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# Acquisition Updates

DOE FIMS/RE Annual Training

Real Estate Breakout

June 7, 2023



# Acquisition Topics

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- Case Study: NREL land exchange
- Uniform Act annual report
- Title approval issues
- Group discussion – status of pending acquisitions



# NREL Land Exchange

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- 2-phase, 3-party exchange with Jefferson County and State of Colorado
- Authority: DOE Organization Act, 42 USC 7257:

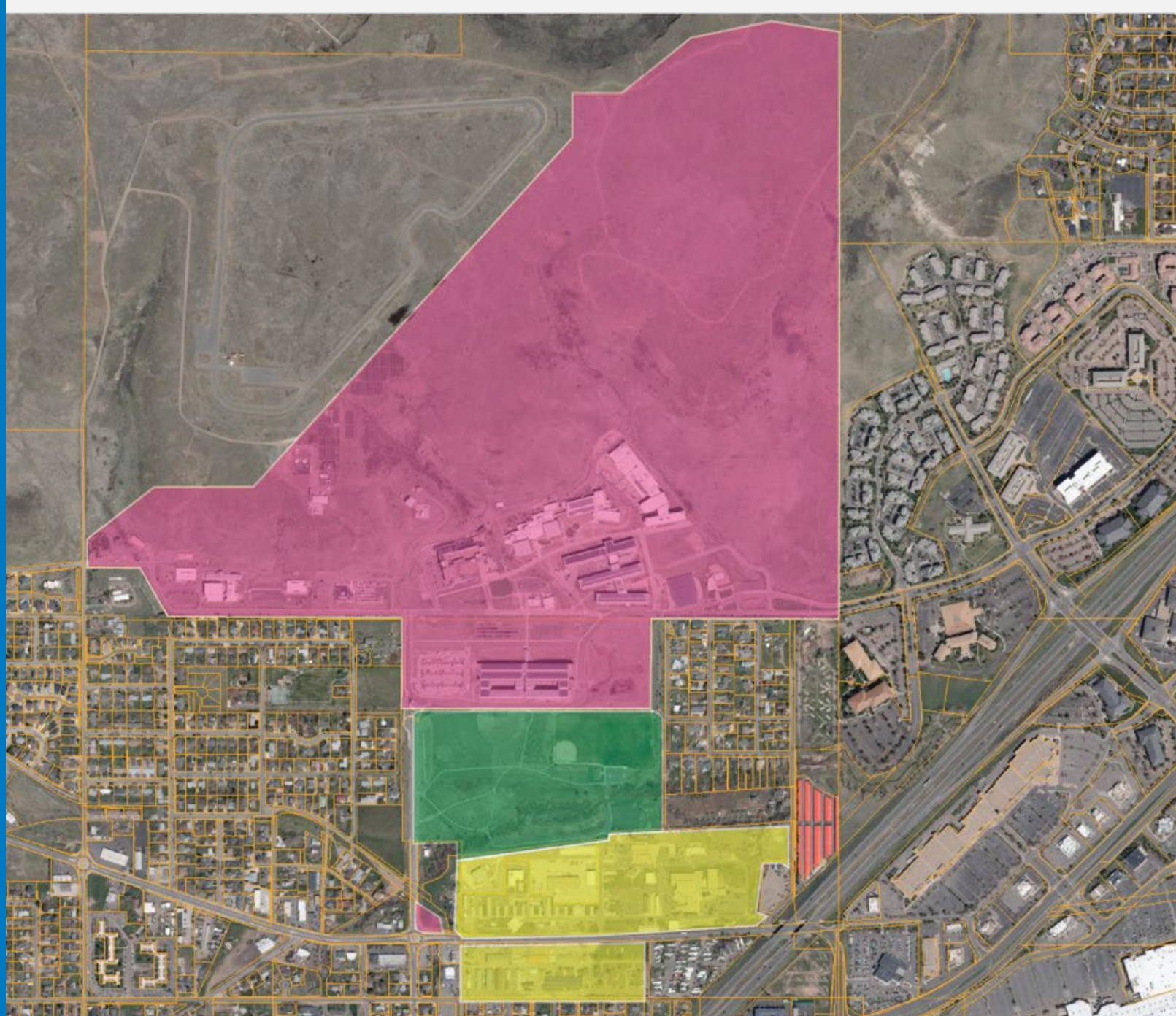
## **Acquisition, construction, etc., of laboratories, research and testing sites, etc:**

