Facilities Use

March 2018

Finance

Instructions for Facilities Use with MN State Agency or Board

**Instructions for Minnesota State Facilities Use Agreement – On-Campus Only --**

**State Agency or State Board**

## Use

This Facilities Use Agreement - On-Campus Only – With a State Agency or Board is to be used when state agencies or boards (unrelated to Minnesota State) wish to use a Minnesota State college or university facility for shorter-term or sporadic use and lasting less than one year. An Agreement must be executed and in place prior to a State agency or board use of a campus facility. Sample users: DEED, DNR, MNDOT, Board of Water and Soil, etc.

## Limitations

Do not use for University of Minnesota, local or federal users of space on campus.

Do not use if a term of over one year is contemplated, for the latter, use a Minnesota State as Landlord Lease Agreement or contact Real Estate Services for assistance.

# System Procedure 6.7.2: Use of College and University Facilities (College or University as Lessor /Landlord). <http://www.minnstate.edu/board/procedure/607p2.html>

**Related Documents:** Checklist 6.7.2.1 Leasing and Use of Minnesota State Facilities

 <http://www.minnstate.edu/board/procedure/6-07p2g1.pdf>

## Document Details

**Agreement Numbering** – Use “F” (for “Facilities”) followed by the three digit campus ID, the last two digits of the fiscal year that the agreement starts, and sequential numbering based on the order the agreement was started.

* (example: F-203-1301 refers to the first agreement at Alexandria Technical College in FY13)
* If more than one agreement is starting at the same time, use the largest agreement (in square footage) as the first number

Approval authority

**Check signature authority**.

College and university presidents and the Director, Capital Development, Real Estate Services, may enter into real estate agreements that are valued at $100,000 or less and for five (5) years or less in length (including all renewal options), using Minnesota State standard forms. The *Facilities Use Agreement – On-Campus Only – With Minnesota State Agency or Board*, is for shorter-term or sporadic use lasting less than one year use only. The College or University shall maintain copies of all Agreements. Agreements may be provided to system office at the discretion of a College or University or upon request from the system office.

## Special Notes

* Not a Lease. The agreement is not a lease and is not designed to create a landlord – tenant relationship, and should not be used when a lease is more appropriate
* Insurance. Properly research to ensure that the agency is an actual Minnesota state agency or board. If in doubt, contact System Office Real Estate Services, 651.201.1775 or 651.201.1539, or the Director of Risk Management at 651.201.1778. If not a state agency or board, use a different template as evidence of insurance is required before use of the On-Campus Facilities is allowed.
* Encumbrance. If the campus expends funds to prepare the space for a User, the campus must encumber the funds for that purpose

## Instructions for Completion of Minnesota State approved template:

## Instructions for completing the *Facilities Use Agreement - On-Campus Only – With Minnesota State Agency or Board* template are in italics and brackets. Please complete every field and delete all instructions, including the brackets.

* Any modification of forms approved by the System Office or the use of a non-system office form requires review by system legal counsel and approval of the Vice Chancellor – Chief Financial Officer. System legal counsel includes either the Minnesota State Colleges and Universities General Counsel or the Minnesota Attorney General's Office. Real Estate Services is located within Facilities in the System Office - Finance Division[.](http://www.google.com/url?q=http%3A%2F%2Fwww.mnscu.edu%2Fboard%2Fprocedure%2F607p3.html&sa=D&sntz=1&usg=AFQjCNGIlfWZj7PU_3ZflWqTxBcRkoCeqg)
* Questions. Users with questions about this agreement should contact the System Office Real Estate Services, 651.201.1775 or 651.201.1539.