

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE – EXECUTIVE OFFICE OF IMMIGRATION REVIEW
&
DEPARTMENT OF HOMELAND SECURITY – IMMIGRATION AND CUSTOMS
ENFORCEMENT
SAN FRANCISCO, CA

Prospectus Number: PCA-09-SF24
Congressional District: 12

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 87,000 rentable square feet (RSF) for the Department of Justice, Executive Office of Immigration Review (EOIR) and the Department of Homeland Security, Immigration and Customs Enforcement, Office of the Principal Legal Advisor (ICE OPLA), currently located at 100 Montgomery Street in San Francisco, CA. EOIR and ICE OPLA have occupied space in the building since 2006 under a lease that expires on January 31, 2027.

The new lease will provide continued housing for EOIR and ICE OPLA. It will improve the office and overall space utilization rates from 144 to 102 and from 516 to 354 usable square feet (USF) per person, respectively.

Description

Occupant:	EOIR & ICE OPLA
Current RSF:	90,835 (Current RSF/USF = 1.17)
Estimated/Proposed Maximum RSF: ¹	87,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	3,835 RSF Reduction
Current USF/Person:	516
Estimated/Proposed USF/Person:	354
Expiration Dates of Current Lease(s):	01/31/2027
Proposed Maximum Leasing Term:	20 Years
Delineated Area:	North: Washington Street; East: The Embarcadero; South: 13 th Street / Folsom Street / 6 th Street / Townsend Street; West: Jones Street / Turk Street / Route 101 (Van Ness Avenue)
Number of Official Parking Spaces:	27
Scoring:	Operating
Current Total Annual Cost:	\$6,757,522 (lease effective 2/1/2017)
Estimated Rental Rate: ²	\$67.80 / RSF
Estimated Total Annual Cost: ³	\$5,898,600

¹ The RSF/USF at the current location is approximately 1.17; however, to maximize competition, an RSF/USF ratio of 1.20 is used for the estimated proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2027 and may be escalated by 2.2 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

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Background

The EOIR mission is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation’s immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings.

The ICE OPLA mission is to protect the homeland from national security and public safety threats, uphold the rule of law, and promote public confidence by providing exceptional legal services and zealously representing the agency, including in proceedings before EOIR, by advocating for just and fair results while adhering to the highest standards of integrity and professional conduct and optimizing resources to advance DHS and ICE missions.

Justification

EOIR and ICE OPLA are currently housed at 100 Montgomery Street in San Francisco, CA, in a lease that expires January 31, 2027. EOIR and ICE OPLA require continued housing to carry out their respective missions, but their current space does not meet their mission requirements. The new lease will improve the office and overall space utilization rates from 516 to 354 usable square feet (USF) per person.

Summary of Energy Compliance

The Government will incorporate energy efficiency and sustainability requirements into the Request for Lease Proposal and other documents related to the procurement of space based on the approved prospectus. The Government encourages offerors to exceed minimum requirements set forth in the procurement, and to the maximum extent practicable requires offerors to comply with the Energy Star requirement and other statutory and regulatory requirements.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

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OMB Memorandums M-21-25 and M-23-15 Implementation and Long-Term Space Requirements

The requirements within this prospectus reflect the known space needs prior to its submission to Congress. Agencies continue to develop their long-term workplace strategies consistent with OMB Memorandum M-21-25 and M-23-15, incorporate lessons learned while working both in-person and under maximum telework during the COVID-19 pandemic, and determine each agency's long-term space posture. Accordingly, the requirements outlined in this prospectus may change prior to award of a lease. In the event that a change results in a revised requirement that makes a material change and does not fit within the acceptable parameters of the congressional resolutions, GSA will submit an amended prospectus for consideration by the House Committee on Transportation and Infrastructure and Senate Committee on Environment and Public Works.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on 10/24/2023

Recommended: Elliot Doomes
Commissioner, Public Buildings Service

Approved: Ralph Carnahan
Administrator, General Services Administration