



June 2023

FEDERAL REAL PROPERTY

GSA Should Include Community Input Requirements to Help Fulfill Design Excellence Program Goals

GAO Highlights

Highlights of [GAO-23-106139](#), a report to the Committee on Transportation and Infrastructure, House of Representatives

Why GAO Did This Study

Since 1994, GSA has commissioned designs for 153 buildings as part of the Design Excellence Program, GSA's program for the creative design of new buildings and building modernizations for federal agencies. GSA also commissions site-specific artwork for these projects, as part of the Art in Architecture Program.

GAO was asked to review issues related to the Design Excellence and Art in Architecture Programs.

This report (1) describes the requirements and guidance that govern the programs; (2) describes GSA's processes for designing new federal buildings and renovations and commissioning art installations under the programs; and (3) assesses the role of community input in the Design Excellence Program.

GAO reviewed executive orders, statutes, regulations, policies, and other documentation for the programs. GAO also interviewed GSA officials and outside architects. GAO assessed Design Excellence Program policies on community input against the *Standards for Internal Control in the Federal Government*.

What GAO Recommends

GAO recommends that GSA update the Design Excellence Manual to include requirements for obtaining and considering community input on building design, including architectural style. GSA concurred with the recommendation and said it would develop a plan to address it.

View [GAO-23-106139](#). For more information, contact Catina Latham at (202) 512-2834 or lathamC@gao.gov.

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GSA Should Include Community Input Requirements to Help Fulfill Design Excellence Program Goals

What GAO Found

The General Services Administration (GSA) commissions the design of federal buildings and accompanying site-specific artwork through the Design Excellence Program and Art in Architecture Program, respectively. Program requirements are generally located in GSA policy, and not in statute. In 2020, both programs were subject to executive orders—now rescinded—that directed GSA to preference classical architecture and avoid abstract art, among other things. This was a departure from prior GSA policy to avoid federal style mandates. The executive orders were in place for a short time, and GSA has returned to its prior policies. However, GSA officials said that since each program's requirements are largely located in GSA policy, GSA could be required to accommodate future executive orders that identify style preferences, which they said could conflict with program goals and complicate compliance with historic preservation laws.

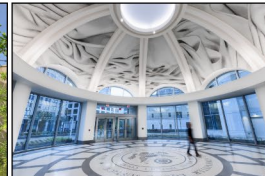
GSA Design Excellence Program and Art in Architecture Program Projects



Nathaniel R. Jones Federal Building and Courthouse, 2002, Youngstown, OH



John M. Roll Courthouse, 2013, Yuma, AZ



The Robes of Justitia, 2021 (Fred D. Thompson Federal Building and US Courthouse, Nashville, TN)



Community, 1989 (Joseph P. Addabbo Federal Building, Queens, NY)

Source: General Services Administration (GSA). | GAO-23-106139

Both the Design Excellence Program and Art in Architecture Program follow three-phase processes to select a firm or artist and approve a final design. For each program, GSA: (1) develops a solicitation that includes the project's requirements and evaluation criteria, such as past experience; (2) identifies a short list of qualified applicants and then a final awardee; and (3) collaborates with the awardee to identify an appropriate design for the project. In addition, both programs rely on the use of selection panels comprised of GSA officials, industry representatives, and others to review applications and designs.

While GSA recognizes the value of community engagement in its Design Excellence Manual, it does not require community input on building design. For example, the Design Excellence Manual identifies coordinating planning and design decisions with the local community as a goal. However, the Design Excellence Manual does not require the commissioned architect to obtain and consider community input on building design. GSA officials said they did not want to be prescriptive regarding how architects should obtain and consider community input on building design because project circumstances vary and the architect is the design expert. However, GSA could establish community input requirements that still give architects the latitude to decide whether and how to integrate the input. Having such requirements would help GSA achieve its objectives of integrating buildings into the local community and incorporating regional architectural traditions. In addition, collecting such input could reduce the potential for schedule overruns due to local opposition to building designs.

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Abbreviations

FMR Federal Management Regulation
GSAM General Services Acquisition Manual
GSA General Services Administration
NEPA National Environmental Policy Act

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June 9, 2023

The Honorable Sam Graves
Chairman
The Honorable Rick Larsen
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

In 1994, the General Services Administration (GSA) instituted the Design Excellence Program to select architects and engineers to design new federal buildings as well as modernize existing buildings. Since the program's inception, GSA has commissioned designs for 153 buildings. The program stresses creativity in building design, with the intent of constructing spaces that meet the tenant agency's needs while also becoming public landmarks. The program also aims to meet several longstanding principles—called the Guiding Principles for Federal Architecture—which include constructing buildings in consultation with local governments and avoiding an official architectural style for federal buildings.¹ GSA also administers the Art in Architecture Program, through which it commissions site-specific artwork for new buildings or building modernizations.

Two executive orders issued in 2020 (now rescinded) directed GSA to change its approach to the Design Excellence Program and Art in Architecture Program. Specifically, these orders critiqued specific architecture and artistic styles and directed GSA to promote more traditional styles for federal buildings and federally commissioned art.² Although rescinded, the executive orders led to debates about the merits of various architectural styles and the role of the local community in the Design Excellence Program process.

You asked us to review issues regarding the Design Excellence Program and Arts in Architecture Program. This report (1) describes the requirements and guidance that govern the Design Excellence Program and the Art in Architecture Program, (2) describes GSA's processes for

¹The Guiding Principles for Federal Architecture were part of the report to the president from the Ad Hoc Committee on Federal Office Space, June 1, 1962.

