



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

Katherine W. Dedrick, Democratic Staff Director

COMMITTEE RESOLUTION

LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY
PNY-02-NY15

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 lease extensions of up to 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force currently located at 85 10th Avenue in New York, New York at a proposed total annual cost of \$13,776,000 for a lease term of up to 5 years, a prospectus, as amended by this resolution, for which is attached to and included in this resolution.

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 218 square feet or less per person.

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 218 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

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: February 12, 2015

Bill Shuster, M.C.
Chairman

**PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY**

Prospectus Number: PNY-02-NY15
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes lease extensions of up to five years for 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force (FBI) currently located at 85 10th Avenue in New York, NY. FBI has occupied space in the building since 2005 under two leases that will expire January 17 and June 5, 2015. The long-term plan is to relocate FBI from 85 Tenth Avenue to government-owned space; a lease extension is needed as space is vacated and readied at the Government-owned location. GSA will attempt to secure flexibility and the right to terminate the entire lease periodically within the five year term.

Extension of the current leases will enable FBI to provide continued housing for its personnel and meet its current mission requirements. FBI will maintain its current office utilization rate of 148 USF per person and its overall utilization rate of 218 USF per person.

Description

Occupants:	Federal Bureau of Investigation
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	168,000
Proposed Maximum RSF:	168,000
Expansion/Reduction RSF:	0
Current Usable Square Feet/Person:	218
Proposed Usable Square Feet/Person:	218
Proposed Maximum Lease Term:	5
Expiration Date of Current Leases:	1/17/ 2015 and 6/5/ 2015
Proposed Delineated Area:	85 Tenth Avenue New York, NY
Number of Official Parking Spaces:	0
Scoring:	Operating Lease
Maximum Proposed Rental Rate ¹ :	\$ 68.00 per RSF
Proposed Total Annual Cost ² :	\$ 11,424,000
Current Total Annual Cost:	\$ 7,589,152 (leases effective 1/18/2005 and 6/06/2005)

¹This estimate is for fiscal year 2015 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 extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

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Justification

The leases at 85 10th Avenue will expire January 17 and June 5, 2015. FBI requires continued housing at this location to carry out its mission until it can relocate its personnel and operations to government-owned space. A five-year lease extension is needed to protect occupancy until such time as space is vacated and readied for FBI at a government-owned facility.

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.

Certification of Need


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

Submitted at Washington, DC, on September 29, 2014

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

April 2014

Housing Plan
Federal Bureau of Investigation

PNY-02-NY15
New York, NY

Locations	CURRENT				PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Storage	Special
85 10th Avenue, New York, NY	542	542	102,782	6,000				
Proposed Lease					542	542	6,000	9,391
Total	542	542	102,782	6,000	542	102,782	6,000	9,391

Office Utilization Rate (UR) ²			
Rate		Current	Proposed
UR=average amount of office space per person		148	148

Current UR excludes 22,612 usf of office support space

Proposed UR excludes 22,612 usf of office support space

Overall UR ³			
Rate		Current	Proposed
		218	218

R/U Factor ⁴			
Total USF		RSF/USF	Max RSF
Current		118,173	168,000
Proposed		118,173	168,000

Special Space		USF
ADP		1,977
Break Room		731
Conference/Training		2,367
Health		488
Mug and Fingerprint		244
Physical Fitness		2,560
Mail Room		366
Interview rooms		512
Restroom		146
Total		9,391

NOTES:

¹USF 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.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

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

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

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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

COMMITTEE RESOLUTION

20510-6175

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

LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10th AVENUE, NEW YORK, NY
PNY-02-NY15

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

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for a lease extensions of up to 168,000 rentable square feet of space, for the Federal Bureau of Investigation Joint Terrorism Task Force currently located at 85 10th Avenue in New York, New York, at a maximum proposed rental rate of \$87 per rentable square foot, at a proposed total annual cost of \$14,616,000 for a lease term of up to 5 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
Ranking Member

Adopted: April 28, 2015