

LEASE/LICENSE CHECKLIST

(Risk Mitigation and Policy Compliance)

All documentation relied upon to approve the transaction must be maintained in the campus project file. Authority to negotiate, approve and execute real estate related documents is subject to compliance with all UC policies and appropriate Delegations of Authority. Transaction authority and delegation links: http://www.ucop.edu/facil/resg/documents/authority_real_estate.pdf

CAMPUS: _____ USER DEPARTMENT/UNIT: _____

I. PREMISES/ADDRESS _____

II. THE REGENTS AS:

Tenant Subtenant Licensee Other (specify) _____
 Landlord Sublandlord Licensor

A. Initial Term _____

B. Option term(s) _____

C. Initial year consideration¹ _____

III. EVALUATION & AUTHORIZATION

| Check Done | Not Appl. | Date ² (mo/day/yr) |
|------------|-----------|-------------------------------|
|------------|-----------|-------------------------------|

A. FINANCIAL

- | | | | |
|---|--------------------------|--------------------------|-------|
| 1. Confirmation of budgetary authority to lease/license space ³ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Market evaluation/comparative property analysis prepared ⁴ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Screen for capital lease; if required, analysis completed/approved by RESG/OP ⁵ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. Any first refusal right/purchase option reviewed & approved by RESG/OP & OGC | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. Property tax exemption requested ⁶ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 6. Unrelated business income tax determination made and reported per BFB A-61. | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

B. PHYSICAL

- | | | | |
|--|--------------------------|--------------------------|-------|
| 1. Federal/state/local code compliance (as applicable) confirmed (Facilities Manual) | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Due diligence inspections completed | | | |
| a. Campus Fire Marshal review completed if applicable ⁷ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| b. EH&S review completed consistent with Facilities Manual | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| c. ADA review completed consistent with Facilities Manual | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Tenant Improvements (TIs): | | | |
| a. TI plans and specifications reviewed and approved per campus guidelines | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| b. Fixed/determinable cost estimate prepared and within approved budget | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| c. For new buildings, detailed definition of shell space reviewed and accepted | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

C. UC POLICY

- | | | | |
|---|--------------------------|--------------------------|-------|
| 1. Seismic policy compliance determined consistent with Lease Manual ⁸ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Campus Risk Management approval of form of indemnity and insurance | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Records retention requirements satisfied consistent with BFB RMP-2 | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

D. LEGAL REQUIREMENT/REVIEW

- | | | | |
|--|--------------------------|--------------------------|-------|
| 1. If UC does TIs, Public Contract Code compliance confirmed per Facilities Manual | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Lease/License on standard form or approved as to legal form by OGC as required ⁹ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. CEQA compliance affirmed ¹⁰ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

 Certification of Campus Official
 (with delegated lease/license approval authority)

 Date

¹ The amount payable to the Lessor/Licensor including operating expenses and amortizing any landlord concessions as effective rent.

² The date on which the item has been determined in compliance (form completed as appropriate) or not applicable to this transaction.

³ Appropriate campus form/letter documenting internal approval and budget for user on file.

⁴ Market Comparison Analysis consistent with Lease Manual requirements on file.

⁵ Applicable analysis performed for transactions >=15 yrs, with extensive Ties, or with favorable renewal or purchase options.

⁶ Request to acknowledge UC exemption as lessee/licensee filed with applicable County.

⁷ Premises and tenant improvements determined to conform to Campus Fire Marshall review (see Facilities Manual).

⁸ Seismic evaluation consistent with policy has been completed (see Lease Manual).

⁹ Required for any lease/license with annual consideration greater than \$500,000 in the initial year (as effective rent).

¹⁰ All appropriate CEQA documentation completed, approved and filed.