²Exec. Order No. 13967, 85 Fed. Reg. 83,739 (Dec. 18, 2020); Exec. Order No. 13934, 85 Fed. Reg. 41,165 (July 3, 2020).

designing new federal buildings and renovations under the Design Excellence Program and commissioning art installations under the Art in Architecture Program, and (3) assesses the role of community input in the Design Excellence Program.

To describe the requirements and guidance that govern the Design Excellence Program and Art in Architecture Program, we identified and reviewed relevant executive orders, statutes, regulations, policies, and other relevant documentation. In addition, we interviewed GSA officials.

To describe GSA's processes for designing new federal buildings and renovations under the Design Excellence Program and commissioning art installations under the Art in Architecture Program, we reviewed applicable GSA policies and guidance, including the Design and Construction Excellence Policies and Procedures (which we refer to as the Design Excellence Manual). We also interviewed GSA headquarters and regional officials as well as members of the American Institute of Architects³ and the National Organization of Minority Architects.⁴

To assess the role of community input in the Design Excellence Program, we reviewed GSA policy and guidance. We then evaluated the extent to which GSA has developed policies regarding community input against the *Standards for Internal Control in the Federal Government*.⁵ We specifically assessed the Guiding Principles for Federal Architecture, the Design Excellence Manual, and GSA's 2022 Equity Action Plan against internal controls related to designing control activities to achieve objectives and respond to risks and maintaining two-way communication with external parties to obtain quality information to achieve objectives.

In addition, we interviewed GSA officials and reviewed relevant documentation from a non-generalizable set of three GSA regions to understand the extent to which regions have their own processes to gather community input when carrying out projects under the Design Excellence Program. To identify the three GSA regions, we reviewed news articles regarding community involvement in Design Excellence

³The American Institute of Architects provides resources to and advocates on behalf of architects.

⁴The National Organization of Minority Architect's mission includes acting as a platform for members to address issues of race and discrimination within their local communities.

⁵GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 2014).

Program projects, received recommendations from GSA for projects that experienced significant community input, and reviewed GSA data on Design Excellence Program projects. We used the data to select GSA regions that accounted for 40 percent of total Design Excellence Program projects, had completed a project within the last 10 years, and were geographically dispersed. We also reviewed requirements for community input in the National Environmental Policy Act and Section 106 of the National Historic Preservation Act.

We conducted this performance audit from July 2022 to June 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

The federal government is the largest real property owner in the United States. For fiscal year 2023, GSA was appropriated hundreds of millions of dollars for construction, repairs, and alterations to existing federal buildings.⁶ Federally owned buildings include courthouses, offices, warehouses, hospitals, housing, data centers, and laboratories. GSA acts as the federal government's landlord and is responsible for commissioning the design and construction of many of the federal buildings that are occupied by federal agencies and the federal judiciary.

In 1994, GSA established the Design Excellence Program in response to criticisms that federal buildings lacked architectural distinction. The intent of the program is to ensure the development of exceptional public buildings that can serve as landmarks. The Design Excellence Program emphasizes that building design should flow from the expertise of the architectural profession. In 1972, GSA established the Art in Architecture Program, intended to fulfill the goal of integrating art and architecture in federal buildings where appropriate. Both the Design Excellence Program and the Art in Architecture Program are based on the Guiding Principles for Federal Architecture, which were included in a 1962 report to

⁶Major construction projects consist of construction and modernization projects with a minimum cost of \$20 million. GSA's fiscal year 2023 enacted budget included \$807.8 million for new construction and \$244.8 million for major repairs and alterations. Consolidated Appropriations Act, 2023, tit. V, Pub. L. No. 117-328 (2022).

President Kennedy that identified the space needs of the federal government.

Keeping with the Design Excellence Program's goal of developing buildings that become public landmarks, GSA has commissioned buildings representing a wide variety of architectural styles (see fig. 1).

Figure 1: Examples of Design Excellence Program Buildings



Nathaniel R. Jones Federal Building and Courthouse, 2002, Youngstown, OH



John M. Roll Courthouse, 2013, Yuma, AZ



United States District Courthouse, 2020, Mobile, AL

Source: General Services Administration. | GAO-23-106139

The Art in Architecture Program has commissioned a wide range of artwork, including paintings, sculptures, and landscape art (see fig. 2).⁷

Figure 2: Examples of Art in Architecture Program Commissions



Flamingo, 1974 (John C. Kluczynski Federal Building, Chicago, IL)



The Robes of Justitia, 2021 (Fred D. Thompson Federal Building and US Courthouse, Nashville, TN)



Community, 1989 (Joseph P. Addabbo Federal Building, Queens, NY)

Source: General Services Administration. | GAO-23-106139

⁷The funding for each Art in Architecture project is at least 0.5 percent of the building project's total estimated construction cost.

GSA's Public Buildings Service is responsible for the construction of federal properties nationwide and administers the Design Excellence Program. Public Buildings Service staff are located in GSA's headquarters and 11 regional offices and lead and participate in all Design Excellence Program projects. The Public Buildings Service also establishes standards and criteria for the programming, design, and documentation of GSA buildings. The Design Excellence Program project manager is also responsible for the accompanying Art in Architecture Program project and coordinating with other regional staff, including the regional fine arts officer, and national staff from the GSA Center for Fine Arts.⁸

The Design Excellence Program and Art in Architecture Program occur within the larger construction process overseen by GSA. Hiring a firm to design a building or renovation is one part of a multi-step process. Specifically, construction projects consist of: (1) site selection, in which GSA identifies an appropriate location for the new building or renovation; (2) design, which consists of developing a building design through the Design Excellence Program; and (3) construction, in which the building is constructed.⁹ The Art in Architecture Program process starts after GSA approves an architect for the related construction project.

