



Item: AF: A-12

AUDIT AND FINANCE COMMITTEE
Monday, June 15, 2015

SUBJECT: REQUEST TO AMEND REGULATION 6.010 – LEASING OF OFF-CAMPUS FACILITIES

PROPOSED COMMITTEE ACTION

Recommend BOT approval of amendments to FAU Regulation 6.010, Leasing of Off-Campus Facilities.

BACKGROUND INFORMATION

FAU Regulation 6.010 implements the delegated authority received by the Board of Governors regarding the leasing of off-campus facilities. The proposed amendments update the regulation to reflect current Board of Governors requirements and remove out-of-date references and administrative practices in effect under the Board of Regents. The competitive solicitation requirement for the lease of off-campus space has been updated to 5,000 square feet (formerly 2,000 square feet). Exceptions to the competitive solicitation requirement and the measurement of leased space have been updated to comport with Board of Governors Regulation 17.001.

IMPLEMENTATION PLAN/DATE

If approved by the Board, the regulation will be amended and effective as of July 1, 2015.

FISCAL IMPLICATIONS

N/A

Supporting Documentation:	Text of proposed amended Regulation 6.010
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Florida Atlantic University

Regulation 6.010 Leasing of Off-Campus Facilities.

(1) **Purpose.** The purpose of this regulation is to implement the delegated authority received by the Board of Governors in accordance with Board of Governors Regulation 17.001.

(2) **Lease Approvals.** Before leasing a building or any part thereof, lease terms and conditions shall be reviewed as to form and legality by the University General Counsel's office and approved in accordance with University Regulation 6.002.

(3) **Fire Code Compliance.** Any privately-owned building to be leased by the University shall comply with the fire safety standards of the State Building Code. Before construction or renovation of any leased building is commenced, the University shall ascertain that the proposed construction or renovation plan complies with the fire safety standards of the State Building Code. Whenever the University determines that a construction or renovation plan is not in compliance with such fire safety standards, the University may issue an order to cease all construction or renovation activities until compliance is obtained, except those activities required to achieve such compliance.

(4) **Competitive Solicitation.** The University shall not enter into a lease for 5,000 square feet or more of space in a privately-owned building except upon advertisement for and receipt of competitive bids or proposals as determined by the University in accordance with BOG Regulation 17.001. Competitive bidding shall not be required for leases of space as set forth in BOG Regulation 17.001. The University President shall have delegated authority to certify in writing if the leasing of an educational facility in an affiliated research and development park is in the best interests of the University and the exemption from competitive bid requirements is not detrimental to the state pursuant to BOG Regulation 17.001(2)(a)5.

(5) **Space Measurement.** The measurement of leased space shall be based on the method of measurement used by the State University System for gross square feet as described in the current Physical Facilities Space File.

Specific Authority--Florida Board of Governors Resolution dated January 7, 2003; Florida Board of Governors Regulation 17.001 History--New 3-26-80, Formerly 6C5-6.10, Amended 11-11-87. Formerly 6C5-6.010. Amended 7-1-15.