“The Secretary is authorized to acquire (by purchase, lease, condemnation, *or otherwise*), construct, improve, repair, operate, and maintain ***laboratories, research and testing sites and facilities, quarters and related accommodations*** for employees and dependents of employees of the Department, personal property (including patents), or any interest therein, as the Secretary deems necessary;”

- “or otherwise” determined to include exchange
- Property acquired for laboratory use

- Atomic Energy Act also authorizes exchange, but not available for NREL

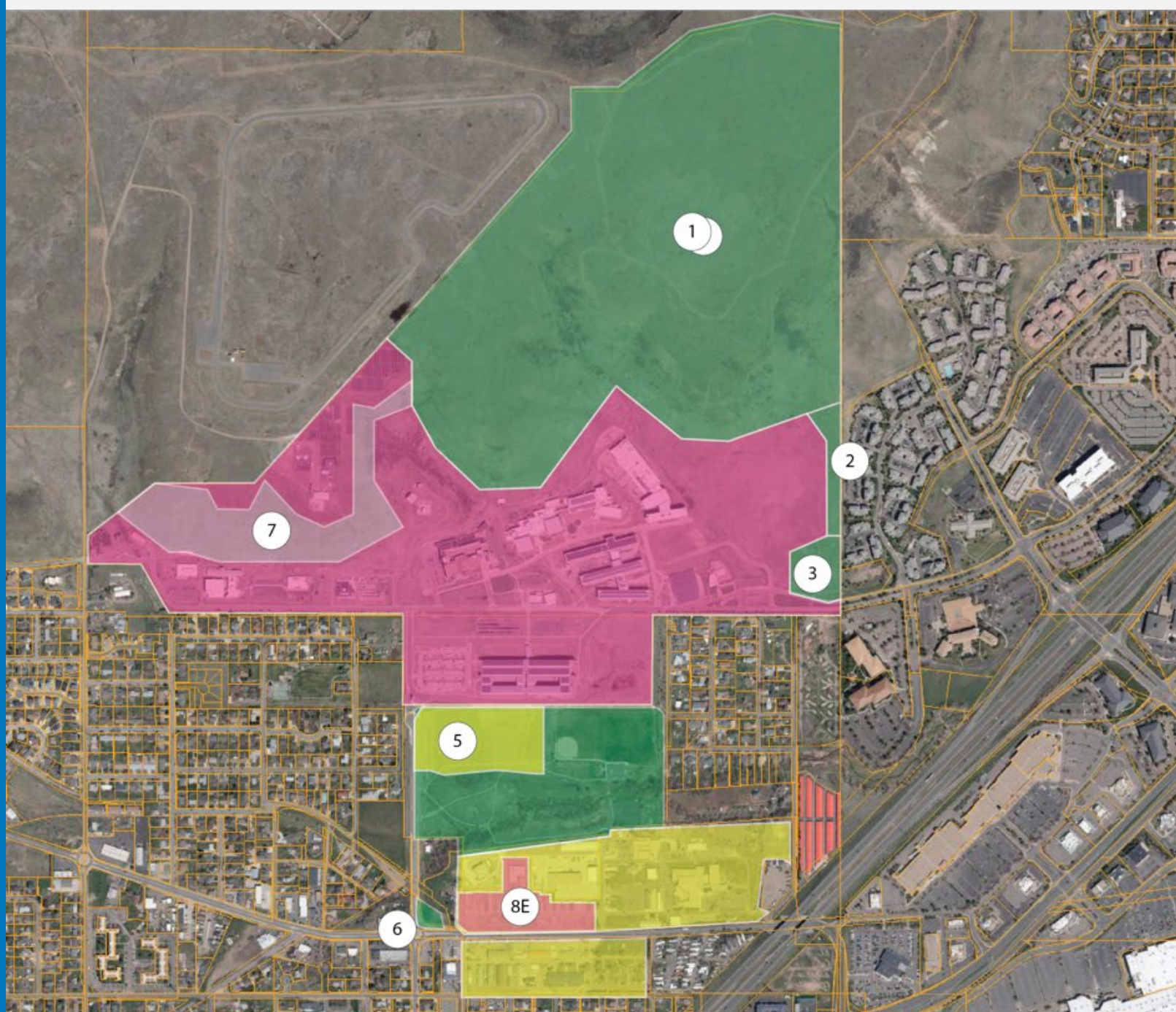
# NREL Land Exchange: Previous Ownership



