

SUSTAINABLE DESIGN REQUIREMENTS IN BUILD-TO-SUIT LEASES

1. ISSUE: Section 1.3.3 of the *VA Sustainable Design Manual - May 2014* (SDM) requires “All build-to-suit lease projects shall be treated, and meet the same requirements, as agency-owned new construction projects.” This language is no longer applicable and may cause confusion when drafting requirements for build-to-suit leases.

2. BACKGROUND: Section 1.3.3 of the SDM was driven by language from *VA Directive 0055 (VA Energy and Water Management Program)*, which stated “Build-to-suit lease facilities shall be designed and constructed to comply with all new building mandates.” In December, 2014, VA updated *Directive 0055*, removing the language. In addition, the newly revised *Guiding Principles for Sustainable Federal Buildings* (Feb 2016), significantly loosened requirements for leased facilities to comply with the *Guiding Principles*.

3. DISCUSSION: The Office of Real Property (ORP), in VA’s Office of Construction and Facilities Management (CFM), is obligated under a leasing delegation to comply with General Services Administration (GSA) leasing requirements. Conflicting requirements in the SDM will cause confusion. This *Standards Alert* lifts the above-stated requirement in Section 1.3.3 of the SDM.

4. NEW STANDARD: Section 1.3.3 of the *VA Sustainable Design Manual (May 2014)* is hereby rescinded. All VA Build-to-Suit lease projects shall follow General Services Administration sustainable lease guidance, to the extent required by GSA’s lease delegation.

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Sources:

1. [VA Sustainable Design Manual](#) (May 2014)
2. [VA Directive 0055](#) (Dec 2014)
3. [Guiding Principles for Sustainable Federal Buildings and Associated Instructions](#) (Feb 2016)

ALERT