



# STATE PROPERTIES COMMISSION

47 Trinity Avenue, S.W., Suite G02, Atlanta, Georgia 30334

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Chairman  
Nathan Deal  
*Governor*

*Executive Director*  
Steven L. Stancil

## MINUTES

### STATE PROPERTIES COMMISSION BOARD MEETING

MAY 9, 2013

STATE CAPITOL, ROOM 107

#### MEMBERS IN ATTENDANCE:

Governor Nathan Deal, Chair  
Alan Skelton, Vice Chair  
Brian Kemp, Secretary (by conference call)  
Steve McCoy, Member  
Dr. George Snelling, III, Citizen Member (by conference call)  
Mike Nixon, Citizen Member (by conference call)  
Phil Carlock, Citizen Member

#### IN ATTENDANCE:

Frank Smith, State Properties Commission  
Steve Stancil, State Properties Commission  
Heather York, State Properties Commission  
Scott Jennings, State Properties Commission  
April King, Georgia Building Authority  
Paul Melvin, Georgia Building Authority  
Sonny Manalili, Georgia Building Authority  
Shannon McGee, Georgia Department of Law  
Bart Gobeil, Governor's Office  
Chris Riley, Governor's Office  
Caylee French, Office of Planning & Budget

## **CALL TO ORDER AND MINUTES OF THE PREVIOUS MEETING (03/19/13).**

Governor Deal called the meeting of the State Properties Commission to order and stated the first order of business would be approval of the minutes of the March 19, 2013 meeting. Phil Carlock made a motion to approve the minutes and Steve McCoy seconded the motion. The motion carried unanimously.

## **REQUEST TO AMEND THE COMMISSION BY-LAWS TO AUTHORIZE THE EXECUTIVE DIRECTOR TO APPROVE AND EXECUTE LEASES WITHOUT THE PRIOR APPROVAL OF THE COMMISSION IN LIMITED CIRCUMSTANCES.**

Frank Smith presented the request to amend the Commission by-laws to authorize the Executive Director to approve and execute leases without the prior approval of the Commission. In the past, the Space Management Code was interpreted to allow agencies to execute leases for administrative space when leases were for a term of only one year. That interpretation has changed and now SPC is being advised to interpret its powers under the Code literally and to be the State's primary executing party for administrative space leases. In addition, with the passage of the multiyear leasing constitutional amendment, SPC is also the State's executing party for all multiyear leases.

This means all leases must come before the Commission and the Governor is to sign all approved leases. It is estimated that will entail at least 49 leases to be brought before the Commission within the next 12 months. By adding language to the bylaws authorizing the Executive Director to execute leases when the total contract value does not exceed \$1,000,000; the sum of the annual base rent plus the potential base rent obligations of all renewal options of the lease, this would reduce the amount to 24 leases.

Phil Carlock motioned to approve the request to authorize the Executive Director to approve and executive leases without prior approval of the Commission. Alan Skelton seconded the motion. The motion carried unanimously.

## **REQUEST TO APPROVE THE STATE PROPERTIES COMMISSION POLICY FOR THE SOLICITATION AND SELECTION OF ADMINISTRATIVE SPACE AND PROTEST POLICY.**

Frank Smith presented the request to approve policies for the solicitation and selection of administrative space and the protest policy. There are three types of leases describe in the solicitation policy: annual leases, annual leases that become multi-year leases, and new multi-year leases. Annual leases will not have the requirement for public advertisement. By removing the requirement for public advertisement, this would allow SPC the flexibility to act quickly in obtaining space, especially in situations where State leased buildings become inhabitable due to fire or acts of nature. Annual leases that become a multi-year lease, without the need to advertise, will allow SPC to negotiate with the current landlord to obtain the best rate possible. New multi-year leases would require SPC to use a RFP selection process. This would be a clear public competition with notifications posted on the SPC website. A selection committee would

be established along with scoring of proposals. Any potential awarding would be brought before the Commission for approval.

The policy for solicitation and selection of space also calls for the need to establish a protest policy to handle any complaints regarding the selection process. Complaints must be made in writing to the Executive Director within 72 hours after an award has been made along with the option of hearing.

Alan Skelton motioned to approve the request to approve the policies for solicitation and selection of administrative space and the protest policy. Phil Carlock seconded the motion. The motion carried unanimously.

### **ADJOURNMENT**

Governor Deal requested a motion for adjournment. So moved by Brian Kemp and seconded by Phil Carlock. Meeting adjourned.



Steven L. Stancil  
Executive Director, State Properties Commission