

# 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](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 consideration<sup>1</sup> \_\_\_\_\_

III. EVALUATION & AUTHORIZATION

Check Done	Not Appl.	Date <sup>2</sup> (mo/day/yr)
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A. FINANCIAL

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

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<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

B. PHYSICAL

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

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C. UC POLICY

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

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<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

D. LEGAL REQUIREMENT/REVIEW

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

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

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

\_\_\_\_\_  
 Date

<sup>1</sup> The amount payable to the Lessor/Licensor including operating expenses and amortizing any landlord concessions as effective rent.  
<sup>2</sup> The date on which the item has been determined in compliance (form completed as appropriate) or not applicable to this transaction.  
<sup>3</sup> Appropriate campus form/letter documenting internal approval and budget for user on file.  
<sup>4</sup> Market Comparison Analysis consistent with Lease Manual requirements on file.  
<sup>5</sup> Applicable analysis performed for transactions >=15 yrs. with extensive Ties, or with favorable renewal or purchase options.  
<sup>6</sup> Request to acknowledge UC exemption as lessee/licensee filed with applicable County.  
<sup>7</sup> Premises and tenant improvements determined to conform to Campus Fire Marshall review (see Facilities Manual).  
<sup>8</sup> Seismic evaluation consistent with policy has been completed (see Lease Manual).  
<sup>9</sup> Required for any lease/license with annual consideration greater than \$500,000 in the initial year (as effective rent).  
<sup>10</sup> All appropriate CEQA documentation completed, approved and filed.