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Justification for Other Than Full and Open Competition, Succeeding Lease

U.S. General Services Administration
Public Building Service, Office of Leasing
JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

PROJECT NUMBER: 4NY0718

Agency Name: [redacted]

1. NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED.

The General Services Administration currently leases 15,118 ABOA/ 16,579 rentable square feet (RSF) of office space at Colvin Woods Business Park, 600 Colvin Woods Parkway, Tonawanda, New York under lease number GS-02P-LNY23373 for the [redacted]. The current lease expires August 2, 2026. Approval is requested to negotiate a succeeding lease with the incumbent Lessor without full and open competition for continued occupancy at this leased location. The procedures for pursuing a succeeding lease are detailed in GSAR 570.402: Succeeding Leases.

2. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS (INCLUDING ESTIMATED VALUE).

[redacted]

This requirement is for 15,118 ABOA/ 16,579 RSF of space for a fifteen-year (15), ten-year (10) firm term lease to commence on August 3, 2026. The estimated cost of this lease is [redacted] per rentable square feet per year for an annual cost of [redacted] and a total contract value of [redacted] The delineated area is in Tonawanda, New York- North: Route 266, West: I-90, East: Route 425 to Eggert Rd, South: Route 324. There is no vacant Federal Space available.

3. IDENTIFICATION OF STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION.

41 U.S.C. 3304(a)(1): Only one responsible source and no other supplies or services will satisfy agency requirements. This statutory authority is implemented through: FAR 6.103-1 (GSA Class Deviation RFO-2025-06) and GSAR 570.402. In accordance with GSAR 570.402, use of the sole source authority is appropriate where it is determined that award to any other offeror would result in substantial duplication of costs to the Government that are not expected to be recovered through competition.

4. DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR NATURE OF THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED.

It is in the best interest of the Government to remain at the current location. Award to other than the current Lessor would require relocation of the entire requirement and would cause [redacted] to incur move and replication costs that would not be recovered through competition. Relocation costs are estimated to be [redacted]. Additionally, this allows the Government to make use of

existing tenant improvements, avoiding replication costs of [redacted] for specialized space to support [redacted] mission. A cost-benefit analysis was completed following the procedures set forth in GSAR 570.402-6. The cost of relocating [redacted] using the low-cost quote exceeds the cost of remaining at 600 Colvin Woods Parkway. The total savings to the Government is [redacted]

5. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE.**

Per the requirements of GSAR 570.402, the GSA Lease Contracting Officer placed an advertisement on the Contracting Opportunities domain of SAM.gov on April 22, 2026 for seven days. In addition, the GSA Lease Contracting Officer conducted market research using LoopNet, CoStar and other [redacted] locations.

6. **DEMONSTRATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.**

Recent market surveys conducted by the GSA Lease Contracting Officer in the surrounding area showed the rental rate for other [redacted] field offices in the GSA leased inventory up to [redacted] per RSF for shell and operating costs only. This rate does not include Tenant Improvements or Building Specific Amortized Capital Costs.

Therefore, the proposed rental rates for this succeeding lease of [redacted] are within the current market range for this submarket and are deemed fair and reasonable by the GSA Lease Contracting Officer.

7. **DESCRIPTION OF MARKET RESEARCH CONDUCTED AND THE RESULTS.**

GSAR 570.402-5 allows for negotiation with the incumbent Lessor when a cost-benefit analysis shows that the Government cannot expect to recover relocation and duplication costs through competition.

The GSA Lease Contracting Officer conducted market research using CoStar, LoopNet and identified one potentially acceptable location (the incumbent) that might meet the agency's needs within the delineated area. In addition, PBS posted an advertisement conforming to GSAR 570.402-2 on the Contract Opportunities domain of SAM.gov website on April 22, 2026. GSA received two expressions of interest in response to the advertisement, including one from the incumbent Lessor. The incumbent Lessor's expression of interest indicated that the fully serviced rate would be [redacted] per RSF. The interested party that provided the lowest cost quoted a rate of [redacted] per RSF, for the first year, in its expression of interest.

See Figure 1 below for the results of the market research and SAM.gov advertisement, including the incumbent.

Address	Source	Asking Full-Service Rental Rate
Incumbent Colvin Woods Business Park 600 Colvin Woods Parkway Tonawanda, NY	EOI	[redacted]
500 Colvin Woods Parkway Tonawanda, NY	EOI	[redacted]

Figure 1: Market Research Comparables

8. **OTHER FACTS SUPPORTING USE OF OTHER THAN FULL AND OPEN COMPETITION.**

In accordance with the requirements of GSAM 517.207(b), the lessor's performance under this lease has met the Government's expectations for quality performance. In addition, [redacted] is satisfied with the space and the Lessor's performance. [redacted]

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9. **LIST OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION.**

GIP Buffalo, LLC
I-290 Colvin Associates LLC

10. **STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION.**

There are no systemic barriers to competition. If the agency has a continuing need for space upon lease expiration, GSA will follow all authorities, regulations and policies applicable to lease acquisition. Should there be remaining useful life in the Government's improvements, the Government will consider the cost of moving from the existing location, and the cost to build out new space when deciding whether to undergo a competitive action.

Additionally, objective scrutiny will be given to the customer agency's mission and security requirements, if applicable, to eliminate unnecessary agency space requirements that may be deemed unduly restrictive.

11. **CONTRACTING OFFICER CERTIFICATION.**

By signature on this Justification for Other than Full and Open Competition, the GSA Lease Contracting Officer certifies that the award of a succeeding lease of 16,579 RSF is in the Government's best interest and that this Justification is accurate and complete to the best of the GSA Lease Contracting Officer's knowledge and belief.

DocuSigned by:

[redacted]

12. **PREPARER'S TECHNICAL CERTIFICATION.**

I certify that the supporting data used to form the basis of this Justification is complete and accurate to the best of my knowledge and belief.

DocuSigned by:

[redacted]

13. **ATTACHMENTS**

☐ Cost Benefit Analysis

Concurred by:

[redacted]

Reviewed for Legal Sufficiency by:

DocuSigned by:

[redacted]

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Approved by:

Signed by:

[redacted]

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