

**TOPIC: TWO-YEAR CASH FUNDED CAPITAL PROGRAM LIST –
UNIVERSITY OF COLORADO - DENVER**

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I. SUMMARY

Statute requires the Commission to annually request from the governing board of each institution of higher education a unified, unprioritized two-year projection of projects that will be constructed using 100% cash funds. At the December 2009 meeting, the Commission approved the two-year lists from institutions and it was specified that institutions may amend their lists at any point in time. The University of Colorado Denver (UCD) is amending their Two-Year Cash Funded Capital Program list.

The revised Two-Year Cash Funded Capital Program list for UCD covering FY2010-11 through FY2011-12 is included as Attachment A. It contains six capital construction projects from the Board of Regents (Board). The two-year plan was approved but not prioritized by the Board before submission. The total cash cost of the two-year list shows approximately \$55 million will be provided by UCD through institutional cash sources.

II. BACKGROUND

Prior to the current FY2010-11 budget cycle, governing boards were required to submit a single unified five-year plan for capital construction projects. This five-year plan included state funded requests and cash funded proposals. With the passage of SB09-290, institutions of higher education were granted considerable flexibility in the area of capital construction. This legislation also revised the submission criteria for the five-year list, by dividing it into two distinct lists.

Governing boards are permitted to amend their two-year lists at any point during the fiscal year, and such amendments are to be submitted to the Commission and the CDC for re-approval.

DHE and CDC staff have come to a mutual understanding and agreement on the implementation of SB09-290 that no Cash Funded project may commence until it has received: approval from the Commission and the CDC on the Two-Year list (for non-Intercept projects); or Commission and CDC approval on the Two-Year Cash Funded Program list and Commission review and approval of a program plan (for Intercept projects).

During the December 2009 Commission meeting, the Commission approved the Two-Year Cash Funded Capital Program lists for all governing boards, except for the list submitted by the UCCS (which was approved at the February 2010 Commission meeting). On December 2nd and 3rd the legislature's Capital Development Committee approved the submissions during scheduled hearings.

III. STAFF ANALYSIS

The original UCD list consisted of five projects at a total cost of approximately \$51 million. The projects were to be financed predominantly by federal funds (\$48 million federal funds and \$3 million cash funds). The revised UCD list consists of six projects at a total cost of approximately \$55 million. Table 1 displays the projections for cash funded projects as reported on the two-year list by funding type (Cash Funds (CF) and Federal Funds (FF)).

**Table 1:
Two-Year Cash Funded Capital Program
FY2010-2012**

CF	\$7,325,483
FF	\$48,164,437
TF	\$55,489,920

Table 2 displays the breakdown between the academic and auxiliary nature of the project and whether or not the project will be financed under the Higher Education Revenue Bond Intercept Program (C.R.S. 23-5-139). The Intercept program permits schools to issue bonds for capital construction and use either the state's credit rating (opt in), or use their own credit rating (opt out). Academic facilities are those that are considered core to the role and mission of the institution (e.g. classrooms, student services, libraries), while auxiliary facilities are those that exist for some other purpose (e.g. residence halls, recreation centers, parking facilities).

**Table 2:
Cash Funded Project Types**

	Academic	Auxiliary	Total
Intercept	0	0	0
Non-Intercept	6	0	6
Total	6	0	6

Per the statutory amendments of SB09-290, academic facilities constructed under the new capital procedures will be eligible for state Controlled Maintenance Funds. Also due to new statutory provisions, any Non-Intercept projects will only have their cost projections reviewed in the Two-Year list, while Intercept projects require approval in the Two-Year list as well as program review. In accordance with the two step approval process for cash funded projects, the Department (acting with the power delegated by the Commission (CCHE Policy III.J)) will review all budget documents submitted for Intercept Act cash projects and submit all forms to the General Assembly's Capital Development Committee as they are approved.

IV. STAFF RECOMMENDATION

That the Commission approve the Two-Year Cash Funded Capital Program for the University of Colorado-Denver and forward it to the Governor, the Office of State Planning and Budgeting, the Capital Development Committee and the Joint Budget Committee.

V. STATUTORY AUTHORITY

C.R.S. 23-1-106

ATTACHMENT A: Two-Year Cash Funded Capital Program FY2010-2012