

EXECUTIVE ORDER 13706
DETERMINATION OF APPLICABILITY

Grantee: City of Seattle

DACA Number: DACA67-1-17-27

Background:

1. The RECO shall apply a Three Part Test to all real estate instruments IAW Executive Order 13706, "Establishing Paid Sick Leave for Federal Contractors", and the Implementation Guidance for Executive Order 13706 and 29 C.F.R. 13 attached to USACE Memorandum dated May 30 2017:

- y
N
y
- a. Is it in connection with Federal property or lands?
 - b. Is it related to offering services for Federal employees, their dependents, or the general public?
 - c. Is it a "new contract" entered into with the Federal Government?

2. For each real estate instrument:

- a. If the answer to **ALL** three parts of the Three Part Test is affirmative, then the requirements of the Executive Order apply and certain clauses found in the Implementation Guidance must be inserted into the instrument.
- b. If the answer to **any one** of the parts of the Three Part Test is negative, then the requirements of the Executive order **DO NOT** apply; however, one clause found in the Implementation Guidance must be inserted into such instrument.

Determination:

With respect to the referenced real estate instrument, I find that EO 13706:

DOES APPLY _____

DOES NOT APPLY ___X___

Reason: The proposed lease will be issued to the City of Seattle as the Reuse Authority pending a BRAC disposal. The purpose of the lease is for "for administration, training, storage and minor maintenance" by the City and services for Federal Employees or their dependents will not be provided. Furthermore use of the premises by and for the general public is also not authorized

and consequently the lease does not meet the second requirement of the three part test outlined in the USACE Memorandum.

Date: 29 June 2017



TODD L. CZARNECKI
Chief, Real Estate Office
Real Estate Contracting Officer