

**To:** VA LCOs and Staff

**Subject:** FW: Office of Construction and Facilities Management's Office of Real Property's VA-Wide Leasing Policy Alert 2024-01: GSA LA-23-07 Revision to Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A, and 3517B)

**Date:** Thursday, December 28, 2023 6:38:17 AM

**Attachments:** [image\\_1](#)  
[Attachment 4 - 3517B General Clauses \(Dec. 2023\).pdf](#)  
[Attachment 1 - 3516 Solicitation Provisions \(Dec. 2023\).pdf](#)  
[Attachment 2 - 3516A Solicitation Provisions \(Simplified\) \(Dec. 2023\).pdf](#)  
[Attachment 3 - 3517A General Clauses \(Simplified\) \(Dec. 2023\).pdf](#)  
[Leasing Alert LA-23-07 Updated Solicitation Provisions and General Clauses Dec. 2023.pdf](#)

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Good Morning!

Please be advised that General Services Administration (GSA) issued Leasing Alert (LA) (LA-24-07) - Revision to Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A and 3517B) on December 14<sup>th</sup>, 2023 (see attached).

This email provides a summary of the LA; however, please also take a few moments to read through the alert, letter, and attachments to familiarize yourself with the contents attached/linked herein.

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**Summary:**

This LA issues revised Solicitation Provisions, GSA Templates 3516 and 3516A and General Clauses, GSA Templates 3517A and 3517B (Attachments 1 through 4). [FAR Case 2020-011](#) issued an interim rule to implement section 202 of the Federal Acquisition Supply Chain Security Act of 2018 (Title II of the SECURE Technology Act, [Pub. L. 115-390](#), Dec. 21, 2018), and a final rule issued by the Federal Acquisition Security Council (FASC) (August 26, 2021, [86 FR 47581](#), effective September 27, 2021). The interim rule established processes for implementing Federal Acquisition Supply Chain Security Act ("FASCA") removal and exclusion requirements for prohibited products and services.

This rule established one new provision and two clauses, effective as of December 4, 2023.

The updated Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A and 3517B) and Extension and Renewal FAR and GSAR clause attachments will be posted on the Office of Leasing Google site and in the G-REX Templates Management library. Further instructions on the use of these templates, along with information about the changes themselves, can be found in the Leasing Alert. You can check CSOD for recommended Knowledge Checks for both FSACSA and ByteDance/TikTok prohibitions.

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**VA Specific Instructions:**

- Follow the procedures outlined in the LA and summarized above.
- This LA and attachments are effective for **all RLP packages** issued on or after **December 4, 2023**

- For all RLP packages issued prior to this date, Lease Contracting Officers (LCOs) must do one of the following:
  - If final proposal revisions have not been received, issue an amendment with the updated solicitation provisions and general clauses. All offerors must acknowledge receipt of the RLP amendment by signing it and returning it along with any attachments.
  - If final proposal revisions have been received, it is not necessary to amend the RLP and reopen negotiations. However, prior to lease award, the LCO must transmit the updated Solicitation Provisions and updated General Clauses to the apparent successful offeror. The apparent successful offeror must acknowledge receipt of these two documents. Incorporate the updated General Clauses into the lease contract prior to signature.
  - LCOs must include the Extension and Renewal FAR and GSAR clause attachments *prior to* extending or renewing a lease. These have been updated to incorporate required clauses.
- This LA and its attachments are **mandatory and apply to all** GSA real property leasing activities and to activities **delegated** by GSA to other Federal agencies.

Please note that this LA replaces guidance previously issued via Leasing Alert A-23-06, Revision to Solicitation Provisions and General Clauses, including Attachments 1 through 6 issued on September 21<sup>st</sup>, 2023. LA-23-06 is therefore cancelled.

Should you have any questions or concerns, please submit them to CFM ORP Policy and Programs, [VACO003C7APolicyandProgramsTeam@va.gov](mailto:VACO003C7APolicyandProgramsTeam@va.gov).

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**Sent:** Tuesday, December 26, 2023 5:00 AM

**Subject:** [EXTERNAL] \*\*\*\*LEASING ALERT (LA-23-07) - Revision to Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A and 3517B)\*\*\*\*



## Policy Leads:

The attached leasing alert (LA-23-07) revises the Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A and 3517B). These updated templates include new FAR provision 52.204-29, 'Federal Acquisition Supply Chain Security Act Orders - Representation Disclosures' and new FAR clause 52.204-30 'Federal Acquisition Supply Chain Security Act Orders - Prohibition', both issued through [FAR Case 2020-011](#).

The leasing program is impacted as follows:

- LCOs must use these updated templates for all Requests for Lease Proposals (RLPs) *issued on or after December 4, 2023*.
- LCOs must issue an amendment to incorporate these templates for any RLP that is prior to final proposal revisions (FPR).
- LCOs do not have to amend the RLP and reopen negotiations if FPR has been received. However, prior to lease award, the LCO must transmit the updated Solicitation Provisions and updated General Clauses to the apparent successful offeror. The apparent successful offeror must acknowledge receipt of these two documents and incorporate the updated General Clauses into the lease contract prior to signature.
- LCOs must include the Extension and Renewal FAR and GSAR clause attachments *prior to extending or renewing a lease*. These have been updated to incorporate required clauses.

The updated Solicitation Provisions and General Clauses (GSA Templates 3516, 3516A, 3517A and 3517B) and Extension and Renewal FAR and GSAR clause attachments will be posted on the Office of Leasing Google site and in the G-REX Templates Management library. Further instructions on the use of these templates, along with information about the changes themselves, can be found in the Leasing Alert. You can check CSOD for recommended Knowledge Checks for both FSACSA and ByteDance/TikTok prohibitions.

The primary driver for this change is the release of [Supplement 1 to MV-22-06, Cyber-Supply Chain Risk Management \(C-SCRM\) Requirements for Leasing](#). Further information regarding GSA implementation of FSACSA is outlined under Acquisition Alert [AA-2024-02](#), issued by GSA's Senior Procurement Executive on November 14, 2023.

Finally, you will note that [Supplement 1 to MV-22-06, Cyber-Supply Chain Risk Management \(C-SCRM\) Requirements for Leasing](#) includes a requirement for amending existing leases to incorporate all applicable mandatory C-SCRM clauses; our office will be providing forthcoming guidance on that aspect of the Supplement.