

TOPIC: TWO-YEAR CASH FUNDED CAPITAL PROGRAM LIST AMENDMENT – METROPOLITAN STATE UNIVERSITY OF DENVER

PREPARED BY: TONYA COVARRUBIAS, FINANCE POLICY OFFICER

I. SUMMARY

This item requests approval of a Two-Year Cash Funded Capital Program list amendment and program amendments for Metropolitan State University of Denver (MSU Denver). One (1) project has been amended on their cash funded project list. The comprehensive list is included as Attachment A.

II. BACKGROUND

Current law allows governing boards to amend their two-year capital construction lists at any point during the fiscal year, and such amendments are to be submitted to the Colorado Commission on Higher Education (CCHE) and the Capital Development Committee (CDC) for approval or re-approval.

Department and CDC policy and practice is 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. In addition to CDC and Commission Two-Year Cash Funded list approval, a program plan must be reviewed and approved for Intercept projects. Last December, the Commission approved all submitted Two-Year Cash Funded Capital Program lists. They will be approved later this month by the legislature's Capital Development Committee.

III. STAFF ANALYSIS

The MSU Denver list amends one (1) project at an additional cost of \$6.6 million making MSU Denver's total projection of cash needs approximately \$23.6 million. Table 1 displays the amended cash funded projects as reported on the two-year list by funding type.

**Table 1:
Two-Year Cash Funded Capital Program
FY 2013-14 to 2014-15**

CF	\$23,600,000
FF	\$0
TF	\$23,600,000

For this project, Table 2 displays the breakdown between the academic and auxiliary nature of the project and whether or not the projects 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 are not considered core to the role and mission and 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	1	0	1
Total	1	0	1

Senate Bill 09-290, allows academic facilities constructed to be eligible for state Controlled Maintenance Funds. 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 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.

The amendment to MSU Denver's Two-Year List is described briefly below:

“Regency Athletics Complex at MSU Denver” was originally approved by CCHE in December 2012 at a cost of \$17 million. MSU Denver, the architect and the general contractor on the project determined during the design phase that the full cost of the project would actually be \$23.6 million. The goal of the project is to relocate MSU Denver's athletic and academic playing fields to the west end of campus to allow for the development of academic buildings in the interior of campus, as well as to add synthetic turf and lighting so the fields can have increased utilization. MSU Denver used \$6.6 million in cash reserves for phase I of the project. For phase II, the University will fundraise and use institutional funds. The project has already commenced under the previous CCHE approval and will be completed in January 2015.

IV. STAFF RECOMMENDATIONS

Staff recommends that the Commission approve the Two-Year Cash Funded Capital Program list for Metropolitan State University of Denver.

STATUTORY AUTHORITY

C.R.S. §23-1-106 (7)

(c) (I) The commission annually shall prepare a unified, two-year capital improvements report for projects to be constructed or acquired pursuant to subsection (9) or (10) of this section and estimated to require total project expenditures exceeding two million dollars, coordinated with education plans. The commission shall transmit the report to the office of state planning and budgeting, the governor, and the general assembly, consistent with the executive budget timetable.

(II) (A) Commencing in the 2010 regular legislative session, and in each regular legislative session thereafter, the commission shall submit the two-year projections prepared by each state institution of higher education for the 2010-11 and 2011-12 fiscal years, and for each two-year period thereafter as applicable, to the office of state planning and budgeting and the capital development committee. Beginning in the 2010 regular legislative session and in each regular legislative session thereafter, the capital development committee shall conduct a hearing on the projections and either approve the projections or return the projections to the institution for modification. The commission and the office of state planning and budgeting shall provide the capital development committee with comments concerning each projection.

(B) A state institution of higher education may submit to the staff of the capital development committee, the commission, and the office of state planning and budgeting an amendment to its approved two-year projection. The capital development committee shall conduct a hearing on the amendment within thirty days after submission during a regular legislative session of the general assembly or within forty-five days after submission during any period that the general assembly is not in regular legislative session. The capital development committee shall either approve the projections or return the projections to the institution for modification. The commission and the office of state planning and budgeting shall provide the capital development committee with comments concerning each amendment.

ATTACHMENT A: Two-Year Cash Funded Capital Program List Amendment – MSU Denver