

STATE OF NEVADA  
DEPARTMENT OF ADMINISTRATION  
STATE PUBLIC WORKS DIVISION  
LEASING SERVICES



Revision Date	01/16/14
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TITLE: Modification of State leased facilities

POLICY #: 14-001

EFFECTIVE DATE: January 16, 2014

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POLICY STATEMENT: *Remodeling or reconfiguring a State leased building requires prior written authorization from the Public Works Division if the work has any impact or attachment to the building, its surfaces, or systems or it requires any building permit or Nevada licensed contractor. Cumulative remodeling in State leased buildings must not damage, overtax, or impair building surfaces, structures, or systems; violate codes or endanger occupants; or result in unplanned costs of installation, maintenance, or operations. Remodeling must not alter the occupancy type or occupancy load present at the time lease agreements were executed. All remodeling to leased facilities will be performed as arms-length transactions between the State Public Works Division as Lessee and the property owner as Lessor. Tenant agencies that make modifications to buildings in violation of this policy shall assume all liabilities, risks and costs associated with that action.*

PURPOSE: To ensure all employees and the public served have a safe environment that meets each agency's unique program needs.

SCOPE: This policy applies to all State leased facilities under the jurisdiction of the State Public Works Division.

PENALTY FOR NONCOMPLIANCE: If a tenant agency makes modifications as defined herein to space leased by the State without prior approval from both the Lessor and the Public Works Division, Public Works may immediately

require the agency to restore the space to its original condition at the agency's expense.

## PROCEDURE:

### **A. Prior Approval Required**

Pursuant to NRS 331.070, before commencing any remodel or modification of State leased property, tenant agencies must request the approval of the State Public Works Division by submitting a ***Project Authorization Form***. (The form is located on the Leasing Services website at: <http://www.bandg.state.nv.us/leasing1.htm> ) The Public Works Division will analyze the scope of work proposed and determine if an amendment to the lease is required or if the project can be accomplished using other types of documentation, then communicate with the Lessor to facilitate the remodel. Public Works will return the Authorization Form, along with appropriate documentation, to the Tenant Agency with Public Works Administrative approval indicated once all arrangements with Lessor have been completed. In many instances, an amendment to the lease will be required, and BOE approval may be required (See *Policy 14-002 Lease Amendments*). Some projects will not require a lease amendment, but will instead require a Change Order, which will also be prepared by Public Works (See *Policy 13-002 Change Orders*).

Public Works may, after analysis of the modification request, determine that Lessor approval is not required. In this case, Public Works will note the project as approved and return the completed Authorization form to the Tenant Agency.

Also see the *SPWD Leased Property Remodel Process Flow* diagram located on the Leasing Services website at: <http://www.bandg.state.nv.us/leasing1.htm>.

### **B. Project Authorization Documentation and Process**

The attached ***Project Authorization Form*** can be located online on the Leasing Services website: <http://www.bandg.state.nv.us/leasing1.htm>. Generally, the following attachments are also required:

1. For changes to the configuration of interiors, attach suitable plan drawings. For minor changes a handwritten floor plan indicating existing construction with dashed lines and proposed or new construction with solid lines is acceptable. More technical and specific plans and specifications will be required for changes affecting bearing walls, plumbing, wiring, lighting, ventilation, or firewall assemblies.
2. Remodels that change the size or the category or nature of the space (office, storage, conference, computer room, utility service space, common area, conditioned, unconditioned, or the like) requires a completed ***Space Request Form***.
3. Public Works Division staff may inspect the site and gather any necessary data.

4. Once an understanding of the required reconfiguration is reached between the Public Works and the tenant agency, Public Works will communicate with the Lessor to accomplish the project.

### **C. Other Requirements:**

1. If the proposed remodel would change the amount of leased space or increase the number of workers at the site, the agency must first file a new ***Space Request Form and Space Justification*** with the Public Works Division. To be approved, the new space plan must conform to state office space justification policy (see space justification form at: <http://www.bandg.state.nv.us/Space%20Justification.xls>).
2. Tenant agencies must cover all costs related to remodeling, unless other arrangements are negotiated with the Lessor by the Public Works Division. The Public Works Division cannot reimburse a tenant agency for remodeling costs. Public Works will require tenant agencies to confirm that funding is appropriated for the project, and/or if IFC approval is required.
3. Tenant agencies must provide copies of all inspection reports associated with State leased buildings, along with a plan of corrective actions for findings therein, within seven (7) days of receipt.
4. The Public Works Division may authorize a remodel with the requirement that the tenant agencies restore the space to its original condition when the agency moves to another location.
5. This policy does not apply to contractual obligations of Lessors to provide maintenance and make any and all repairs necessary to keep the building in “first-class condition”. Tenant agencies must keep Public Works Division informed of the status of such maintenance.

### **D. Prohibited Activities**

1. Negotiations with a Lessor for a remodeling project or changes in a leased building shall only be conducted by the Public Works Division (SAM Manual 328, and 1020), (NRS 331.070, 331.110).
2. Tenant agencies may not seek to circumvent this policy with the use of Purchase Orders or other documentation other than the Project Authorization form.
3. At no time is work to commence until the Authorization Form is returned to the agency with appropriate Public Works Administrative approval indicated and returned to the agency.
5. If Public Works determines a lease amendment is required no work may commence until ratification of the amendment by an appropriate official (SAM 0328 and *Policy 12-008 Lease Amendments*) is obtained. Approval of the Board of Examiners may be required. Tenant agencies should consider the timeframes required for such approvals when planning the project.
4. Tenant agencies must not communicate with contractors or other vendors unless authorized in writing to do so by the Lessor.

5. Lessor is responsible for the selection of contractors and vendors; tenant agencies must not attempt to arrange bids or otherwise influence the contracting process on behalf of the Lessor.

## **E. Definitions**

“Remodel”, “Reconfigure” or “Modify” as used in the context of this policy, regardless of cost and whether interior or exterior, are defined as:

1. Work that will require the modification or addition of any electrical circuits, switch gear, or controls or other work that requires a licensed electrician.
2. Installation, alteration, or removal of major electrical energy consuming, cooling, ventilating, or heat generating equipment owned by the tenant agency or by the State.
3. Construction, alteration or removal of any private office or enclosed space, including movable partitions.
4. Work that will change the category or nature of the space (office, storage, conference, computer room, utility service space, common area, conditioned, unconditioned, or the like).
5. Work that changes the finish material on walls, ceilings or floors.
6. Modification of any cabling or wiring of any kind in or to an air delivery space (which includes air ducts and air plenums below raised floors or above suspended ceilings).
7. Any addition, relocation, or removal of electrical wiring or other low voltage cabling above ceilings, below floors, within walls, or through firewalls.
8. Any addition or removal of windows, doors or related hardware including door closers.
9. Any alterations of the building structure envelope.
10. Any modification to public spaces or common areas, including rest rooms, hallways, stairs, corridors, shared conference rooms, dining areas, entries, grounds, and elevators.
11. Any modification or addition of air handling equipment.
12. Any addition of 5 or more workers or employees.
13. Changes to a program that would increase client traffic by 20% or more.
14. Any installation or modification of equipment, towers, or signage on the exterior of the building including rooftops and parking areas.