

## § 102-85.5

## 41 CFR Ch. 102 (7-1-10 Edition)

- 102-85.205 What happens if a customer agency continues occupancy after the expiration of an OA?
- 102-85.210 What if a customer agency has to relocate?
- 102-85.215 What if another customer agency forces a GSA customer to move?
- 102-85.220 Can a customer agency forced to relocate waive the reimbursements?
- 102-85.225 What are the funding responsibilities for relocations resulting from emergencies?

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 66 FR 23169, May 8, 2001, unless otherwise noted.

### Subpart A—Pricing Policy— General

#### § 102-85.5 By what authority is the pricing policy in this part prescribed?

(a) General authority is granted in the Federal Property and Administrative Services Act of 1949, as amended, Sec. 205(c) and 210(j), 63 Stat. 390 and 86 Stat. 219; (40 U.S.C. 486(c) and 40 U.S.C. 490(j), respectively).

(b) This part implements the applicable provisions of Federal law, including, but not limited to, the:

- (1) Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended;
- (2) Act of July 1, 1898 (40 U.S.C. 285);
- (3) Act of April 28, 1902 (40 U.S.C. 19);
- (4) Act of August 27, 1935 (40 U.S.C. 304c);
- (5) Public Buildings Act of 1959, as amended (40 U.S.C. 601-619);
- (6) Public Buildings Amendments of 1972, Pub. L. 92-313, (86 Stat. 219);
- (7) Rural Development Act of 1972, Pub. L. 92-419, (86 Stat. 674);
- (8) Reorganization Plan No. 18 of 1950 (40 U.S.C. 490 note);
- (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.);
- (10) National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.);
- (11) Intergovernmental Cooperation Act of 1968 and the Federal Urban Land Use Act (42 U.S.C. 4201-4244; 40 U.S.C. 531-535);
- (12) Public Buildings Cooperative Use Act of 1976, as amended (40 U.S.C. 490(a)(16)-(19), 601a and 612a);
- (13) Public Buildings Amendments of 1988, Pub. L. 100-678, (102 Stat. 4049);

(14) National Historic Preservation Act of 1966 as amended (16 U.S.C. 461 et seq.);

(15) Executive Order 12072 of August 16, 1978 (43 FR 36869);

(16) Executive Order 12411 of March 29, 1983 (48 FR 13391);

(17) Executive Order 12512 of April 29, 1985 (50 FR 18453);

(18) Executive Order 13005 of May 21, 1996 (61 FR 26069); and

(19) Executive Order 13006 of May 21, 1996 (61 FR 26071).

#### § 102-85.10 What is the scope of this part?

(a) This part describes GSA policy and principles for the assignment and occupancy of space under its control and the rights and obligations of GSA and the customer agencies that request or occupy such space pursuant to GSA Occupancy Agreements (OA).

(b) Space managed by agencies under delegation of authority from GSA is subject to the provisions of this part.

(c) This part is not applicable to:

(1) Licenses, permits or leases with non-Federal entities under the Public Buildings Cooperative Use Act (40 U.S.C. 490(a)(16-19)); or

(2) The disposal of surplus lease space under section 210(h)(2) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(h)(2)).

#### § 102-85.15 What are the basic policies for charging Rent for space and services?

(a) GSA will charge for space and services furnished by GSA (unless otherwise exempted by the Administrator of General Services) a Rent charge which will approximate commercial charges for comparable space and services. Rent for all assignments for GSA-controlled space will be priced according to the principles of the pricing policy in this part. These principles are reflected in the following elements of GSA Rent charges:

(1) “Shell” Rent based on approximate commercial charges for comparable space and services for Federally owned space (accomplished using appraisal procedures);

(2) Rent based on actual cost of the lease, including the costs (if any) of