

## Federal Management Regulation

## § 102-72.75

purpose space mentioned in §102-72.30(b), GSA may consider granting an ACO delegation when Federal agencies:

- (a) Occupy at least 90 percent of the building's GSA-controlled space or Federal agencies have the written concurrence of 100 percent of rent-paying occupants covered under the lease; and
- (b) Have the technical capability to perform the leasing function.

### §102-72.40 What are facility management delegations?

Facility management delegations give Executive agencies authority to operate and manage buildings day to day, to perform individual repair and alteration projects and manage real property leases.

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

The principal types of delegations involved in the management of facilities are:

- (a) Real property management and operation authority;
- (b) Individual repair and alteration project authority; and
- (c) Lease management authority (contracting officer representative authority).

### §102-72.50 What are Executive agencies' responsibilities under a delegation of real property management and operation authority from GSA?

With this delegation, Executive agencies have the authority to operate and manage buildings day to day. Delegated functions may include building operations, maintenance, recurring repairs, minor alterations, historic preservation, concessions, and energy management of specified buildings subject to the conditions in the delegation document.

### §102-72.55 What are the requirements for obtaining a delegation of real property management and operation authority from GSA?

An Executive agency may be delegated real property management and operation authority when it:

- (a) Occupies at least 90 percent of the space in the Government-controlled facility or has the concurrence of 100 per-

cent of the rent-paying occupants to perform these functions; and

- (b) Demonstrates that it can perform the delegated real property management and operation responsibilities.

### §102-72.60 What are Executive agencies' responsibilities under a delegation of individual repair and alteration project authority from GSA?

With this delegation of authority, Executive agencies have the responsibility to perform individual repair and alterations projects. Executive agencies are delegated repair and alterations authority for reimbursable space alteration projects up to the simplified acquisition threshold, as specified in the GSA Customer Guide to Real Property.

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

### §102-72.65 What are the requirements for obtaining a delegation of individual repair and alteration project authority from GSA?

Executive agencies may be delegated repair and alterations authority for other individual alteration projects when they demonstrate the ability to perform the delegated repair and alterations responsibilities and when such a delegation promotes efficiency and economy.

### §102-72.70 What are Executive agencies' responsibilities under a delegation of lease management authority (contracting officer representative authority) from GSA?

When an Executive agency does not exercise the delegation of authority mentioned in §102-72.30(b) to lease general purpose space itself, it may be delegated, upon request, lease management authority to manage the administration of one or more lease contracts awarded by GSA.

### §102-72.75 What are the requirements for obtaining a delegation of lease management authority (contracting officer representative authority) from GSA?

An Executive agency may be delegated lease management authority when it:

**§ 102-72.80**

(a) Occupies at least 90 percent of the building's GSA-controlled space or has the written concurrence of 100 percent of rent-paying occupants covered under the lease to perform this function; and

(b) Demonstrates the ability to perform the delegated lease management responsibilities.

**§ 102-72.80 What are Executive agencies' responsibilities under a disposal of real property delegation of authority from GSA?**

With this delegation, Executive agencies have the authority to utilize and dispose of excess or surplus real and related personal property and to grant approvals and make determinations subject to the conditions in the delegation document.

**§ 102-72.85 What are the requirements for obtaining a disposal of real property delegation of authority from GSA?**

While disposal delegations to Executive agencies are infrequent, GSA may delegate authority to them based on situations involving certain low-value properties and when they can demonstrate that they have the technical expertise to perform the disposition functions. GSA may grant special delegations of authority to Executive agencies for the utilization and disposal of certain real property through the procedures set forth in part 102-75, subpart F of this chapter.

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

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

With a security delegation, Executive agencies have the authority and responsibility to protect persons and property at the locations identified in the delegation document.

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

Executive agencies may be delegated security authority when any of the following conditions exist:

- (a) A clear and unique security requirement;
- (b) A critical national security issue;

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

(c) An intelligence or law enforcement mission; or

(d) The current security contractor is ineffective.

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

With this delegation, Executive agencies have the authority to negotiate and execute utility services contracts for periods over one year but not exceeding ten years for their use and benefit. Agencies also have the authority to intervene in utility rate proceedings to represent the consumer interests of the Federal Government, if so provided in the delegation of authority.

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

Executive agencies may be delegated utility services authority when they have the technical expertise and adequate staffing.

**PART 102-73—REAL ESTATE ACQUISITION**

**Subpart A—General Provisions**

Sec.

102-73.5 What is the scope of this part?

102-73.10 What is the basic real estate acquisition policy?

102-73.15 What real estate acquisition and related services must Federal agencies provide?

**UNITED STATES POSTAL SERVICE-CONTROLLED SPACE**

102-73.20 Are Federal agencies required to give priority consideration to space in buildings under the custody and control of the United States Postal Service in fulfilling Federal agency space needs?

**LOCATING FEDERAL FACILITIES**

102-73.25 What policies must executive agencies comply with in locating Federal facilities?

**HISTORIC PRESERVATION**

102-73.30 What historic preservation provisions must Federal agencies comply with prior to acquiring, constructing, or leasing space?