

USF System   USF   USFSP   USFSM

**Number:** USF4.012  
**Subject:** Leasing  
**Responsible Office:** Business and Finance

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(1) The purpose of this Regulation is to implement the delegated authority received by the University of South Florida System (USF System) in accordance with Board of Governor's Regulation 17.001 with respect to leasing of space.

(2) The USF System President or designee may enter into leases for space in a building or any part of a building for use by the USF System or a direct-support organization, including those leases in a research and development park with which the USF System is affiliated. Leases subject to Section 1010.62, Florida Statutes must be approved by the Board of Governors, in accordance with the Board of Governors Debt Management Guidelines.

(3) The USF System may 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. The award shall be made to the lowest responsive bidder meeting specifications and shall include the terms and conditions of the bid as submitted.

(4) Exceptions to Competitive Bid Requirements:

(a) Competitive bids shall not be required for renewal of leases as provided in the original lease.

(b) Competitive bids shall not be required for any lease having a term of less than 120 consecutive days which is for the purpose of securing a one-time special use of the leased property.

(c) Competitive bids shall not be required for any lease which is for nominal or no consideration.

(d) Competitive bids shall not be required to extend an existing lease of 5,000 square feet or more space, if the extension is determined to be in the best interest of the USF System and the total of the extension does not exceed eleven (11) months.

(e) Competitive bids shall not be required when leasing educational facilities in a research and development park with which the USF System is affiliated. The Board of Trustees or designee must certify in writing that the leasing of such educational facilities is in the best interests of the USF System and that the exemption from competitive bid requirements is not detrimental to the state, pursuant to Section 1013.17, Florida Statutes.

(f) Competitive bids shall not be required when leasing specialized research, medical or educational facilities, if the President or the President's designee certifies in writing that said facility is available from a single source and that compliance with competitive bid requirements would be detrimental to the USF System.

(5) 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.

(6) The USF System shall not enter into a lease for space of 5,000 or more square feet in a privately owned building when suitable space is available in a USF System building located in the

same geographic region unless it is determined that the lease of non-USF System property is in the best interest of the USF System.

(7) When entering all new leases, renewal leases, modifications to approved leases, and notifications of renewal under a lease option for leases of space of 5000 square feet or more, the USF System shall require disclosure statements from the owners of such property to ensure compliance with Florida Statutes, Chapter 112, Part III. It is not necessary to obtain disclosure of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, which stock is for sale to the general public. Disclosure Statements may include:

(a) A statement by the owner providing for full disclosure of the names and the extent of interest of the owners holding an interest in any privately owned property to be leased or in the entity holding title to the property; or

(b) A statement by the owner providing for full disclosure of the names of all public officials, agents, or USF System employees holding interest in any privately owned property leased, to be leased, or in the entity holding title to the property, and the nature and extent of their interest.

(8) All leases shall be timely submitted to the Office of the General Counsel for review and approval as to form and legality.

*Authority: Art. IX, Sec. 7, Fla. Constitution; Board of Governors Regulation 1.001, 17.001. History—New: 6-4-80, Formerly 6C4-4.12, 6C4-4.012, F.A.C., Amended 9-10-09, 8-23-13 (technical).*