

Chapter 516-34 WAC

LEASING OF UNIVERSITY PROPERTY FOR BUSINESS PURPOSES

WAC

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WAC 516-34-010 Request to lease university property. Any individual desiring to provide a particular service or sell particular goods to the Western Washington University community from a leased location on the campus of Western Washington University shall submit to the vice president for business and financial affairs of the university an initial written proposal for the provision of that service and a request to lease university property. These rules do not cover short-term space rentals, which are covered by internal procedures through the Viking Union under its sale of goods and services policy, and other internal short-term space rental procedures.

[Statutory Authority: RCW 28B.35.120(12), WSR 01-01-138, § 516-34-010, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), WSR 87-01-110 (Order 12-03-86), § 516-34-010, filed 12/24/86; Order 73-13, § 516-34-010, filed 8/8/73.]

WAC 516-34-020 Consideration of request and initial proposal. (1) The vice president for business and financial affairs or his/her designee shall make a recommendation to the president whether the university should accept proposals to lease space for the purpose of selling the particular goods or offering the proposed services. The vice president shall consult with appropriate members of the university and shall consider the following nonexclusive list of factors:

- (a) Whether there is a need for the proposed goods or services on the campus of Western Washington University;
- (b) Whether the proposed sales or services are compatible with the goals and objectives of the university;
- (c) Whether the proposed service or sales can be provided within the context of existing campus resources, vendors, or programs, thus rendering a new lease unnecessary;
- (d) Whether the requested lease is acceptable within the framework of the university land use plan;
- (e) Whether the requested lease should be considered;
- (f) Which, if any, of the university property should be leased in connection with the proposed service.

(2) Upon completion of the above evaluation and recommendation of the vice president for business and financial affairs shall submit a written statement of findings with regard to the above factors to the university president. The president shall determine whether the initial proposal and/or request for lease should be denied or recommended for approval to the board of trustees for consideration.

(12/20/00)

(a) If the president determines that a particular initial proposal and/or request for lease should be denied, the vice president for business and financial affairs shall give written notice of denial to the individual presenting the proposal and request for lease, and shall include within this notice the reasons for such denial.

(b) If the president determines the proposal and/or community request should be considered for approval by the board of trustees, the proposal and/or lease should be considered by the board of trustees at its next regularly scheduled meeting.

[Statutory Authority: RCW 28B.35.120(12), WSR 01-01-138, § 516-34-020, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), WSR 87-01-110 (Order 12-03-86), § 516-34-020, filed 12/24/86; Order 73-13, § 516-34-020, filed 8/8/73.]

WAC 516-34-030 Preliminary evaluation by board of trustees. The board of trustees shall consider and evaluate each initial proposal and/or request for lease referred to the board by the president. The board of trustees may either deny or give preliminary approval in whole or in part to each such initial proposal and/or request for lease.

[Statutory Authority: RCW 28B.35.120(12), WSR 01-01-138, § 516-34-030, filed 12/20/00, effective 2/1/01; Order 73-13, § 516-34-030, filed 8/8/73.]

WAC 516-34-040 Public notice of intention to lease. Whenever the board of trustees gives preliminary approval to an initial proposal for services and request for lease, the vice president for business and financial affairs shall forthwith give reasonable and timely notice to members of the public and to interested parties indicating that the university will consider leasing a particular area of university property in connection with the provision of a particular service to the university community. Said notice shall specify a time limit for submission of proposals by members of the public relating to said provision of services or sales of goods and/or lease.

[Statutory Authority: RCW 28B.35.120(12), WSR 01-01-138, § 516-34-040, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), WSR 87-01-110 (Order 12-03-86), § 516-34-040, filed 12/24/86; Order 73-13, § 516-34-040, filed 8/8/73.]

WAC 516-34-050 Submission of final proposals. Within the time limit specified in the public notice given by the university, any individual interested in leasing the particular area of university property specified in the notice for the purpose of providing the particular service or other goods as specified in the notice shall submit a proposal to the university setting forth in detail the means and methods by which that individual would utilize the leased property and provide the desired service or offering of goods for sale to the univer-

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sity community. Proposals must meet all specifications and/or requirements set forth in the notice.

[Statutory Authority: RCW 28B.35.120(12). WSR 01-01-138, § 516-34-050, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11). WSR 87-01-110 (Order 12-03-86), § 516-34-050, filed 12/24/86; Order 73-13, § 516-34-050, filed 8/8/73.]

WAC 516-34-060 Consideration and evaluation of final proposal(s). (1) The vice president for business and financial affairs shall carefully examine and evaluate all proposals for lease of university property and provision of services or selling of goods. The factors considered by the university in evaluating such proposals shall include but not be limited to the following:

(a) The capabilities, qualifications, and experience of each person, firm, corporation, or organization who would be involved in the execution of the proposal;

(b) The financial stability of each person, firm, corporation, or organization owning and/or operating the proposed service facility;

(c) The educational, academic and financial value of each proposal to the university;

(2) Upon completion of the evaluation, the vice president for business and financial affairs shall evaluate which, if any, of the submitted proposals is in the best interests of the university. The vice president for business and financial affairs shall have authority to reject all proposals as being unsatisfactory. The vice president for business and financial affairs shall forward his/her recommendation as to the best proposal and the reasons therefor to the president in writing.

(3) The president shall make a final determination of which proposal is in the best interest of the university and shall award the lease to that applicant. The president's decision is final and not subject to further appeal with the university.

[Statutory Authority: RCW 28B.35.120(12). WSR 01-01-138, § 516-34-060, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11). WSR 87-01-110 (Order 12-03-86), § 516-34-060, filed 12/24/86; Order 73-13, § 516-34-060, filed 8/8/73.]

WAC 516-34-070 Notice of rejection. The university shall give notice in writing to all individuals submitting final proposals as to final disposition of award and clearly specify the reasons.

[Statutory Authority: RCW 28B.35.120(12). WSR 01-01-138, § 516-34-070, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11). WSR 87-01-110 (Order 12-03-86), § 516-34-070, filed 12/24/86; Order 73-13, § 516-34-070, filed 8/8/73.]

WAC 516-34-080 Delegation of authority. Any of the university administrators referenced herein may delegate their responsibilities under this regulation to a subordinate.

[Statutory Authority: RCW 28B.35.120(12). WSR 01-01-138, § 516-34-080, filed 12/20/00, effective 2/1/01.]