

## **D 016 03**

### **EXECUTIVE ORDER Centralized Leasing Procedures**

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order concerning centralized leasing and real property acquisition procedures for state departments and institutions.

#### **1. Background and Need**

Since 1989, the State of Colorado has used a contracted brokerage lease management program to assist state agencies and institutions in their real estate transactions. The Department of Personnel & Administration (DPA) administers this program through the Division of Finance and Procurement, State Buildings and Real Estate Programs Section. The program has improved service to the agencies' clients, increased staff cost savings, and improved the fit between agency needs and overall state real estate occupancies.

DPA has begun to apply comprehensive real estate asset management practices to the state's diverse portfolio of real estate, including leased assets, however, the current program's success is constrained. State agencies and institutions commonly pursue their leasing needs independently, resulting in inefficient use of space and inadequate and uncoordinated long term planning. In addition, state staff resources are not sufficient to fully implement comprehensive management across all state agencies and institutions.

Current fiscal challenges have highlighted the need for more comprehensive, coordinated planning for space occupancy, particularly within the capitol complex and in the Denver metropolitan area. Ad hoc decisions about occupation of state-owned or leased property neglect opportunities for collocation and cost reduction. A comprehensive real estate management program will ensure optimum use of owned and leased space, and will maximize state expenditures. This Executive Order permits the state to develop and implement a new framework for control and oversight of leasing and other real property acquisition by state agencies and institutions, including development of a new contract for additional tenant brokerage services.

#### **2. Directives and Implementation**

a. DPA shall issue a new Request for Proposals (RFP) for contracted brokerage lease management services for Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson Counties ("Denver metro area") and other areas of the state as determined by the

Executive Director of DPA. DPA shall issue the RFP no later than October 1, 2003, for a contract date commencing no later than January 1, 2004. The RFP shall include provisions for strategic planning services for the capitol complex, the Denver metro area, and other areas identified in the RFP (with completion of a strategic plan due no later than July 1, 2004), buyer/tenant representation services, and lease management functions by the contracted broker.

b. Until completion of the strategic plan, executive branch agencies (including higher education institutions) shall not enter into leases for office space or otherwise acquire leased or owned space, including lease renewals, in the Denver metro area or other designated areas unless written authorization is granted by the Governor's Office of State Planning and Budgeting (OSPB) or the Colorado Commission on Higher Education (CCHE) (in the case of higher education institutions). In the meantime, OSPB, CCHE and DPA shall, in their discretion, make every effort to accommodate space needs that will not compromise efforts for strategic planning or which should be accomplished to maximize market opportunities.

c. Representatives from OSPB, CCHE, DPA and the Colorado Department of Transportation (CDOT) shall develop, by January 1, 2004, a centralized framework for a more efficient, effective, and economical space acquisition and leasing program for state agency and institutional space needs. The program shall i) specify the procedures and authority for approval of all executive branch and higher education space requests, ii) require DPA or its designees to negotiate all lease agreements on behalf of state agencies and institutions and iii) define required documentation and justification for space acquisition requests. DPA, in coordination with CCHE and CDOT and subject to approval by OSPB, shall develop policies and procedures to implement this program.

### 3. Duration

This Executive Order shall remain in effect until further modification or rescission by Executive Order.

GIVEN under my hand and the  
Executive Seal of the State  
of Colorado, this 24<sup>th</sup>  
day of August , 2003.

Bill Owens  
Governor