

SUBCHAPTER C—REAL PROPERTY

PART 102-71—GENERAL

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§ 102-71.5 What are the scope and philosophy of the General Services Administration's (GSA) real property policies?

GSA's real property policies contained in this part and parts 102-72 through 102-82 of this chapter apply to Federal agencies, including the GSA/ Public Buildings Service (PBS), operating under, or subject to, the authorities of the Administrator of General Services. These policies cover the acquisition, management, and utilization and disposal of real property by Federal agencies that initiate and have decisionmaking authority over actions for real property services. The detailed guidance implementing these policies is contained in separate customer service guides.

§ 102-71.10 How are these policies organized?

GSA has divided its real property policies into the following functional areas:

- (a) Delegation of authority;
- (b) Real estate acquisition;
- (c) Facility management;
- (d) Real property disposal;
- (e) Design and construction;
- (f) Art-in-architecture;

- (g) Historic preservation;
- (h) Assignment and utilization of space;
- (i) Safety and environmental management;
- (j) Security; and
- (k) Utility services.

§ 102-71.15 What happens if the policy statements in this part and parts 102-72 through 102-82 of this chapter conflict with policy statements in 41 CFR parts 101-6, 101-17 through 101-20, 101-33, and 101-47?

The policies in this part and parts 102-72 through 102-82 of this chapter apply to 41 CFR parts 101-17 through 101-20, 101-33, and 101-47. To the extent that any policy statements elsewhere in 41 CFR parts 101-17 through 101-20, 101-33, and 101-47 are inconsistent with the policy statements in this part and parts 102-72 through 102-82 of this chapter, the policy statements in this chapter are controlling.

§ 102-71.20 What definitions apply to GSA's real property policies?

The following definitions apply to GSA's real property policies:

Executive agency means any Executive department or independent establishment in the Executive branch of the Government, including any wholly owned Government corporation.

Federal agency means any Executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his or her direction).

Federal Government real property services provider means any Federal Government entity operating under, or subject to, the authorities of the Administrator of General Services, that provides real property services to Federal agencies. This definition also includes private sector firms under contract with Federal agencies that deliver real property services to Federal agencies. This definition excludes any entity operating under, or subject to, authorities other than those of the Administrator of General Services.

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Public building means:

(1) Any building which is suitable for office and/or storage space for the use of one or more Federal agencies or mixed ownership corporations, such as Federal office buildings, post offices, customhouses, courthouses, border inspection facilities, warehouses, and any such building designated by the President. It also includes buildings of this sort that are acquired by the Federal Government under the Administrator's installment-purchase, lease-purchase, and purchase-contract authorities.

(2) *Public building* does not include buildings:

(i) On the public domain.

(ii) In foreign countries.

(iii) On Indian and native Eskimo properties held in trust by the United States.

(iv) On lands used in connection with Federal programs for agricultural, recreational, and conservation purposes.

(v) On or used in connection with river, harbor, flood control, reclamation or power projects, or for chemical manufacturing or development projects, or for nuclear production, research, or development projects.

(vi) On or used in connection with housing and residential projects.

(vii) On military installations.

(viii) On Department of Veteran's Affairs' installations used for hospital or domiciliary purposes.

(ix) Excluded by the President.

§ 102-71.25 Who must comply with GSA's real property policies?

Federal agencies operating under, or subject to, the authorities of the Administrator of General Services must comply with these policies.

§ 102-71.30 How must these real property policies be implemented?

Each Federal Government real property services provider must provide services that are in accord with the policies presented in parts 102-71 through 102-82 of this chapter. Also, Federal agencies must make the provisions of any contract with private sector real property services providers conform to the policies in parts 102-71 through 102-82 of this chapter.

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§ 102-71.35 Are agencies allowed to deviate from GSA's real property policies?

Yes, see §§102-2.60 through 102-2.110 of this chapter to request a deviation from the requirements of these real property policies.

PART 102-72—DELEGATION OF AUTHORITY

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102-72.45 What are the different types of delegations related to facility management?

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