

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.

CAMPUS: _____ USER DEPARTMENT/UNIT: _____

PREMISES/ADDRESS: _____

THE REGENTS AS:

Tenant _____ Subtenant _____ Licensee _____ Other (specify) _____
Landlord _____ Sublandlord _____ Licensor _____

- A. Initial term¹ _____
- B. Option term(s) _____
- C. Initial annual consideration including base rent, operating expenses, and amortized landlord concessions (i.e. rent abatement or other monetary compensation) _____

EVALUATION & AUTHORIZATION

Done Not Date Completed
Appl. (mo/day/yr)

A. FINANCIAL

- 1. Confirmation of budgetary authority to lease/license space (appropriate campus form/letter documenting internal approval and budget for user on file) _____
- 2. Market evaluation/comparative property analysis prepared (see analysis [guidance](#)) _____
- 3. Any right or option to purchase provision reviewed & approved by RESS & OGC _____
- 4. Property tax exemption (for UC exemption as lessee/licensee) to County Assessor _____
- 5. Unrelated business income tax determination made and reported per [BFB A-61](#) _____

B. PHYSICAL

- 1. Federal/State/local code compliance confirmed (see Facilities Manual) _____
- 2. Due Diligence inspections completed
 - a. Campus Fire Marshall review completed consistent with [Facilities Manual](#) _____
 - 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 _____
 - d. CASp report obtained/reviewed, as applicable _____

C. UC POLICY

- 1. [Seismic Safety Policy](#) compliance determined _____
- 2. [Fair Wage/Fair Work](#) Plan applicability/compliance determined (see applicability [guidance](#)) _____
- 3. [Contracting Out Policy](#) applicability/compliance determined _____
- 4. [Relocation Assistance Act Policy](#) compliance determined _____
- 5. [Sustainable Practices Policy](#) compliance determined _____
- 6. Campus Risk Management reviewed and approved indemnity and insurance provisions _____
- 7. Records retention requirements satisfied consistent with [BFB RMP-2](#) _____

D. LEGAL REQUIREMENT/REVIEW

- 1. Public Contract Code compliance confirmed per [Facilities Manual](#) _____
- 2. If initial base annual consideration exceeds \$1M for leases or \$500K for licenses, Lease/License is (a) on standard form or (b) approved as to legal form by OGC _____
- 3. CEQA compliance affirmed per [Facilities Manual](#) and campus planner consulted (all appropriate CEQA documentation completed, approved and filed) _____

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

Date

¹ Initial term is defined as the period of the University's commitment, calculated from the earlier of: (1) commencement of rent payments or (2) possession of the premises, excluding any right to early entry to build out or furnish the space (no more than 60 days). If the agreement contains an early termination right, the initial term commitment is based on the effective date of the University's termination right (e.g. if the initial term is 10 years with a right to terminate at the end of 9 years, the total commitment by the University would be 9 years); however, if authority to execute the lease is based on such shortened term, then any fee associated with the termination right must be amortized over the effective term of the lease for purposes of calculating the initial consideration.