



Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Board Members

From: Christopher Warner *aw*

Cc: Leadership Team

Subject: Board Action Report – Notation Item 755

Date: March 30, 2010

On March 12, 2010, the Board approved Notation Item 755, thereby:

- a. Designating and authorizing Board Member William B. Wark to sign the determination required by 41 U.S.C. § 254c(2) to exercise the CSB's five-year lease renewal under the Federal Acquisition Streamlining Act multiyear contracting authority.
- b. Allocating \$82,000 from the unallocated monies within the Board budgetary unit to the Headquarters Office Lease line item within the Office of Administration budgetary unit in the Fiscal Year 2010 Operating Budget, for the purpose of paying termination costs in the event the CSB headquarters office lease renewal must be terminated.
- c. Authorizing the Chairman, after consultation with the director of Financial Operations, to allocate additional funds, in an amount not-to-exceed \$25,000, to the Headquarters Office Lease line item within the Office of Administration budgetary unit in the Fiscal Year 2010 Operating Budget, for the purpose of paying lease termination costs, if necessary because of a change to the estimate of such costs.

Comments submitted by Board Member Wright with his vote are attached to this Board Action Report.

Voting Summary – Notation Item 755

Disposition: APPROVED

Disposition date: March 12, 2010

	Approve	Disapprove	Calendar	Not Participating	Date
J. Bresland	X				3/11/2010
W. Wark	X				3/12/2010
W. Wright				X	3/18/2010

Notation No.: 755
Subject: Headquarters Office Lease

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Therefore, the Board hereby votes to:

- a. Designate and authorize Board Member William B. Wark to sign the determination required by 41 U.S.C. § 254c(2) to exercise the five-year lease renewal under the Federal Acquisition Streamlining Act multiyear contracting authority.
- b. Allocate \$82,000 from the unallocated monies within the Board budgetary unit to the Headquarters Office Lease line item within the Office of Administration budgetary unit in the Fiscal Year 2010 Operating Budget, for the purpose of paying termination costs in the event the headquarters office lease renewal must be terminated.
- c. Authorize the Chairman, after consultation with the Director of Financial Operations, to allocate additional funds, in an amount not-to-exceed \$25,000, to the Headquarters Office Lease line item within the Office of Administration budgetary unit in the Fiscal Year 2010 Operating Budget, for the purpose of paying lease termination costs, if necessary because of a change to the estimate of such costs.

I APPROVE this notation item AS PRESENTED.

I CALENDAR this notation item for discussion at a Board meeting.

Some of my concerns are discussed below or on the attached memorandum.

I DISAPPROVE this notation item.

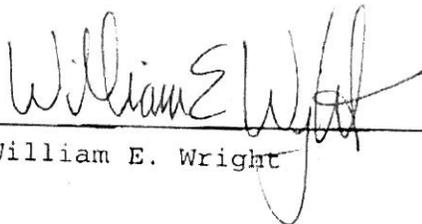
A dissent is attached.

I will not file a dissent.

I am NOT PARTICIPATING.

Date: March 18, 2010

Member:


William E. Wright

After extensive personal research of this item, my preference is to have outside expertise (such as the GSA) review the entire leasing process prior to a Board vote. A review which should also include the items addressed in Notation Item 748 that the Board approved earlier. The basis upon which this leasing process is predicated is a GAO decision (B-316860 dtd April 29, 2009) that concerned NTSB property leases. However, I believe the NTSB has since elected to use the GSA in their HQ leasing process.