

GSA ORDER

Subject: General Services Administration Acquisition Manual; GSAR Case 2020-G512, SAM Representation for Leases

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Regulation (GSAR) to remove the requirement for lease offerors to have an active System for Award Management (SAM) registration when submitting offers and instead allow offers up until the time of award to obtain an active SAM registration.
2. Background. FAR Case 2015-005¹ clarified the timing of registration in the System for Award Management (SAM). Effective October 2018, this FAR case implemented the requirement for an offeror to be registered in SAM prior to the submission of an offer as opposed to the offerer being registered prior to award as was previously followed before the FAR change. While leasing of real property is not subject to the FAR, GSA historically prescribed FAR clause 52.204-7 in solicitations for the lease of real property.

On February 12, 2020, GSA issued Acquisition Letter MV-20-04 to establish a GSA specific version of the SAM clause to permit the completion of SAM representation for leases prior to award instead of prior to offer for leasing companies. GSA would therefore only require the apparent awardee to complete the SAM registration. This change will codify this provision in the GSAR.

3. Effective date. December 16, 2024.
4. Explanation of changes.

This amendment includes regulatory changes. For full text changes of the amendment see Attachment A, GSAR Text Line-In/Line-Out.

This amendment revises the language of the following GSAR subparts, changes summarized below:

- 501.106 - OMB Approval under the Paperwork Reduction Act
 - In the table, added 552.270-35 under the *GSAR Reference* column and 9000-0189 under the *OMB Control No.* column
- 552 - Solicitation Provisions and Contract Clauses
 - Added provision 552.270-35, *System for Award Management - Leasing*
- 570.7 - Solicitation Provisions and Contract Clauses

¹ 83 FR 48691

- Removed FAR 52.204-7, *System for Award Management*, and replaced with GSAR 552.270-35, *System for Award Management - Leasing*
5. Cancellations. Acquisition Letter MV-20-04, including Supplement 1, *Lease Offeror Registration in the System for Award Management (SAM)*, is hereby canceled.
 6. Point of contact. For clarification of content, contact Amy Lara, GSA Acquisition Policy Division, at gsarpolicy@gsa.gov.

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Office of Government-wide Policy

Attachment A

GSAR Text, Line-In/Line-Out

GSAM Baseline: Change Order 188 effective 09/20/2024

- Additions to baseline made by rule are indicated by **[bold text in brackets]**
- Deletions to baseline made by rule are indicated by ~~strikethroughs~~
- Five asterisks (*****) indicate that there are no revisions between the preceding and following sections
- Three asterisks (***) indicate that there are no revisions between the material shown within a subsection
- Regulatory GSAR language is indicated by shaded text
- Non-regulatory GSAM language is indicated by unshaded text

Part 501 - General Services Administration Acquisition Regulation System

Subpart 501.1 - Purpose, Authority, Issuance

501.106 - OMB Approval under the Paperwork Reduction Act.

Table 1 to 501.106 OMB Approval under the Paperwork Reduction Act.

GSAR Reference	OMB Control No.
***	***
[552.270-35	9000-0189]

Part 552—Solicitation Provisions and Contract Clauses

[552.270-35 System for Award Management - Leasing.

As prescribed in 570.702, insert the following provision:

System for Award Management - Leasing (DATE).

(a) Definitions. As used in this provision—

“Electronic Funds Transfer (EFT) indicator” means a four-character suffix to the unique entity identifier. The suffix is assigned at the discretion of the commercial, nonprofit, or Government entity to establish additional System for Award Management records for identifying alternative EFT accounts (see subpart 32.11) for the same entity.

“Registered in the System for Award Management (SAM)” means that—

(1) The Offeror has entered all mandatory information, including the unique entity identifier and the EFT indicator, if applicable, the Commercial and Government Entity (CAGE) code, as well as data required by the Federal Funding Accountability and Transparency Act of 2006 (see subpart 4.14) into SAM;

(2) The Offeror has completed the Core, Assertions, Representations and Certifications, and Points of Contact sections of the registration in SAM;

(3) The Government has validated all mandatory data fields, to include validation of the Taxpayer Identification Number (TIN) with the Internal Revenue Service (IRS). The offeror will be required to provide consent for TIN validation to the Government as a part of the SAM registration process; and

(4) The Government has marked the record “Active”.

“Unique entity identifier” means a number or other identifier used to identify a specific commercial, nonprofit, or Government entity. See www.sam.gov for the designated entity for establishing unique entity identifiers.

(b) (1) An Offeror is required to be registered in SAM at time of award, and shall maintain registration in SAM during contract performance, and through final payment of any contract, basic agreement, basic ordering agreement, or blanket purchasing agreement resulting from this solicitation.

(2) The Offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "Unique Entity Identifier" followed by the unique entity identifier that identifies the Offeror's name and address exactly as stated in the offer. The Offeror also shall enter its EFT indicator,

if applicable. The unique entity identifier will be used by the Contracting Officer to verify that the Offeror is registered in SAM.

(c) If the Offeror does not have a unique entity identifier, it should contact the entity designated at www.sam.gov for establishment of the unique entity identifier directly to obtain one. The Offeror should be prepared to provide the following information:

(1) Company legal business name.

(2) Tradestyle, doing business, or other name by which the entity is commonly recognized.

(3) Company physical street address, city, state, and Zip Code.

(4) Company mailing address, city, state and Zip Code (if separate from physical).

(5) Company telephone number.

(6) Date the company was started.

(7) Number of employees at your location.

(8) Chief executive officer/key manager.

(9) Line of business (industry).

(10) Company headquarters name and address (reporting relationship within the entity).

(d) If the Offeror does not become registered in the SAM database in the time prescribed by the Contracting Officer, the Contracting Officer will proceed to award to the next otherwise successful registered Offeror.

(e) Processing time should be taken into consideration when registering. Offerors who are not registered in SAM should consider applying for registration immediately upon receipt of the solicitation. See <https://www.sam.gov> for information on registration.

(End of provision)

Alternate I (DATE). As prescribed in 570.702, substitute the following paragraph (b)(1) for paragraph (b)(1) of the basic provision:

(b)(1) An Offeror is required to be registered in SAM as soon as possible. If registration is not possible prior to award, the Contractor shall be registered in SAM within 30 days after award or before three days prior to submission of the first invoice, whichever occurs first.]

Part 570 - Acquiring Leasehold Interests in Real Property

Subpart 570.1 - General

Subpart 570.7 - Solicitation Provisions and Contract Clauses

570.701 FAR provisions and clauses.

Insert provisions or clauses substantially the same as the FAR provisions and clauses listed below.

If . . .	Then include . . .
(a) the estimated value of the acquisition exceeds the micro-purchase threshold identified in FAR 2.101	*** 52.204-7 System for Award Management. ***
***	***

570.702 GSAR solicitation provisions.

Each SFO must include provisions substantially the same as the following, unless the contracting officer determines that the provision is not appropriate. The contracting officer shall document the file with the basis for omitting or substantially changing a provision.

[552.270-35 System for Award Management - Leasing (in lieu of FAR 52.204-7). Use Alternate I of the provision for procurements not providing for full and open competition due to unusual or compelling urgency.]

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