**Facility Use Agreements Instructions**

**1. Verify Facility Use Agreement Correct Document to Use**

A Facility Use Agreement is used when ISU is allowing another individual or entity to use space in an ISU facility on a short term (i.e., a year or less) or intermittent basis. If a long-term use is contemplated, the ISU unit should refer to the [Procedures for Leasing Property to Others](https://www.universitycounsel.iastate.edu/sites/default/files/uploads/Contract%20Assistance/Leases/Lease%20Procedures%20%28Landlord%29.docx). If an ISU unit desires to use space owned by another individual or entity, the Facility Use Agreement should not be used. The ISU unit should refer to the [Procedures for Leasing Property from Others](https://www.universitycounsel.iastate.edu/sites/default/files/uploads/Contract%20Assistance/Leases/Lease%20Procedures%20%28Tenant%29.docx).

**2. Establish Rate**

The ISU unit responsible for the space should contact the Financial Accounting and Reporting office to establish what rate should be charged for use of the space.

**3. Select Facility Use Agreement form**

The Office of General Counsel website contains template Facility Use Agreements, including agreements for events and youth programs, office space, and laboratory space. The ISU unit responsible for the space should review the Facility Use Agreement template to ensure it is suitable for its needs. If not, the ISU unit should contact the Office of General Counsel for assistance in creating a customized Facility Use Agreement.

**4. Submit Event Request through University Event Authorization System**

If the facility use agreement will be for an event or youth program, the ISU unit should submit an event request through the University Event Authorization System if required. For more information about this process, review this [webpage](https://www.riskmanagement.iastate.edu/events) or contact the Office of Risk Management.

**5. Complete Facility Use Agreement**

The ISU unit responsible for the space should complete as much information as it can in the Facility Use Agreement prior to sending the agreement to the customer, paying special attention to the following areas:

All Facility Use Agreements

* Add the ISU unit’s name and the customer’s legal name in the introductory paragraph.
* If the customer is from outside of the United States, contact the Office of Research Ethics to ensure that providing the space will not violate any sanctions or export control laws.
* Provide in Attachment A a description of the space that will be used by the customer, when the customer can use the space (including any set-up and tear-down time), the purpose for which the space will used, and any equipment, services, or other items the ISU unit will provide the customer.
* State the fee the customer is to pay and when the payment is due. It is recommended that ISU units require at the time the agreement is signed a deposit sufficient to cover the costs the ISU unit may incur in preparing for the customer’s use of the space. To avoid problems with customers who fail to pay, the ISU unit may want to require payment in full prior to the first date the customer is to use the space.
* Identify a contact person for ISU.

Laboratory Space Use Agreements

* List in Attachment A any materials or equipment the customer will bring into the space.
* Contact EH&S to see whether customer must complete additional training and, if so, list the additional training in Attachment A.

Event and Youth Program

* If the event is a Youth Program, check the box in the Compliance with Laws section of the agreement.
* Check the appropriate box in the Insurance section to indicate what insurance (if any) the customer must carry for the event. Consult the 3-Tier Risk Assessment to determine which box is appropriate.
* Set forth in Attachment A the circumstances under which the ISU unit will allow the customer to cancel the Event and whether the ISU unit will waive or refund the customer fees.
* Add any additional requirements of the facility or of the Event Authorization Committee.

**5. Send Facility Use Agreement to Customer**

After completing its information, the ISU unit responsible for the space should send the Facility Use Agreement to the customer to review and to complete information that the customer needs to provide, such as the customer contact in all Facility Use Agreements and information about the customer’s materials in Laboratory Space Use Agreements. If the customer desires to make substantive changes to the Facility Use Agreement, ask the customer to do so using tracked changes. The Office of General Counsel can assist the ISU unit in reviewing the customer’s proposed changes. The ISU unit should consult with the Office of Risk Management if the customer has questions about insurance requirements and consult with EH&S if the customer has questions about laboratory training requirements and hazardous materials.

**6. Sign and Retain the Facility Use Agreement**

The customer and ISU may sign the Facility Use Agreement once all are satisfied with its terms. For ISU, the Facility Use Agreement must be signed by a representative of the ISU unit responsible for the space. The Facility Use Agreement must also be signed by ISU’s Senior Vice President for Operations and Finance unless the Senior Vice President for Operations and Finance has delegated signature authority to the ISU unit. Delegations that have been issued by the Senior Vice President for Operations and Finance to ISU units can be found [here](https://apps-universitycounsel.sws.iastate.edu/delegations/). A representative of the customer should also sign the Facility Use Agreement. From ISU’s perspective, original signatures are not necessary. Electronic signatures through DocuSign or Adobe Sign and scanned versions are acceptable.

The ISU unit responsible for the space must retain a copy of the signed Facility Use Agreement. If the Senior Vice President for Operations and Finance signed the Facility Use Agreement, the ISU unit should also send a copy of the signed Facility Use Agreement to that office. If the facility is being used for a Youth Program, the ISU unit must ensure a copy of the Facility Use Agreement is uploaded into Cy Check.

**7. Obtain Certificate of Insurance**

The Facility Use Agreements contain language requiring the customer to submit any required certificate of insurance to the ISU Contact at least 30 days prior to the first date the customer can use the facility. The ISU unit responsible for the space is responsible for confirming that the customer has submitted the certificate of insurance and reviewing the certificate of insurance to verify that it matches the insurance requirements in the agreement.

The ISU unit should retain a copy of the certificate of insurance. If the Senior Vice President for Operations and Finance signed the Facility Use Agreement, the ISU unit should also send a copy of the certificate of insurance to that office. If the facility is being used for a Youth Program, the ISU unit must ensure a copy of the certificate of insurance is uploaded into Cy Check.

**8. Confirm Customer Performs Contractual Obligations**

The ISU unit responsible for the space should confirm that customer has fulfilled its contractual obligations, including payment of fees and completion of required training.