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 This language is no longer applicable and may cause confusion when drafting requirements for build-to-suit leases.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 NEW STANDARD: Section 1.3.3 of the VA Sustainable Design Manual (May 2014) is hereby rescinded.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)