

Because I do not accept the majority's theory of liability in this case, and because I find the proposed remedy at best unenforceable and at worst competitively harmful, I dissent.

[FR Doc. 97-12753 Filed 5-14-97; 8:45 am]
BILLING CODE 6750-01-M

GENERAL SERVICES ADMINISTRATION

Notice of Availability of Record of Decision; Final Environmental Impact Statement/Environmental Impact Report; Proposed Federal Building, San Francisco, California

AGENCY: Public Buildings Service, United States General Services Administration.

ACTION: Notice.

SUMMARY: The United States General Services Administration (GSA) hereby gives notice that a Record of Decision (ROD) has been prepared for the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed construction of a new Federal Building within the City of San Francisco, California. The proposed project involves the construction of a new Federal Building with approximately 475,000 occupiable square feet (675,000 gross square feet) and 161 onsite parking spaces. The preferred alternative and proposed project is the site located at Seventh and Mission Streets.

ADDRESSES: For copies of the ROD, please send requests to Mr. George Dones, Portfolio Management Division (9PT), Public Buildings Service, General Services Administration, 450 Golden Gate Avenue, 3rd Floor, San Francisco, California 94102.

FOR FURTHER INFORMATION CONTACT: Mr. George Dones, (415) 522-3497.

Dated: May 7, 1997.

Kenn N. Kojima,

Regional Administrator, Pacific Rim Region (9A).

[FR Doc. 97-12731 Filed 5-14-97; 8:45 am]
BILLING CODE 6820-23-M

GENERAL SERVICES ADMINISTRATION

Change in Solicitation Procedures Under the Small Business Competitiveness Demonstration Program

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Notice.

SUMMARY: Title VII of the Business Opportunity Development Reform Act of 1988 (Public Law 100-656) established the Small Business Competitiveness Demonstration Program and designated nine (9) agencies, including GSA, to conduct the program over a four (4) year period from January 1, 1989 to December 31, 1992. The Small Business Opportunity Enhancement Act of 1992 (Public Law 102-366) extended the demonstration program until September 1996 and made certain changes in the procedures for operation of the demonstration program. The program has been extended for an additional one-year period by the Omnibus Consolidated Appropriations Act (Public Law 104-208). The law designated four (4) industry groups for testing whether the competitive capabilities of the specified industry groups will enable them to successfully compete on an unrestricted basis. The four (4) industry groups are: construction (except dredging); architectural and engineering (A&E) services (including surveying and mapping); refuse systems and related services (limited to trash/garbage collection); and non-nuclear ship repair. Under the program, when a participating agency misses its small business participation goal, restricted competition is reinstated only for those contracting activities that failed to attain the goal. The small business goal is 40 percent of the total contract dollars awarded for construction, trash/garbage collection services, and non-nuclear ship repair and 35 percent of the total contract dollars awarded for architect-engineer services. This notice announces modifications to GSA's solicitation practices under the demonstration program based on a review of the agency's performance during the period from April 1, 1996 to March 31, 1997. Modifications to solicitation practices are outlined in the **SUPPLEMENTARY INFORMATION** section below and apply to solicitations issued on or after July 1, 1997.

EFFECTIVE DATE: July 1, 1997.

FOR FURTHER INFORMATION CONTACT: Tom Wisnowski, Office of GSA Acquisition Policy, (202) 501-1224.

SUPPLEMENTARY INFORMATION:

Procurements of construction or trash/garbage collection with an estimated value of \$25,000 or less and procurement of A-E services with an estimated value of \$50,000 or less will be reserved for emerging small business concerns in accordance with the procedures outlined in the interim policy directive issued by the Office of

Federal Procurement Policy (58 FR 13513, March 11, 1993).

Procurements of construction or trash/garbage collection with an estimated value that exceeds \$25,000 and procurement of A-E services with an estimated value exceeding \$50,000 by GSA contracting activities will be made in accordance with the following procedures:

Construction Services in Groups 15, 16, and 17

Procurements for all construction services (except solicitations issued by GSA contracting activities in Regions 2, 3, 6, 7, 8, and the National Capital Region in SIC Group 15, Region 3 in individual SIC code 1771, the National Capital Region in individual SIC code 1794, and Regions 2, 4, 5, and 7 in individual SIC code 1796) shall be conducted on an unrestricted basis.

Procurements for construction services in SIC Group 15 issued by GSA contracting activities in Regions 2, 3, 6, 7, and 8, and the National Capital Region, in individual SIC code 1771 in Region 3, in individual SIC code 1794 in the National Capital Region, and in individual SIC code 1796 in Regions 2, 4, 5, and 7, shall be set aside for small business when there is a reasonable expectation of obtaining competition from two or more small businesses. If no expectation exists, the procurements will be conducted on an unrestricted basis.

Region 2 encompasses the states of New Jersey, New York, and the territories of Puerto Rico and the Virgin Islands.

Region 3 encompasses the states of Pennsylvania, Delaware, West Virginia, Maryland (except Montgomery and Prince Georges counties), and Virginia (except the city of Alexandria and the counties of Arlington, Fairfax, Loudoun, and Prince William).

Region 4 encompasses the states of Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, Mississippi, and Tennessee.

Region 5 encompasses the states of Illinois, Indiana, Ohio, Michigan, Minnesota, and Wisconsin.

Region 6 encompasses the states of Iowa, Kansas, Missouri and Nebraska.

Region 7 encompasses the states of Arkansas, Louisiana, Oklahoma, New Mexico, and Texas.

Region 8 encompasses the states of Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.

The National Capital Region encompasses the District of Columbia, Montgomery and Prince Georges counties in Maryland, and the city of Alexandria and the counties of