

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**INTERIM SUPPLEMENTAL REQUEST
FOR FY 2009-10
CAPITAL CONSTRUCTION**

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

**Prepared By:
Amanda Bickel, JBC Staff
June 20, 2013**

For Further Information Contact:

Joint Budget Committee Staff
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Interim Supplemental Requests

INTERIM SUPPLEMENTAL REQUEST CSU RESEARCH INNOVATION CENTER – EXTEND SPENDING AUTHORITY

	Request	Recommendation
Total	<u>\$0</u>	<u>\$0</u>
FTE	0	0
Capital Construction Fund	0	0
Cash Funds	0	0
Federal Funds	0	0

<p>Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.? [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.]</p>	*
<p>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]</p>	YES
<p>*JBC staff and the Department agree this request meets the JBC's supplemental criteria and is based on data not available when the original appropriation was made. It is not clear to staff that the request addresses "unforeseen circumstances arising while the General Assembly is not in session" as staff assumes the need for an extension was obvious before the General Assembly adjourned. However, staff also notes that the circumstances are unusual due to changes in the law regarding appropriation of higher education cash-funded projects. If the project had been authorized after January 1, 2010, no supplemental would have been required.</p>	

Department Request: The Department requests that an existing appropriation, last adjusted in FY 2009-10, for the Colorado State University Research Innovation Center be extended through June 30, 2016. The total project, including appropriations starting in FY 2007-08, is for \$62,700,000, including \$52,000,000 cash funds exempt and \$10,700,000 federal funds.

Staff Recommendation: Staff recommends that the Committee approve the request, which was approved by the Capital Development Committee at its May 20, 2013 meeting.

The rules governing interim supplementals in Section 24-75-111 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves.

Staff Analysis: The interim supplemental request extends spending authority in order to complete two additions to the Regional Biocontainment Laboratory, an infectious disease and bioterrorism research facility. The project was initially approved in FY 2007-08, but federal grant funding was not received until 2010, and reviews associated with the grant funding delayed the start of the construction until 2011.

	Original Appropriation (FY 2007-08 and FY 2009- 10)	Fiscal Year 2009-10 Interim Supplemental		New Total with Recommendation
		Requested Change	Recommended Change	

CAPITAL CONSTRUCTION

CSU Research Innovation Center - Extend Spending Authority

Capital Construction, Higher Education

Colorado State University at Fort Collins, Capital Construction

Research Innovation Center	62,700,000	0	0	62,700,000
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Capital Construction Funds	0	0	0	0
Cash Funds	0	0	0	0
Cash Funds Exempt	52,000,000	0	0	52,000,000
Federal Funds	10,700,000	0	0	10,700,000

Rep. Edward Vigil, Chair
Rep. Randy Fischer
Rep. Libby Szabo

Sen. Gail Schwartz, Vice-Chair
Sen. Randy Baumgardner
Sen. Angela Giron



CAPITAL DEVELOPMENT COMMITTEE

State Capitol Building, Room 029
Denver, Colorado 80203-1784
(303) 866-3521



May 20, 2013

Senator Pat Steadman
Chair, Joint Budget Committee
200 East 14th Avenue, Third Floor
Denver, Colorado 80203

Dear Senator Steadman:


On May 20, 2013, the Capital Development Committee (CDC) considered one supplemental request for an extension of spending authority pursuant to Section 24-75-111, C.R.S. *The CDC approved the supplemental request as submitted and forwards it to the Joint Budget Committee for consideration.* A description of the request is attached. Table 1 summarizes the request.

Table 1
Capital Development Committee Recommendation
Regarding FY 2012-13 Supplemental Request

Agency	Project Title	Summary of Request	Amount
Colorado State University	Research Innovation Center	Extends project spending authority until June 30, 2016, in order to complete construction.	\$0

If you have any questions or concerns about the CDC's recommendations, please call Kori Donaldson, Legislative Council Staff, at 303-866-4976.

Sincerely,



Representative Ed Vigil
Chair, Capital Development Committee

Senator Steadman, Chair

May 20, 2013

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c: Capital Development Committee Members
Joint Budget Committee Members
Shelly Carroll, Colorado State University
Rich Schweigert, Colorado State University
Erick Scheminske, Office of State Planning and Budgeting
Laura Blomquist, Office of State Planning and Budgeting
Tonya Gomez, Department of Higher Education
John Ziegler, Joint Budget Committee Staff
Amanda Bickel, Joint Budget Committee Staff
Brenda Shelinbarger, Office of the State Controller
Kori Donaldson, Capital Development Committee Staff
CDC File

FY 2012-13 Supplemental Capital Construction Request

Colorado State University
Research Innovation Center

Motion:

Approve the supplemental request from Colorado State University to extend spending authority for the project until June 30, 2016.

GENERAL INFORMATION

2008-194

1. Which supplemental criterion does the request meet?

Technical

Capital construction projects listed in an annual appropriations bill are permitted three years to expend appropriations. Spending authority for this project will expire June 30, 2013. If the appropriation is not expended, the university will not be able to support the highly specialized research conducted in the biosafety level 2 research laboratory, which will negatively impact its ability to compete for future grant funding.

2. Which projects will be restricted to fund the supplemental request?

No emergency restriction is required because the request is for an extension of time only.

3. Has the request been approved by OSPB and CCHE?

Yes

PRIOR APPROPRIATION AND SUPPLEMENTAL REQUEST INFORMATION

The appropriation to be amended was authorized in the following bill: HB 10-1376

<u>Fund Source</u>	<u>Prior Appropriations</u>	<u>Supplemental Request</u>	<u>Future Requests</u>	<u>Total Cost</u>
CFE	\$52,000,000	\$0	\$0	\$52,000,000
FF	\$10,700,000	\$0	\$0	\$10,700,000
	\$62,700,000	\$0	\$0	\$62,700,000

REASON FOR SUPPLEMENTAL REQUEST

The supplemental request extends spending authority in order to complete construction on the project. The university received grant funding for the project through the National Institutes of Health in January 2010. Project design commenced immediately; however, reviews associated with the grant funding delayed the start of construction until 2011.

SUMMARY OF PROJECT

The project completes construction of two additions totaling 72,000 GSF to the Regional Biocontainment Laboratory, an infectious disease and bioterrorism research facility. This request will bury overhead electric transmission lines, purchase a Magnetic Resonance Imaging (MRI) machine, and build an MRI suite. The project was previously approved in FY 2007-08, but the university amended the request during the 2009 legislative session in order to take advantage of potential National Institutes of Health grants.

FY 2012-13 Supplemental Capital Construction Request

Colorado State University
Research Innovation Center

Motion:

Approve the supplemental request from Colorado State University to extend spending authority for the project until June 30, 2016.

QUESTIONS / OUTSTANDING ISSUES

None.