A variety of laws and regulations may apply to building projects managed by GSA. The National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (Section 106) include requirements for community input. Specifically, NEPA and its implementing regulations require that federal agencies provide information about the environmental impacts of any major proposed federal action that significantly affects the quality of the human environment.¹⁰ This process provides certain opportunities for public input on proposed actions. In addition, Section 106 and its implementing regulations require federal agencies to identify and assess the effects its

⁸The Center for Fine Arts is located within GSA's Office of Design and Construction.

⁹While not specifically part of the Design Excellence Program process, the site selection phase of projects can impact a project's success. Specifically, in that phase, GSA selects sites that contribute to improving the quality of life in local communities, including by providing open public space.

¹⁰The human environment is interpreted comprehensively to include the natural and physical environment and the relationship of people to that environment (40 C.F.R. § 1508.1(m)). The effects analyzed under NEPA include ecological, aesthetic, historic, cultural, economic, social, or health (40 C.F.R. § 1508.1(g)).

actions may have on historic property, and agencies must consider public views and concerns as a part of this process.

Neither Program Is Governed by Statute, but Both Have Been Subject to Executive Orders

GSA's Design Excellence Program Is Governed by Agency Policy

The requirements for GSA's Design Excellence Program are included in GSA's Design Excellence Manual; there are no specific requirements for the program in statute or regulation.¹¹ Specifically, the Design Excellence Manual describes the phases of the Design Excellence Program, assigns responsibilities to various GSA offices, and specifies the criteria to be considered when selecting an awardee and a final design concept.¹² GSA developed the Design Excellence Manual to help meet the goals of the Guiding Principles for Federal Architecture, including avoiding a national architectural style.

GSA's Art in Architecture Program Is Governed by Regulation and Agency Policy

Unlike the Design Excellence Program, the Art in Architecture Program does have some requirements formalized in GSA regulation.¹³ Among those are requirements for GSA to (1) seek the support and involvement of local citizens when commissioning art, (2) ensure that commissions reflect national, regional, or local cultural heritages and (3) emphasize the work of living American artists, including those in underserved communities.¹⁴ While the Design Excellence Manual references the Art in

¹¹While the Design Excellence Program does not specifically reference statute or regulation, it does align with the Brooks Act of 1972, which requires that the federal government select engineering and architecture firms based upon their competency, qualifications and experience rather than by price. Pub. L. No. 92-582, § 901-904, 86 Stat. 1278-79, codified at 40 U.S.C. § 1101; 36 C.F.R. §36.6; General Services Acquisition Manual (GSAM), Subpart 536.6.

¹²The phases of and criteria used for the Design Excellence Program are discussed later in this report.

¹³The Art in Architecture Program regulations are located in 41 C.F.R. §§ 102-77.

¹⁴41 C.F.R. §§ 102-77.15; 102-77.25. In addition, the regulations also describe how GSA should fund Art in Architecture projects and state that GSA should ensure the participation of a large, diverse, and equitable group of artists representing a wide variety of types of visual art in Art in Architecture commissions.

Architecture Program, the Art in Architecture Policies and Procedures—a separate Art in Architecture Program policy document—describes program requirements.¹⁵

Both Programs Have Been Subject to Executive Orders

While there are currently no executive orders that directly affect the requirements of the Design Excellence Program or Art in Architecture Program, in 2020 both programs were subject to executive orders that have since been rescinded.

Executive Order 13967 directed GSA to make traditional and classical architecture the preferred style of the Design Excellence Program.¹⁶ The executive order critiqued GSA’s use of designs, stating that, “under the Design Excellence Program, GSA has often selected designs by prominent architects with little regard for local input or regional aesthetic preferences. The resulting Federal architecture sometimes impresses the architectural elite, but not the American people who the buildings are meant to serve.”

The executive order was in effect from December 2020 to February 2021.¹⁷ GSA officials noted that since the order was in place for a short time period, it only affected one Design Excellence Program solicitation: a courthouse in Fort Lauderdale, Florida. However, they also stated that because the language of the executive order still allowed for some flexibility in the design selection, the final design for the courthouse was not in the classical architectural style.

With respect to the Art in Architecture Program, Executive Order 13934 was issued in July 2020.¹⁸ This Order required GSA to modify its Art in Architecture Program regulations to prioritize works of art that portray historically significant Americans, events of historical significance, or the ideals upon which the nation was founded. It further required that historically significant Americans not be portrayed in an abstract or

¹⁵GSAM Subpart 536.70 serves as a source for some of the requirements articulated in the Art in Architecture policy document.

¹⁶Exec. Order No. 13967, 85 Fed. Reg. 83,739 (Dec. 18, 2020).

¹⁷Exec. Order No. 14018, 86 Fed. Reg. 11,855 (Feb. 24, 2021).

¹⁸Exec. Order No. 13934, 85 Fed. Reg. 41,165 (July 3, 2020).

modernist style. GSA modified the regulations in September 2020.¹⁹ The executive order was rescinded in May 2021, and the regulatory changes required by that executive order were rescinded in January 2022.²⁰

GSA officials said that Executive Order 13967 and subsequent regulatory changes affected one ongoing Art in Architecture project. GSA officials told us that the selected artist agreed to develop an installation that adhered to the requirement that art should illustrate the ideals upon which the nation was founded.

Neither program currently includes preferences for specific styles for architecture or art. However, while the Design Excellence Program aims to meet the goals of the Guiding Principles for Federal Architecture, GSA officials noted that since the program is administered according to GSA policy, it is subject to requirements issued through executive orders or directives from GSA leadership. According to officials, style preferences (whether established in an executive order or by GSA leadership) could conflict with the Guiding Principles for Federal Architecture's guideline to avoid an official architectural style for federal buildings.

For example, GSA officials noted that, while the wording of Executive Order 13967 left GSA with some discretion related to buildings' architectural style, it is possible that future executive orders may not afford GSA the same flexibility. In such a case, GSA officials noted that GSA might have to preference specific architectural styles. GSA officials said they would be supportive of codifying the Guiding Principles for Federal Architecture in statute or regulation, which would ensure that federal building projects would not preference specific architectural styles. In addition, GSA officials who oversee historic preservation reviews said it is possible that a future executive order could complicate the agency's processes to comply with Section 106 of the National Historic Preservation Act and its implementing regulations as well as with the Secretary of the Interior's Standards for Treatment of Historic Properties and the guidelines for their implementation. For example, officials noted that executive orders mandating certain architectural styles might conflict with the standards and guidelines which call for new buildings to be

¹⁹Federal Management Regulation (FMR); Art in Architecture, 85 Fed. Reg. 60,383 (Sept. 25, 2020).

²⁰Exec. Order No. 14029, 86 Fed. Reg. 27,025 (May 14, 2021); FMR; Art in Architecture, 87 Fed. Reg. 5,711 (Jan. 31, 2022).

compatible with, although not mimic, the historic styles of the surrounding buildings.²¹

Further, GSA officials explained that even without executive orders, GSA leadership has the discretion to include style preferences in solicitations. For example, prior to Executive Order 13967, GSA released a solicitation for a courthouse in Huntsville, Alabama, which indicated the proposed style for the building should be classical. GSA officials told us the agency decided to include this language in the solicitation because the customers for this project—the judges at the courthouse—expressed their preference for the classical style, and GSA leadership agreed.

GSA Uses a Three-Phase Process for Both Programs, Leading to the Selection of a Firm or Artist Who Then Proposes a Final Design

Both the Design Excellence Program and the Art in Architecture Program follow iterative processes in which private sector experts and GSA officials work collaboratively with firms and artists, with the goal of arriving at the best possible project design. Both programs follow a three-phase process for selecting a firm or artist and a final design: Solicitation, Awardee Selection, and Concept Development.²² According to GSA, the Guiding Principles for Federal Architecture inform both programs, and together, contribute to GSA’s goals of enhancing civic meaning and creating a lasting cultural legacy within American public architecture.

Design Excellence Program

The Design Excellence Manual outlines the three-phase process that GSA uses to select a final building design.²³ Officials said they follow the

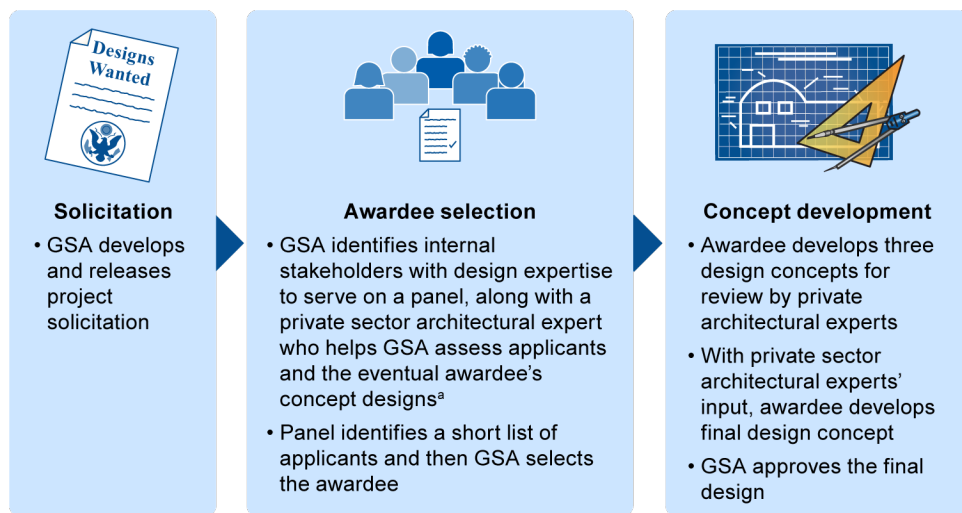
²¹See specifically the Standards for Rehabilitation in CFR part 36, section 68.3(b). The standards and guidelines also call for the new work to be differentiated from the old and to be compatible with historic materials, features, size, scale, proportion, and massing of the surrounding buildings.

²²We grouped the Design Excellence Program and Art in Architecture Program processes into these three phases to facilitate description of the process for each program. GSA releases solicitations for Design Excellence Program and Art in Architecture Program projects on SAM.gov.

²³The Design Excellence Manual provides a detailed, step-by-step explanation of the Design Excellence process. Federal Acquisition Regulations part 36 (48 C.F.R. Part 36) and GSAM part 536 provide additional requirements related to the solicitation and acquisition process.

Design Excellence Manual for all Design Excellence Program projects. The key requirements for each phase are discussed below (see fig. 3).²⁴

Figure 3: Three Phases of GSA's Design Excellence Program



Source: GAO analysis of the General Services Administration's (GSA) Design and Construction Excellence Policies and Procedures. | GAO-23-106139

^aThe five panel members are: (1) a regional GSA architect or design professional; (2) a regional GSA engineer; (3) a design professional from the Office of the Chief Architect; (4) a private sector expert; (5) and a tenant agency representative.

Solicitation Phase

GSA releases a project solicitation that describes the goals of the Design Excellence Program; the standardized criteria applicants will be evaluated against (see fig. 4); and project-specific requirements, such as building location, tenant agency, and building use.

Awardee Selection Phase





A GSA panel identifies a short list of applicants and then provides the rank-ordered short list to the GSA Regional Commissioner, who selects the final awardee.²⁵ GSA appoints a five-member panel (see fig. 3), which includes a private sector architectural expert chosen from the GSA National Register of Peer Professionals to provide an expert perspective

²⁴Our summary of the process is based on our review of the Design Excellence Manual.

²⁵This report focuses on the two-stage applicant review, which is GSA's most common method for selecting a design firm. The Design Excellence Manual also provides variations on this process, which include additional opportunities for evaluating firms' visions for a project. In certain circumstances, GSA may pursue a design-build process to contract one firm for both design and construction. 48 C.F.R. subpart 36.3.

when assessing applicants.²⁶ To select the short list, each panel member considers the applicants' materials and scores each applicant on a numeric scale across the four criteria described in the solicitation (see fig. 4). Each of the criteria is assigned a specified weight, ranging from 15 percent to 35 percent. Members then share their scores with one another and identify at least three applicants that advance to the short list.

Figure 4: GSA's Criteria for Selecting a Short list of Applicants for the Design Excellence Program

Criteria	Weight	Key points
Past performance on design	35% 	<ul style="list-style-type: none"> Panel reviews five examples, provided by the applicant, of similar past projects, including information on physical location, social context, site strategies, regional design and character, environmental factors, cost, and schedule Past projects should demonstrate creativity, clear design approaches, and sensitivity to context
Lead designer portfolio	25% 	<ul style="list-style-type: none"> Lead designer's portfolio should demonstrate appropriate responses to past client needs, site conditions, local community, regional character, and sustainable performance Lead designer's portfolio demonstrates leadership that aligns with the Guiding Principles for Federal Architecture, including cooperation with local governments
Philosophy and design intent	25% 	<ul style="list-style-type: none"> Panel reviews applicant's statement of philosophy and design intent for the project, which should demonstrate passion for the project goals and the Guiding Principles for Federal Architecture, such as a commitment to the importance of regional architectural traditions
Lead designer profile	15% 	<ul style="list-style-type: none"> Panel assesses whether the lead designer's prior education and work experiences fit the project's scope and complexity





Source: GAO analysis of the General Services Administration's (GSA) Design and Construction Excellence Policies and Procedures. | GAO-23-106139

²⁶The GSA National Registry of Peer Professionals are architectural experts that GSA appoints as peers. According to GSA officials, GSA appoints a group of peers, referred to as a class, every 2 years. Any private sector architectural expert may nominate themselves for consideration; GSA also asks GSA regional staff and subject matter experts for nominations. The makeup of the class depends on the types of projects that GSA has planned over the upcoming 2-year period and ensures representation from various geographic areas, disciplines, and industry trends.

According to the Design Excellence Manual, after developing the short list, the panel reviews additional information provided by each remaining applicant on a standardized form, including the relevant experiences and qualifications of individual team members. The panel also conducts interviews with each shortlisted applicant. Both the standardized form and interview present opportunities for the panel to clarify the shortlisted applicants' leadership qualities and commitment to the Guiding Principles for Federal Architecture.

Per the Design Excellence Manual, each panel member then scores the shortlisted applicants across four different criteria (see fig. 5), using a numeric scale. Each criterion is assigned a specified weight, ranging from 5 percent to 50 percent. Panel members share their scores with one another, discuss, and develop a rank-ordered list of at least three applicants. According to GSA officials, the panel provides the rank-ordered list to the applicable GSA Regional Commissioner, who reviews the applicants and relevant project documentation to ensure the Design Excellence Program procedures were followed. The GSA Regional Commissioner then selects a final awardee.

Figure 5: GSA's Criteria for Selecting a Final Awardee for the Design Excellence Program

Criteria	Weight	Key points
Design performance	50% 	<ul style="list-style-type: none"> Panel reviews portfolio narratives to understand past project challenges and implemented solutions Panel confirms that the applicant has experience with key topics including: community context, design image, function, sustainability, and team organization
Management plan	30% 	<ul style="list-style-type: none"> Plan submitted by applicant identifies key roles, external and internal lines of communication, plans for client and community integration, and plans for quality and cost control
Professional qualifications	15% 	<ul style="list-style-type: none"> Panel assesses whether key team members have relevant qualifications and experience to manage and carry out the project
Geographic location	5% 	<ul style="list-style-type: none"> Applicant has shown that at least 35% of contract services will occur within project-specific geographic boundaries

Source: GAO analysis of the General Services Administration's (GSA) Design and Construction Excellence Policies and Procedures. | GAO-23-106139

Concept Development Phase

According to the Design Excellence Manual, in the final phase of the process, the awardee develops three potential designs. Three private sector architectural experts then provide feedback on whether the potential designs will meet budget constraints and align with GSA's objectives and tenant agency needs.²⁷ The awardee incorporates this feedback into a final design concept and presents it to the Commissioner of the Public Buildings Service for approval. This presentation serves as a final opportunity to verify that the design concept meets Design

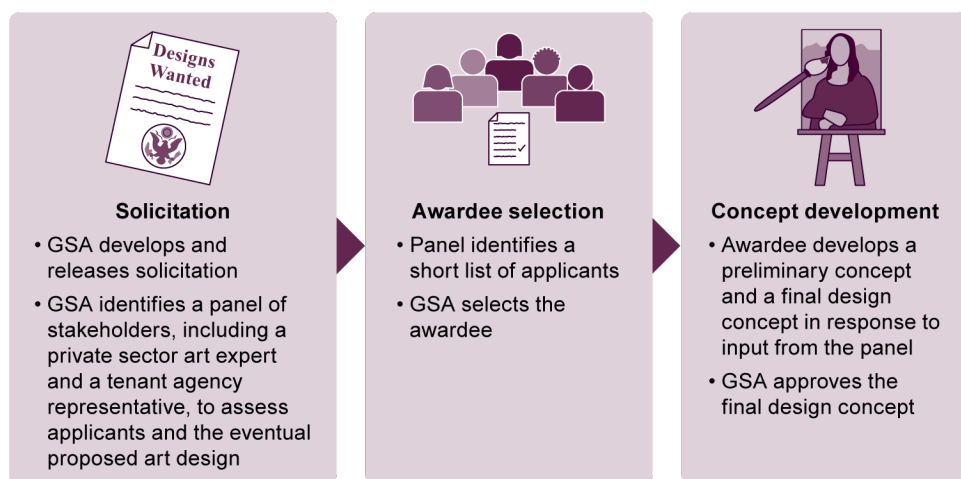
²⁷According to GSA officials, after Awardee Selection, typically, two additional private sector experts that GSA selects from the National Registry of Peer Professionals join the private sector expert who served on the earlier panel to review design concepts. Other reviewers may provide feedback at this stage as well, including GSA Central Office subject matter experts, who review and comment on all the design disciplines, including architecture, landscape architecture, mechanical engineering, and others.

Excellence Program objectives and the Guiding Principles for Federal Architecture.

Art in Architecture Program

To commission artwork for federal buildings, the Art in Architecture Program uses a three-phase process.²⁸ The key program requirements for each phase, according to Art and Architecture Program policy, are discussed below (see fig. 6).

Figure 6: Three Phases of GSA's Art in Architecture Program



Source: GAO analysis of the General Services Administration's (GSA) Art in Architecture Policies and Procedures and the GSA Acquisition Manual. | GAO-23-106139

Note: The Art in Architecture process starts after GSA approves an architect for a construction project.

Solicitation Phase

The Art in Architecture process starts after GSA approves an architect for the related construction project. GSA develops a solicitation that provides a general description of the Art in Architecture project, including information about the location and purpose of the project, the standardized criteria that applicants will be evaluated against, as well as information on the related construction project. Like the Design Excellence Program, GSA selects a panel to identify Art in Architecture

²⁸The Art in Architecture Policies and Procedures document provides a detailed, step-by-step guide for the Art in Architecture process. GSAM subpart 536.70 provides additional requirements related to the solicitation and acquisition process.

Program awardees and each awardee’s design.²⁹ Unlike the Design Excellence Program, the panel includes a representative from the local community.

Awardee Selection Phase

The panel identifies a short list of artists from those that applied, and according to GSA officials, each panelist creates their own rank-ordered list, taking into account the standardized evaluation criteria (see fig. 7). To select the final awardee, GSA’s Art in Architecture Program evaluation board, which includes the project manager and the Regional Fine Arts Officer, reviews the shortlisted artists using the same criteria applied by the panel and considering the panelists’ comments. In some cases, the evaluation board may also request oral presentations from the applicants. The board then recommends an awardee to GSA’s Chief Architect. After reviewing the recommendation and associated documentation to ensure that the Art in Architecture Program process has been followed, the Chief Architect approves the awardee recommendation.

Figure 7: GSA’s Criteria for Selecting a Short list and Final Awardee for the Art in Architecture Program

Criteria	Key points
Experience	Scale, range, and complexity, including media, materials, content, style, budget, and market value, of the artist’s work
Past performance	Previous work on contracts with government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules
Capacity	Ability to accomplish work in the required time frame
Overall approach	Evaluation of a brief written statement of an overall approach to the project
Total evaluated price	Price for the design, development, fabrication, and installation of the artwork

Source: GAO analysis of General Services Administration’s (GSA) Acquisition Manual. | GAO-23-106139

Concept Development Phase

According to the Art in Architecture policy, the artist develops a preliminary concept consisting of drawings, digital renderings, or other models as applicable, plus narrative materials that convey the design’s meaning and relationship to the building. To facilitate this process, GSA may coordinate a site visit for the selected artist to the project’s location

²⁹The panel includes: (1) the GSA Regional Administrator’s designee—typically the Regional Fine Arts Officer; (2) a tenant agency representative; (3) the architecture/engineering designer selected for the building Design Excellence Program project; (4) a private-sector art expert selected from the GSA National Register of Peer Professionals; (5) an art professional from the city, state, or geographic region of the building project; (6) the GSA Art in Architecture project manager; and (7) a representative of the community (such as a local official, elected official, or a member of a local civic organization).

and a meeting with the representatives of the tenant agency, GSA, and the architect. GSA staff review the preliminary concept to ensure it adheres to the Art in Architecture Program's goal of integrating art into the building's designs. The panel also reviews the preliminary concept and provides input to the artist.

The artist then develops and presents the final design concept to the same panel that reviewed the applicants. The presentation includes drawings, models, and written narratives as necessary to convey the concept. The panel then offers its recommendations to GSA on whether fabrication and installation of the artwork should proceed. GSA incorporates the panel's comments into a memorandum seeking approval of the artist's final design concept and forwards it to the Chief Architect. The Chief Architect reviews the recommendations, ensures that the art installation can be completed within the required budget, and grants final approval.

GSA Does Not Require Design Excellence Program Architects to Obtain and Consider Community Input on Their Projects

GSA's Design Excellence Manual does not require awarded architects to obtain and consider community input for their projects, despite community input featuring in aspects of the Design Excellence Program's goals and selection criteria. For example, the coordination of planning and design decisions with local community goals is one of the eight goals of the Design Excellence Program. Coordinating with local communities also aligns with broader GSA initiatives, such as GSA's 2022 Equity Action Plan, which notes the importance of engaging with the local community and diverse stakeholders on federal building projects. GSA officials told us that GSA views community input on building design as important in the design of federal buildings. GSA officials explained that building design encompasses various considerations, such as building siting, sidewalk setbacks, and architectural style. The Design Excellence Manual states that projects should seek to realize the Guiding Principles for Federal Architecture, including that specific attention should be paid to incorporating the regional architectural traditions of the part of the nation in which the buildings will be located if possible.

In addition, GSA's criteria for selecting applicants and awardees for Design Excellence Program projects include aspects related to community engagement. Specifically, when selecting a short list of applicants for a project, panelists must consider whether applicants demonstrate a commitment to stakeholder engagement. Further, when selecting a final awardee, panelists must consider, among other things, whether the applicant has demonstrated the capacity to collect and integrate community and client input.

Standards for Internal Control in the Federal Government state that management should design policies and procedures, such as the Design Excellence Manual, to achieve objectives and respond to risks.³⁰ While the Design Excellence Manual identifies a goal for coordinating planning and design decisions with local community goals, the Design Excellence Manual does not require architects to obtain and consider community input. In addition, GSA officials told us that the contract language for Design Excellence Program projects generally does not specify requirements for the architect to obtain and consider community input on building design. Officials also stated that applicants may outline their plans regarding community input when applying for Design Excellence Program projects, but GSA does not verify whether awardees follow their respective plans.

GSA officials provided several explanations as to why the Design Excellence Manual does not require architects to obtain and consider community input on building design for Design Excellence Program projects:

- GSA officials stated that they believe architects are already sufficiently motivated to obtain and consider community input on building design, such as on architectural style, because doing so helps ensure their buildings are well-received by the community.

However, a 2022 non-generalizable survey commissioned by GSA suggests that architects often do not obtain community input, particularly when it is not required.³¹ Specifically, only 45 of the 205 surveyed architects reported seeking community input beyond mandated requirements (e.g., historic preservation reviews) on 50 percent or more of their projects. While the survey was not limited to architects who had completed Design Excellence Program projects, it does indicate that architects may not collect community input, particularly when not required to do so. When asked, GSA officials said that GSA has not commissioned a survey to understand the community input practices of Design Excellence Program architects specifically.

³⁰[GAO-14-704G](#).

³¹The Dodge Construction Network performed the survey commissioned by GSA. Dodge Construction Network. *SmartMarket Report: Diversity, Equity And Inclusion In Design And Construction*. Bedford, MA 2022.

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- GSA officials stated that communities can provide input on certain design aspects through other processes that occur outside of the Design Excellence Program. Specifically, GSA's Collaborative Design Process states that GSA should seek input from local officials and stakeholders on building design prior to and, at times, during the design phase of building projects.³² GSA officials also said that NEPA and historic preservation reviews required under Section 106 processes provide opportunities for community input. GSA officials said they convey this input to the architect.

However, while the Collaborative Design Process provides some opportunity for community input on building projects, GSA officials said that this input tends to concern adherence to local zoning regarding building setbacks, sidewalk dimensions, and other standards, not architectural style, a key element of building design. These officials said that the NEPA and historic preservation reviews also focus on building design issues such as traffic, noise, lighting, and building siting, not architectural style. Additionally, historic preservation reviews only apply to historic buildings or buildings in historic districts.

- GSA officials stated that they do not want to be prescriptive regarding how architects should obtain and integrate community input on building design because the circumstances of each project vary. Officials related that community input is only one of many factors (such as security or tenant agency needs) that architects should consider for building design. GSA officials raised particular concerns that it may be difficult to obtain consensus from the community on the architectural style of the building. They also stated that the Guiding Principles for Federal Architecture make it clear that building design should flow from the architectural profession to the government and not vice versa, and that the Design Excellence Program confirms the architect's central role in building design.

However, while the Design Excellence Manual and the Guiding Principles for Federal Architecture make clear the architect's central role in the Design Excellence Program, this does not preclude identifying requirements in the Design Excellence Manual for architects to obtain and consider community input. Such requirements could provide architects the latitude to consider the input as appropriate, while still being consistent with the Guiding Principles for

³²The Collaborative Design Process is described in GSA's P100: Facilities Standards for the Public Buildings Service which, establishes standards and criteria, such as for storm water management and fire safety, for GSA's owned and lease facilities.

Federal Architecture by avoiding style dictates from the federal government. For example, while the American Institute of Architects issued resources to architects stressing the importance of including the community when designing a building, it also notes that architects should be clear with communities regarding how and the extent to which their input will influence building design, including the aesthetics, scale, historical context and other aspects of a building's "look."³³

Standards for Internal Control in the Federal Government note the importance of open, two-way communication with external parties to achieve entities' objectives.³⁴ Without clear requirements in the Design Excellence Manual, architects and GSA may not always pursue the two-way communications needed to obtain and consider community input. In turn, not engaging in two-way communications can increase the risk that Design Excellence Program projects do not achieve GSA's objectives of integrating buildings into the local community and incorporating regional architectural traditions, and can result in situations in which building designs need to be revised. For example, after an architect created a design for a courthouse in Savannah, Georgia, the city's historic society raised concerns about the architectural style of the building, including that the building did not reflect regional architectural traditions. These concerns led to an extensive re-design of the building which, according to GSA, was well received by local preservation groups. One group that provided input on the building design also told us that they appreciated the re-design. However, according to GSA, the re-design led to a subsequent delay in completing the project.

In addition, in the absence of defined community input requirements, GSA regions vary in the extent to which they require architects to obtain and consider community input. We spoke to officials from three GSA regions, and officials from two regions said their regions did not require outreach beyond that conducted under NEPA, the Section 106 historic preservation process, and the Collaborative Design Process. In contrast, officials from the third region told us they require architects to conduct community outreach on building design. Officials from that region acknowledged they were not required to ensure this outreach, but said they consider consultation with the community to be an integral part of design. As a

³³American Institute of Architects, *AIA Framework for Design Excellence* (Washington, D.C.); American Institute of Architects, *Architect's Role in Creating Equitable Communities*, (Washington, D.C. Sept. 2022).

³⁴[GAO-14-704G](#).

result, some communities may have an opportunity to provide input, while others may not.

By giving communities an opportunity to provide input on building designs, GSA could also help allay concerns that the federal government is constructing buildings that are unpopular with local communities. As previously noted, Executive Order 13967 (now rescinded) cited concerns about the architectural style of several federal buildings in order to claim that while the architectural community approved of the buildings, local communities did not. Requiring that community input on building design, including on architectural style, is obtained, considered, and integrated—as appropriate and when possible given project conditions—could better position GSA to achieve its objectives of ensuring federal buildings integrate into local communities, improving local communities’ experiences with federal buildings, engaging with diverse communities, and incorporating regional architectural traditions. In addition, collecting such input could reduce the potential for schedule overruns due to local opposition to building designs.

Conclusions

In fiscal year 2023, GSA received hundreds of millions of dollars for construction projects, including for contracts with architects for the design of those buildings. GSA intends the buildings to fulfill the tenant agency’s mission needs while also becoming public landmarks that showcase regional architectural traditions and integrate into the local community, leveraging the expertise of the architectural profession to do so. Yet, while GSA’s process for selecting applicants and awardees considers an architect’s capacity to collect and integrate community input into building design, GSA’s Design Excellence Manual does not require awardees to obtain and consider such input. By implementing requirements for architects to obtain and consider community input on building design, including architectural style, GSA can ensure that all communities have an opportunity to share their views, while still allowing architects to use their expertise and judgement on how to incorporate that input. Further, obtaining and considering community input could help GSA achieve related goals, including ensuring federal buildings integrate into local communities and improving communities’ experiences with federal buildings.

Recommendation for Executive Action

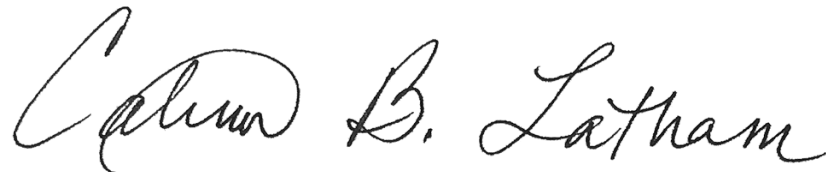
The Administrator of the General Services Administration should ensure that the Commissioner of the Public Buildings Service updates the Design Excellence Manual to include requirements for obtaining and considering community input on building design, including architectural style. (Recommendation 1)

Agency Comments

We provided a draft of this report to GSA for review and comment. We received written comments from GSA that are reprinted in appendix I. GSA concurred with the recommendation and said it would develop a plan to address it.

We are sending copies of this report to the appropriate congressional committees, the Administrator of the General Services Administration, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-2834 or lathamc@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix II.



Catina Latham
Director, Physical Infrastructure Issues

Appendix I: Comments from the General Services Administration

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The Administrator

May 22, 2023

The Honorable Gene L. Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, N.W.
Washington, DC 20548

Dear Mr. Dodaro:

The U.S. General Services Administration (GSA) appreciates the opportunity to review and comment on the U.S. Government Accountability Office's (GAO) draft report, *FEDERAL REAL PROPERTY: GSA Should Include Community Input Requirements to Help Fulfill Design Excellence Program Goals* (GAO-23-106139).

GAO made the following recommendation to GSA:

The Administrator of the General Services Administration should ensure that the Commissioner of the Public Buildings Service updates the Design Excellence Manual to include requirements for obtaining and considering community input on building design, including architectural style.

GSA agrees with GAO's finding and will develop a plan to address this recommendation.

If you have any questions or concerns, please contact me at (202) 929-7277 or Gianelle Rivera, Associate Administrator, Office of Congressional and Intergovernmental Affairs, at (202) 501-0563.

Sincerely,

A handwritten signature in blue ink that reads "Robin Carnahan".

Robin Carnahan
Administrator

cc: Jill Naamane, Acting Director, Physical Infrastructure Issues, GAO

U.S. General Services Administration
1800 F Street NW
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Appendix II: GAO Contact and Staff Acknowledgements

GAO Contact

Catina Latham, (202) 512-2834 or lathamc@gao.gov

Staff Acknowledgements

In addition to the contacts named above, the following individuals made key contributions to this report: Crystal Huggins (Assistant Director); Ethan Levy (Analyst in Charge); Kamala Mullur; Lynn Filla-Clark; Alwynne Wilbur; Delwen Jones; Josh Ormond; Kelly Rubin; Christy Ley; Gabriel Jimenez-Barron; Emily Crofford; and Alicia Wilson.

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