

200 KAR 6:060. Lease of new construction.

RELATES TO: KRS 56.463, 56.800, 56.803

STATUTORY AUTHORITY: KRS 56.463(2), (8), HB 704

NECESSITY, FUNCTION, AND CONFORMITY: HB 704 requires proposed new construction to be considered in state procurement of leased office space pursuant to KRS 56.803 without going through the build-to-suit process, so long as the proposed new construction does not contain provision for a lease-purchase or an option to purchase by the state. This administrative regulation is necessary in order to set minimum requirements for documentation to be submitted with a proposal for lease of new construction.

Section 1. (1) In addition to the information requested in the advertisement made pursuant to KRS 56.803, proposals for new construction in response to invitations to lease office space shall include:

(a) Documentation of ownership of proposed property (i.e. copy of deed or option to purchase);

(b) Scaled plot of the site identifying the location of the proposed building and parking area(s);

(c) A vicinity map indicating the location of the site;

(d) Scaled or dimensioned floor plan showing the exterior layout of the proposed building, including walls, doors, windows, columns, and any other structural considerations which may affect design of the interior space; and

(e) Certification that the property is properly zoned.

(2) Subsection (1)(a), (b), and (c) of this section shall be submitted with the initial proposal.

(3) Subsection (1)(d) and (e) of this section shall be submitted no later than the date of the site inspection conducted pursuant to KRS 56.803(10).

Section 2. (1) Persons with an option to purchase property may submit a proposal to lease such property if a valid, executed option contract is submitted with the proposal.

(2) If a person submits a proposal to lease property under an option contract and is awarded a lease, the purchase of the proposed property shall be completed and proof in the form of a deed submitted along with the signed lease contract. (25 Ky.R. 946; eff. 12-17-98; Crt eff. 2-10-2020.)