government in exclusion, deportation, and removal proceedings heard before EOIR.

**Justification**

EOIR and OPLA have been housed in downtown Miami since 2004. The lease at 333 South Miami Avenue expires on December 31, 2018, and both EOIR and OPLA have a continuing need for housing to ensure continuity in meeting their mission requirements.

The judicial nature of operations requires increased levels of security. GSA will consider whether EOIR and OPLA's continued housing needs should be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, a cost-benefit analysis will be conducted to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for EOIR and OPLA to accomplish their missions.

**Special Space Requirements**

In FY 2016 the Miami EOIR Court completed 10,319 court matters. To maintain this level of efficiency, special space requirements that support the courtrooms, secure corridors, file storage, and associated space are needed to provide safe and secure immigration, deportation, and removal proceedings.

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<sup>2</sup> This estimate is for fiscal year 2019 and may be escalated by 2.0 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 the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

<sup>3</sup> New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

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The courtrooms are constructed to facilitate assembly functions and to comply with current accessibility standards, including ramps and handrails for access to the judge's dais as required by the Architectural Barriers Act Accessibility Standards (ABAAS). Each courtroom has a raised desk for the judge, clerk, and interpreter, and a litigation area for the prosecution, defense, and witness along with public seating for court visitors. The Government developed the current courtroom standard of approximately 850 square feet to meet the needs of the court and comply with applicable accessibility standards. The courtrooms are used on a daily basis and are designed to handle approximately 35 people.

In addition to courtrooms, EOIR also has a need for storage to maintain the Records of Proceedings (ROP). ROPs are critical to the function of the Immigration Courts and are used by immigration judges, attorneys, and EOIR Board Members if a court decision is appealed. The Federal Records Act requires the storage of records in paper form, although EOIR has begun the transition to electronic filing and digital recordings of court proceedings. At this time, these initiatives affect only a small portion of the ROP Paper files remain critical for continuity between agencies accessing documentation during the time a case remains active.

**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.

**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 extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

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**Certification of Need**

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

Submitted at Washington, DC, on September 26, 2018.

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Administrator, General Services Administration

November 2017

**Housing Plan  
EOIR and ICE OPLA**

**PFL-01-MI19  
Miami, FL**

Leased Locations	CURRENT						ESTIMATED/PROPOSED					
	Personnel		Usable Square Feet (USF) <sup>1</sup>				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage <sup>5</sup>	Special <sup>6</sup>	Total
One Riverview Square - 333 South Miami Ave												
DOJ - Executive Office for Immigration Review	125	125	77,997	-	-	77,997	-	-	-	-	-	-
DHS - Immigration and Customs Enforcement	87	87	37,650	-	-	37,650	-	-	-	-	-	-
Estimated/Proposed Lease												
DOJ - Executive Office for Immigration Review	-	-	-	-	-	-	140	140	29,874	-	47,637	77,511
DHS - Immigration and Customs Enforcement	-	-	-	-	-	-	114	114	22,994	-	6,370	29,364
<b>Total</b>	<b>212</b>	<b>212</b>	<b>115,647</b>	<b>-</b>	<b>-</b>	<b>115,647</b>	<b>254</b>	<b>254</b>	<b>52,868</b>	<b>-</b>	<b>54,007</b>	<b>106,875</b>

Office Utilization Rate (UR) <sup>2</sup>		
	Current	Proposed
Rate	425	162

UR = average amount of office space per person

Current UR excludes 25,442 usf of office support space

Proposed UR excludes 54,007 usf of office support space

Overall UR <sup>3</sup>		
	Current	Proposed
Rate	546	421

CAF <sup>4</sup>			
	Total USF	RSF/USF	Max RSF
Current	115,647	1.10	127,212
Estimated/Proposed	106,875	1.15	123,000

**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> Common Area Factor (CAF) = Max RSF divided by total USF<sup>5</sup> Storage excludes warehouse, which is part of Special<sup>6</sup> Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.

Special Space <sup>6</sup>	USF
Courtroom	24,882
File Room / Records of Proceedings	10,588
Judges Secure Corridor	5,915
Conference/Training Room	4,404
Secure Files / Bulk Storage	1,704
Printer/Copy/Mail Room	1,460
Break Room	1,380
Fitness	1,200
ADP	924
Sally Port	800
Holding Cell	400
Weapons Room	150
Secure Reception Area	100
Library	100
<b>Total</b>	<b>54,007</b>