

## **570.108**

leasehold interests in real property. Follow the procedures in FAR 15.102.

[64 FR 37265, July 9, 1999, as amended at 76 FR 30849, May 27, 2011]

### **570.108 Responsibility determination.**

(a) Determine that the prospective awardee is responsible with respect to the lease under consideration. The standards in FAR 9.104 apply. As part of the determination that a prospective contractor is otherwise qualified and eligible for award, review the Excluded Parties List System (EPLS).

(b) The contracting officer's signature on the contract is deemed an affirmative determination.

(c) If the contracting officer finds an offeror nonresponsible, sign and place in the contract file a determination of nonresponsibility. State the basis for the determination.

(d) If the contracting officer finds a small business concern nonresponsible, the procedures at FAR 19.6 apply. Place all documents and reports supporting a determination of responsibility or nonresponsibility in the lease file.

[64 FR 37265, July 9, 1999, as amended at 76 FR 30849, May 27, 2011]

### **570.109 Certifications.**

Before awarding a lease, review applicable representations and certifications for compliance with statute and regulations.

[64 FR 37265, July 9, 1999, as amended at 76 FR 30849, May 27, 2011]

### **570.110 Cost or pricing data and information other than cost or pricing data.**

(a) The policies and procedures of FAR 15.403 apply to lease contract actions.

(b) FAR 15.403-1 defines exceptions to and waivers for submitting cost or pricing data. Most leasing actions will have adequate price competition. For price analysis of offered rental rates, the contracting officer may use a market survey, an appraisal conducted using accepted real property appraisal procedures to establish a market price for comparison, or other relevant market research data. For price analysis of offered tenant improvement costs, ob-

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tain two offers or cost and pricing data.

(c) In exceptional cases, the requirement for submission of certified cost or pricing data may be waived under FAR 15.403-1(c)(4).

(d) If cost or pricing data are required, follow the procedures in FAR 15.403-4 and 15.406-2.

[64 FR 37265, July 9, 1999, as amended at 76 FR 30850, May 27, 2011]

### **570.111 Inspection and acceptance.**

Before accepting the space, the contracting officer must verify that the space complies with the Government's requirements and specifications and document this in an inspection report. The inspection and acceptance document must contain the square footage accepted and the acceptance date. Include the inspection and acceptance in the contract file. When space such as piers, antennas, and parking are leased, square footage may not be the manner in which the amount of space is specified; therefore, document that the space complies with the Government's written requirements.

[76 FR 30850, May 27, 2011]

### **570.112 Awards to Federal employees.**

If the contracting officer receives an offer from an officer or employee of the Government, follow the procedures in FAR 3.6.

[64 FR 37265, July 9, 1999, as amended at 76 FR 30850, May 27, 2011]

### **570.113 Disclosure of mistakes after award.**

If a mistake in a lessor's offer is discovered after award, the contracting officer should process it substantially in accordance with FAR 14.407-4 and GSAM 514.407-4.

[76 FR 30850, May 27, 2011]

### **570.114 Protests.**

FAR 33.1 and 533.1 apply to protests of lease acquisitions.

### **570.115 Novation and change of ownership.**

In the event of a transfer of ownership of the leased premises or a change