

during a specified contract period, with deliveries to be scheduled by the timely placement of orders upon the lessor by activities designated either specifically or by class.

*Unusual hours* means work hours that are frequently required to be varied and do not coincide with any regular work schedule. This category includes time worked by individuals who regularly or frequently work significantly more than 8 hours per day. *Unusual hours* does not include time worked by shift workers, by those on alternate work schedules, and by those granted exceptions to the normal work schedule (e.g., flex-time).

*Upon approval from GSA* means when an agency either has a delegation of authority document from the Administrator of General Services or written approval from the Administrator or his/her designee before proceeding with a specified action.

*Vanpool* means a group of at least 8 persons using a passenger van or a commuter bus designed to carry 10 or more passengers. Such a vehicle must be used for transportation to and from work in a single daily round trip.

*Zonal allocations* means the allocation of parking spaces on the basis of zones established by GSA in conjunction with occupant agencies. In metropolitan areas where this method is used, all agencies located in a designated zone will compete for available parking in accordance with instructions issued by GSA. In establishing this procedure, GSA will consult with all affected agencies.

[67 FR 76820, Dec. 13, 2002]

**§ 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 sec-

tor real property services providers conform to the policies in parts 102-71 through 102-82 of this chapter.

**§ 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**

Sec.

- 102-72.5 What is the scope of this part?
- 102-72.10 What basic policy governs delegation of authority to Federal agencies?
- 102-72.15 What criteria must a delegation meet?
- 102-72.20 Are there limitations on this delegation of authority?
- 102-72.25 What are the different types of delegations of authority?
- 102-72.30 What are the different types of delegations related to real estate leasing?
- 102-72.35 What are the requirements for obtaining an ACO delegation from GSA?
- 102-72.40 What are facility management delegations?
- 102-72.45 What are the different types of delegations related to facility management?
- 102-72.50 What are Executive agencies' responsibilities under a delegation of real property management and operation authority from GSA?
- 102-72.55 What are the requirements for obtaining a delegation of real property management and operation authority from GSA?
- 102-72.60 What are Executive agencies' responsibilities under a delegation of individual repair and alteration project authority from GSA?
- 102-72.65 What are the requirements for obtaining a delegation of individual repair and alteration project authority from GSA?
- 102-72.70 What are Executive agencies' responsibilities under a delegation of lease management authority (contracting officer representative authority) from GSA?
- 102-72.75 What are the requirements for obtaining a delegation of lease management authority (contracting officer representative authority) from GSA?
- 102-72.80 What are Executive agencies' responsibilities under a disposal of real property delegation of authority from GSA?
- 102-72.85 What are the requirements for obtaining a disposal of real property delegation of authority from GSA?

## § 102-72.5

102-72.90 What are Executive agencies' responsibilities under a security delegation of authority from GSA?

102-72.95 What are the requirements for obtaining a security delegation of authority from GSA?

102-72.100 What are Executive agencies' responsibilities under a utility service delegation of authority from GSA?

102-72.105 What are the requirements for obtaining a utility services delegation of authority from GSA?

AUTHORITY: 40 U.S.C. 486(c), (d) and (e).

SOURCE: 66 FR 5359, Jan. 18, 2001, unless otherwise noted.

### §102-72.5 What is the scope of this part?

The real property policies contained in this part apply to Federal agencies, including the GSA/Public Buildings Service (PBS), operating under, or subject to, the authorities of the Administrator of General Services.

### §102-72.10 What basic policy governs delegation of authority to Federal agencies?

The Administrator of General Services may delegate and may authorize successive redelegations of the real property authority vested in the Administrator to any Federal agency.

### §102-72.15 What criteria must a delegation meet?

Delegations must be in the Government's best interest, which means that GSA must evaluate such factors as whether a delegation would be cost effective for the Government in the delivery of space.

### §102-72.20 Are there limitations on this delegation of authority?

Federal agencies must exercise delegated real property authority and functions according to the parameters described in each delegation of authority document, and Federal agencies may only exercise the authority of the Administrator that is specifically provided within the delegation of authority document.

### §102-72.25 What are the different types of delegations of authority?

The basic types of GSA Delegations of Authority are:

- (a) Delegation of Leasing Authority;

## 41 CFR Ch. 102 (7-1-04 Edition)

- (b) Delegation of Real Property Management and Operation Authority;

- (c) Delegation of Individual Repair and Alteration Project Authority;

- (d) Delegation of Lease Management Authority (Contracting Office Representative Authority);

- (e) Delegation of Administrative Contracting Officer (ACO) Authority;

- (f) Delegation of Real Property Disposal Authority;

- (g) Security Delegation of Authority; and

- (h) Utility Services Delegation of Authority.

### §102-72.30 What are the different types of delegations related to real estate leasing?

Delegations related to real estate leasing include the following:

- (a) Categorical space delegations, Agency special purpose space delegations, and delegations to specific agencies for certain space and lands outside urban areas (see §102-73.135 of this title).

- (b) The Administrator of General Services has issued a standing delegation of authority (under a program known as "Can't Beat GSA Leasing") to the heads of all Federal agencies to accomplish all functions relating to leasing of general purpose space for terms of up to 20 years regardless of geographic location. This delegation includes some conditions Federal agencies must meet when conducting the procurement themselves, such as training in lease contracting and reporting data to GSA.

- (c) An Administrative Contracting Officer (ACO) delegation, in addition to lease management authority, provides Federal agencies with limited contracting officer authority to perform such duties as paying and withholding lessor rent and modifying lease provisions that don't change the lease term length or the amount of space under lease.

[66 FR 5359, Jan. 18, 2001, as amended at 67 FR 76823, Dec. 13, 2002]

### §102-72.35 What are the requirements for obtaining an ACO delegation from GSA?

When Federal agencies don't exercise the delegation of authority for general