

**PROSPECTUS – LEASE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
AND IMMIGRATION & CUSTOMS ENFORCEMENT
MIAMI, FL**

Prospectus Number: PFL-01-MI19
Congressional District: 24

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 123,000 rentable square feet (RSF) for the Department of Justice–Executive Office for Immigration Review (EOIR) and the Department of Homeland Security–Immigration and Customs Enforcement’s Office of the Principal Legal Advisor (OPLA), currently located at 333 South Miami Avenue in Miami, FL. The Government has occupied space in this building since 2004.

The proposed lease will enable EOIR and OPLA to provide continued housing for their missions in Miami, FL. EOIR and OPLA are uniquely responsible for adjudicating immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. The proposed lease will provide continued housing for the delivery of both agencies’ missions. Office utilization will reduce from 425 square feet per person to 162 usable square feet (USF) per person. Overall utilization rates will also decrease, from 546 to 421 USF per person.

Description

Occupant:	EOIR and OPLA
Current Rentable Square Feet (RSF)	127,212 (Current RU Factor = 1.10)
Estimated Maximum RSF ¹ :	123,000 (Proposed RU Factor = 1.15)
Reduction RSF:	4,212
Current Usable Square Feet/Person:	546
Estimated Usable Square Feet/Person:	421
Expiration Dates of Current Lease(s):	12/31/2018
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	North: NW 11th St from I-95 to NW 1st Ave; NW 1st Ave north to NE 15th St; NE 15th St east to Biscayne Bay; East: Biscayne Bay; South: Miami River; NW 3rd St to I-95; I-95 north to NW 11th St including the Miami, FL CBD (as defined by the Miami Downtown Development Authority)
Number of Official Parking Spaces:	41
Scoring:	Operating
Current Total Annual Cost:	\$3,833,312 (lease effective 01/01/2004)

¹ The RSF/USF at the current location is approximately 1.10; however, to maximize competition, a RSF/USF ratio of 1.15 is used for the estimated proposed maximum RSF as indicated in the housing plan.

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Estimated Rental Rate ² :	\$48.00 / RSF
Estimated Total Annual Cost ³ :	\$5,904,000

Background

EOIR and OPLA are currently co-located at 333 South Miami Avenue in Miami, FL. This location acts as one of the 59 EOIR courts around the country. The judges and staff serve the public interest through the application of immigration law in formal court proceedings, appellate reviews, and administrative hearings. OPLA is composed of attorneys and staff, and is the legal representative and litigator for the Federal Government in exclusion, deportation, and removal proceedings heard before EOIR.

Justification

EOIR and OPLA have been housed in downtown Miami since 2004. The lease at 333 South Miami Avenue expires on December 31, 2018, and both EOIR and OPLA have a continuing need for housing to ensure continuity in meeting their mission requirements.

The judicial nature of operations requires increased levels of security. GSA will consider whether EOIR and OPLA's continued housing needs should be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, a cost-benefit analysis will be conducted to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for EOIR and OPLA to accomplish their missions.

Special Space Requirements

In FY 2016 the Miami EOIR Court completed 10,319 court matters. To maintain this level of efficiency, special space requirements that support the courtrooms, secure corridors, file storage, and associated space are needed to provide safe and secure immigration, deportation, and removal proceedings.

² This estimate is for fiscal year 2019 and may be escalated by 2.0 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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The courtrooms are constructed to facilitate assembly functions and to comply with current accessibility standards, including ramps and handrails for access to the judge's dais as required by the Architectural Barriers Act Accessibility Standards (ABAAS). Each courtroom has a raised desk for the judge, clerk, and interpreter, and a litigation area for the prosecution, defense, and witness along with public seating for court visitors. The Government developed the current courtroom standard of approximately 850 square feet to meet the needs of the court and comply with applicable accessibility standards. The courtrooms are used on a daily basis and are designed to handle approximately 35 people.

In addition to courtrooms, EOIR also has a need for storage to maintain the Records of Proceedings (ROP). ROPs are critical to the function of the Immigration Courts and are used by immigration judges, attorneys, and EOIR Board Members if a court decision is appealed. The Federal Records Act requires the storage of records in paper form, although EOIR has begun the transition to electronic filing and digital recordings of court proceedings. At this time, these initiatives affect only a small portion of the ROP Paper files remain critical for continuity between agencies accessing documentation during the time a case remains active.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

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 extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

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Certification of Need

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

Submitted at Washington, DC, on September 26, 2018.

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration