

0110.03 Facility Leasing

Issued January 6, 1997

SUBJECT: Facility Leasing.

APPLICATION: Executive Branch Departments and Sub-units.

PURPOSE: To specify procedures for the procurement of space for State operations when State-owned facilities are not available.

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SUMMARY: Obtaining and leasing of space for executive branch departments is performed by DTMB, Facilities Administration, Real Estate Division. To initiate a request for lease services, an agency must furnish a Space Request Form, which details the program and space needs and requirements of the requesting agency.

A Space Request is also necessary for renewals, exercise of previously negotiated renewal options, relocations of an existing office to another equivalent location, seasonal or temporary space, emergencies, to obtain a waiver of Executive Directive 2003.22 which requires agencies to locate and consolidate with other agencies in downtown or central business districts of cities or villages, for additions, or renegotiated renewals or relocations due to programmatic reasons.

Other Applicable Regulations: Executive Order 2002-20 and, Rule 18.501 through 18.509 of the Administrative Code, Section 1E. 1221 of the Management and Budget Act 431 Of 1984 and Executive Directive 2007-9.

APPLICABLE FORMS: DMB Space Request Form

PROCEDURES:

Agency:

- Submit Space Request to Real Estate Division justifying need for leased space. Where necessary, the Design and Construction Division will contract for preparation of programs, plans and specifications.

Real Estate Division:

- Advise agency of existing state-owned or leased facilities.
- Seek potential locations through use of bidder's list and advertisement.
- Notify local units of government requesting recommendations of potential site locations and consult with local units of government.
- If existing building, verify suitability of space and site with agency. If new construction, verify suitability of vacant site(s).

Procedure 0110.03

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- Obtain land control where required.
- Submit plans and specifications to Design and Construction Division for review. (Note this step may take place before or after a lease is signed.)

Design and Construction Division:

- Review plans and specifications according to DTMB space standards. Submit recommendation to Real Estate Division.

Real Estate Division:

- Prepare and send out bid/proposal packages.
- Receive and review bids/proposals. Recommend bid/proposal to agency.

Agency

- Review bid/proposal recommendation and notify Real Estate of concurrence.

Real Estate Division:

- Prepare lease document. Obtain lessor and department signatures. Submit to the Department of Attorney General, State Operations Division, for review. If necessary, submits either notification or request for approval to Joint Capital Outlay Subcommittee (JCOS).

Attorney General:

- Review lease documents and approve as to legal form.

JCOS:

- Approve or reject lease, if required.

Real Estate Division:

- Submit recommendation for approval to State Administrative Board (SAB).

SAB:

- Approve or reject lease.

DTMB Director:

- Review and execute the lease.

Real Estate Division:

- Deliver executed lease to lessor and send copy to agency. Review and inspect space for compliance with lease.

Agency:

- Arrange for professional inspections of construction and/or remodeling through the Design and Construction Division. Take occupancy and make required lease payments. Handle day-to-day

maintenance problems with lessor. Inform Real Estate Division when lessor fails to abide by the provision of the lease.

Real Estate Division:

- Makes annual operating adjustments on leases and recommend payment of adjustments to agency.
- Amends, interprets, and takes required action under the terms of the lease. Manages lease occupancy problems.

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