-  DOE Ownership
-  JeffCO Ownership
-  State of Colorado Ownership

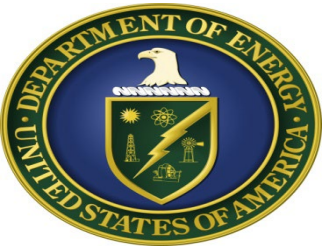


# NREL Land Exchange: Ownership After Exchange



- DOE Ownership
- JeffCO Ownership
- State of Colorado Ownership
- Trail Easement

Parcel #	Parcel Area (acres)
1	157.96
2	2.38
3	3.43
5	9.27
6	0.79
7	18.9
8E	6.6



# NREL Land Exchange – Values

## Phase 1: DOE & Jefferson County

<u>DOE Parcel #</u>	<u>Appraised Value</u>
1	\$620,000
2 & 3	\$2,278,614
6	\$326,000
7	\$6,886
DOE Total:	\$3,231,500
<u>Jefferson Co. Parcel #</u>	<u>Appraised Value</u>
5	\$3,231,500
<b>EVEN EXCHANGE</b>	

## Phase 2: DOE & State of Colorado

<u>DOE Parcel #</u>	<u>Appraised Value</u>
5	\$3,231,500
<u>State Parcel #</u>	<u>Appraised Value</u>
8E	\$3,234,947
<b>\$3,447 in favor of DOE</b>	



# NREL Land Exchange

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- Parcels appraised under Federal standards
  - Equal value exchange, within 1% of appraised value
  - If not equal, cash payment of difference may have been required
- Acquisition and Disposal requirements followed
  - Uniform Act, Title Regulations
  - Internal excess screening, HUD screening\*, HQ and Congressional notification
- Lessons Learned
  - 2 phase approach ultimately succeeded, but more work and risk
  - \*HUD screening not applicable (in phase 2): use in exchange = mission need
  - Rare combination of equal values and mutual interest
  - Need to manage expectations, ensure compliance with requirements



# Acquisition Topics

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- Uniform Act Annual Report
  - Required by 2012 law
  - Narrative and statistical sections (statistical report not mandatory, yet)
  - Number of parcels (ownerships) acquired
    - # condemned
    - # administratively settled
  - Total \$ paid for acquired & condemned parcels
  - # of residential relocations, total cost
  - # of non-residential relocations, total cost





# Acquisition Discussion

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- Title approval issues
  - Required for fee simple and easement acquisition
  - DOJ or Army Corps of Engineers can review title
  - Timing considerations
  - Title defects need to be addressed to reviewing attorney's satisfaction
- Group discussion
  - Status of current acquisitions
  - Planned acquisitions



# Acquisition Discussion – Questions?

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David Steinau

[david.steinau@hq.doe.gov](mailto:david.steinau@hq.doe.gov)

202-287-1503

Andrea Dolch

[andrea.dolch@hq.doe.gov](mailto:andrea.dolch@hq.doe.gov)

(240)449-5104