

## § 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;

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(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

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## Federal Management Regulation

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- 102-73.100 Is the Competition in Contracting Act of 1984 (CICA) applicable to lease acquisition?

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- 102-73.105 What rules must executive agencies follow when acquiring leasehold interests in buildings constructed for Federal Government use?

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### SPECIAL PURPOSE SPACE DELEGATIONS

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## § 102-73.5

### LIMITATIONS ON THE USE OF DELEGATED AUTHORITY

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- 102-73.255 What land acquisition policy must Federal agencies follow?
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- 102-73.290 What property transfer expenses must Federal agencies cover when acquiring real property?

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- 102-73.295 Are Federal agencies required to pay for litigation expenses incurred by a property owner because of a condemnation proceeding?

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### RELOCATION ASSISTANCE POLICY

- 102-73.300 What relocation assistance policy must Federal agencies follow?

AUTHORITY: 40 U.S.C. 486(c); Sec. 3(c), Reorganization Plan No. 18 of 1950 (40 U.S.C. 490 note); Sec. 1'201(b), E.O. 12072, 43 FR 36869, 3 CFR, 1978 Comp., p. 213.

SOURCE: 67 FR 76823, Dec. 13, 2002, unless otherwise noted.

### Subpart A—General Provisions

#### § 102-73.5 What is the scope of this part?

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

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

When seeking to acquire space, Federal agencies should first seek space in Government-owned and Government-leased buildings. If suitable Government-controlled space is unavailable, Federal agencies must acquire real estate and related services in an efficient and cost effective manner.

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

Federal agencies, upon approval from GSA, may provide real estate acquisition and related services, including leasing (with or without purchase options), building and/or site purchase, condemnation, and relocation assistance. For information on the design and construction of Federal facilities, see part 102-76 of this chapter.