

12/13/02

October 17, 2002

Freedom of Information Act Officer (CAI)
General Services Administration
Central Office (GSA Headquarters)
1800 F Street, NW
Washington, DC 20405

R03-0038
P 10/22/02 11/19/02
CAI

Re: Freedom of Information Request

Dear Sir or Madam:

The purpose of this letter is to request information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items relating **only** to GSA's intended national broker contract referenced in the attached letter (See Attachment):

All acquisition strategy documentation relating to the proposed bundling of all of GSA's lease acquisition service needs under a national contract (see Attachment).

The full results of, and all documents relating to, market research conducted by GSA to determine "whether consolidation of requirements is necessary" as required by 15 USCS §644(e)(2) and 48 CFR 7.107(a), including, but not limited to, an identification and explanation of all factors evaluated in such market research.

The full results of, and all documents relating to, the agency's requirement to "quantify the identified benefits and explain how their impact would be measurably substantial" as required by 48 CFR 7.107(b).

The full results of, and all documents relating to, determination of procurement strategy specifications as required by 15 USCS §644(e)(3). Such information should:

(A) identify specifically the benefits anticipated to be derived from the bundling of contract requirements;

(B) set forth an assessment of the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements and specify actions designed to maximize small business participation as subcontractors (including suppliers) at various tiers under the contract or contracts

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that are awarded to meet the requirements; and

(C) include a specific determination that the anticipated benefits of the proposed bundled contract justify its use.”

The full results of, and all documents relating to, determination of procurement strategy specifications as required by 48 CFR 7.107(b). Such information should:

- “(1) Identify the specific benefits anticipated to be derived from **bundling**;
- (2) Include an assessment of the specific impediments to participation by small business concerns as contractors that result from **bundling**;
- (3) Specify actions designed to maximize small business participation as contractors, including provisions that encourage small business teaming;
- (4) Specify actions designed to maximize small business participation as subcontractors (including suppliers) at any tier under the contract or contracts that may be awarded to meet the requirements; and
- (5) Include a specific determination that the anticipated benefits of the proposed bundled contract justify its use.”

The full results of, and all documents relating to, any cost comparison analysis performed in accordance with OMB Circular A-76.

If any part or all of the materials are withheld under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

Because the creation of the documentation that is the subject of this Freedom of Information Act Request is required by statute, it is assumed that the search and reproduction cost of such documentation will be minimal. However, should the cost of the search and reproduction exceed the twenty-five dollar (\$25) threshold, we would like to request a **waiver** of the fees associated with this request. The advent of the National Broker concept in its current form has caused much speculation and misunderstanding within the small business community nationwide as to the reasons and rationale behind GSA's plan to bundle contract requirements. In a National Broker forum/meeting held in Washington, DC this past spring, this misunderstanding was evident.

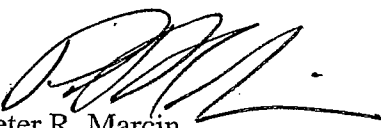
The request concerns GSA's intent to bundle **all** GSA lease acquisition service needs under a national contract. This clearly “concerns identifiable operations or activities of the Federal Government.”

The Requested information is not currently in the public domain. This was evident in the National Broker forum/meeting. Currently there have been no indications or clarification whatsoever regarding the processes or rationale behind the determination to "bundle" the leasing services of the Federal Government. Because this concept is on such a large scale and directly deals with statutory requirements relating to bundling, disclosure of the full process **must** be made to contribute to public understanding of the process.

Please contact me at the above address if you have any questions regarding this request.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty (20) business days. Because this request is being submitted as a result of information contained in the attached thirty (30) day notice, a timely response is absolutely critical to our business operations, and would therefore be greatly appreciated. Thank you for your prompt attention to this matter.

Sincerely,



Peter R. Marcin
General Counsel
Capitol CREAG, LLC

Attachment