



COMMERCIAL LEASE PROCESS

1. REQUEST FOR SPACE

When new space is needed, or when an existing lease is set to expire and space will still be needed, an agency will start the process for finding space by reaching out to the South Carolina Department of Administration's (Admin) Real Property Services (RPS) and submitting a completed Space Allocation Worksheet and Request for Space Form.

2. SOLICITATION

Once the completed forms are submitted, RPS will generate a solicitation draft. The requesting agency will then have the opportunity to review the document and provide feedback before it is posted online at admin.sc.gov and on the South Carolina Business Opportunities (SCBO) website, scbo.sc.gov. Solicitations are also sent via email to those local brokers, agents and landlords who have registered their email with RPS, as well as state agencies.

3. SELECTION/NEGOTIATION

After the solicitation deadline, RPS presents compiled offers for the agency to review. When reviewing the data, the agency shall notify RPS of any locations they would like to visit in-person and RPS will arrange those meetings. Under NO CIRCUMSTANCES should the agency speak with offerors without prior written consent from RPS. RPS will then meet with the agency to discuss a negotiation strategy regarding the selected location(s). RPS will negotiate on behalf of the agency and in the best interest of the state until acceptable lease terms are obtained.





4. REQUIRED APPROVALS

If necessary, once a lease is agreed upon, RPS works with the agency and potential landlord to obtain and prepare the documentation required for Joint Bond Review Committee (JBRC) review and State Fiscal Accountability Authority (SFAA) approval. Any other required approvals (such as approval by an agency's board or commission) must take place BEFORE the JBRC and SFAA meetings. This means lease negotiations and approvals will happen months in advance of lease commencement.

5. EXECUTION

Upon receiving all necessary governmental review and approvals, the agreed upon lease can be fully executed by the parties starting with the landlord, followed by the tenant (agency), with final approval by RPS. If a property is mortgaged, RPS will also request a signed subordination, non-disturbance and attornment agreement (SNDA) from the landlord, lender and tenant in the state's approved form. Most agencies will also receive a Lease Payment Authorization (LPA) signed and approved by RPS. The LPA will be used by the Comptroller General's Office (CGO) and allow the agency to make rent payments.

6. POST-EXECUTION

RPS circulates and files the fully executed lease and SNDA, inputs the data into the South Carolina Enterprise Information System (SCEIS) and notifies the CGO of the new lease. New leases will receive an internal order number generated from the accounts payable office of the agency leasing the space (or in the case of Shared Services, this will be created by Admin). The agency will take over the administration of the lease, provide RPS with a signed Acceptance Agreement, as applicable, and contact RPS if there are issues that cannot be worked out with the landlord.

CONTACT US

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