

**STATE OF COLORADO
OFFICE OF THE STATE ARCHITECT
REAL ESTATE PROGRAM - POLICIES AND PROCEDURES MANUAL**

CHAPTER 1 - INTRODUCTION/DEFINITIONS

The Real Estate Program Policies and Procedures Manual has been compiled and organized to assist state of Colorado personnel in the completion of documentation for leasing property for use by State agencies/institutions and to provide assistance with licenses, easements, rights-of-way, purchases, sales and exchanges of real property.

THE MISSION OF THE REAL ESTATE PROGRAM is to provide services and assistance to state of Colorado state agencies and institutions of higher education to maximize value received for all funds expended on real estate and real estate related requirements. The Office of the State Architect (OSA) is a division within the Executive Director's Office of the Department of Personnel & Administration. The Real Estate Program (REP) is a program within OSA and is responsible for providing the expertise, business sense, and marketplace knowledge needed to negotiate favorable leases and other real estate contracts for state agencies/institutions. It is also a central resource for information on the State's real estate holdings.

While the State's leasing program is the largest single responsibility of the Real Estate Program, other areas of real estate activities are also handled by the REP. These include purchase of real estate for the State, sale or lease of State-owned real estate, and negotiation and execution of licenses, rights-of-way, and easements, either on non-state land for the use of the State, or on State land for the use of private parties.

All activities of the Real Estate Program **exclude** three areas of real estate activity that are specifically assigned to other agencies: 1) rights-of-way acquisition and maintenance by the Department of Transportation; 2) the long term holding of State land by the State Land Board; and 3) certain easements, rights-of way and vacant land leases and acquisitions by the Colorado Division of Parks and Wildlife of the Department of Natural Resources. Additionally, Colorado statutes require that all acquisitions and dispositions of real estate for all agencies and institutions of higher education except the State Land Board and CDOT rights-of-way must be reported to the Real Estate Program, which is information that the Real Estate Program uses to fulfill its statutory responsibility of maintaining a current inventory of all State-owned real estate.

This manual is not intended to be a textbook on leasing or negotiating purchases and sales of real property nor a substitute for professional experience. However, the Real Estate Program will develop future training sessions based on agency/institution feedback derived from their review and usage of this manual.

The manual has been primarily organized according to the various functions for which the Real Estate Program provides oversight and review. This manual should not be considered as a stand-alone source of information for the Real Estate Program. Agencies should also be familiar with the following:

1. Colorado Constitution
2. Colorado Revised Statutes, as amended, C.R.S. § 24-30-1303 et. seq.
3. Department of Law policies
4. Fiscal Rules (issued by the State Controller)
5. State of Colorado Contract Procedures and Management Manual
6. Executive Orders (issued by the Governor)

General principles of law, and specific related laws, also apply (i.e., contract law, real estate law, agency and partnership law). In addition, the source of funds (e.g., federal agency) may have additional legal requirements as a condition of expending the funds with which agencies/institutions will need to comply.

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