

**STATE OF COLORADO  
OFFICE OF THE STATE ARCHITECT  
REAL ESTATE PROGRAM - POLICIES AND PROCEDURES MANUAL  
CHAPTER 2 - CENTRALIZED LEASING POLICY**

**Centralized Leasing Policy 24-30-1303(1) and 24-30-1303.5 and Executive Order D01603**

The Real Estate Program (“REP”) was established to help facilitate real estate transactions for almost all of the State of Colorado’s executive branch State Agencies (“Agencies”) and public Institutions of Higher Education (“IHEs”).

The Governor’s Executive Order D01603, directs Representatives from DPA, OSPB, CCHE and the Colorado Department of Transportation (CDOT) to develop a centralized framework for a more efficient, effective, and economical space acquisition and leasing program for state agency and institutional space needs.

The policy was developed in conjunction with the completion of Phase I of the Real Estate Strategic Plan. This policy applies to all space acquisitions whether by lease, sublease, lease-purchase, or license. The centralized leasing policy ensures that space acquisition decisions will conform to accepted best practices identified in the State’s real estate strategic plan.

**Real Estate Program’s Statutory Authority**

By virtue of the following statutes, the Real Estate Program within the OSA accomplishes the following with regard to real estate management:

C.R.S. § 24-30-1303(1)

- a. Negotiate and execute leases with private lessors and state-owned lands
- b. Negotiate and approve easements and rights-of-way
- h. Develop office space occupancy standards

C.R.S. § 24-30-1303.5

- (1) Maintain an inventory of all state-owned lands and buildings except for CDOT and State Land Board (SLB). Maintain an inventory of all leases except SLB land leases. Correct any defects in order to vest marketable title in the state.
- (3) Establish procedure whereby each state agency and state institution of higher education is required to report all acquisitions and dispositions of real property to aid in the accurate maintenance of inventory.

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- (5.5) Cause to be developed a performance criteria standard for state real property and perform an analysis upon selected real property to assess whether to sell or otherwise dispose of such property and make recommendations to the CDC regarding various real property management strategies resulting from such analysis.
- (6) Prepare and provide an annual report of acquisitions and dispositions to the CDC

The Real Estate Program's personnel must ensure that all real estate transactions engaged in by state agencies/institutions will serve the needs of the State and are done according to specific requirements set out in the state's constitution, statutes, fiscal rules, and official policies and procedures. Most importantly, real estate transactions must represent a fair value to the State in the prevailing market conditions.

REP establishes policies and procedures and provides oversight for state leases and other real estate contracts pertaining to most executive branch agencies and public institutions of higher education. This oversight role is not applicable to the Colorado State Land Board, Colorado Parks and Wildlife, or certain functions within the Department of Transportation.

Responsibilities include:

1. Review and approval of real estate contracts
2. Coordinate real estate activities with the state's real estate support services vendor
3. Maintain an inventory of state-owned and leased properties
4. Develop a centralized leasing policy and office space standards for leased space
5. Annually report acquisitions, dispositions and lease summaries to the Colorado General Assembly's Capital Development Committee

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**Delegate authority**

Some agencies and institutions will have an appointed Real Estate delegate who is responsible for being the primary point of contact for real estate matters. This delegation is different from the OSA's State Buildings delegate, and must be obtained in writing from DPA and OSA. The Real Estate Delegate has the authority to sign off on leases that require less than \$75,000 of annualized expenditure. From time to time a delegate will be expected to attend meetings and training sessions regarding their delegated authority.

This limited delegation of authority is made available pursuant to the authority granted the Department in § 24-30-1303(5)(a), C.R.S., which reads:

The department may delegate to state agencies any or all of the responsibilities and functions outlined in this part 13 and the department's responsibilities and functions under part 14 of this article, pursuant to rules and regulations promulgated by the department, when the state agency has the professional or technical capability on staff to perform such functions competently.

To be considered for the position of Real Estate delegate, any interested party should first discuss with their leadership team, and complete a [REP Delegate Request Form](#) which can be found on the REP website.