

The attached documents include:

Page 2: List of capital projects in the rerevised Long Bill (H.B. 14-1336);

Page 4: List of capital projects included in the introduced Long Bill (H.B. 14-1336);

Pages 5-6: Comparison of Capital Development Committee recommendations and OSPB request for capital projects.

Page 5 and balance of packet: JBC Staff FY 2014-15 Capital Construction Figure Setting packet, March 11, 2014.

Rerevised FY 2014-15 Long Bill Capital Construction Projects

CDC	OSPB	CHE	Project Title	CCF	CF	Cumulative Total: State Funds
1	1		NP Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), <i>CU Denver*</i>	\$6,993,118	\$7,297,620	\$6,993,118
2	2		NP Various Higher Education Projects — November 2008 Issue (COP Payment), <i>CHE</i>	18,587,556	-	25,580,674
3	3		N/A Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), <i>DOC</i>	18,426,771	-	44,007,445
4	4		N/A Controlled Maintenance Projects — Level 1 (37 projects), <i>various agencies</i>	25,746,381	-	69,753,826
5	5		N/A Digital Trunked Radio System, Software Upgrade, <i>OIT</i>	3,636,760	-	73,390,586
6	6		N/A Suicide Risk Mitigation, <i>DHS</i>	4,478,533	-	77,869,119
7	7		N/A Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, <i>DHS</i>	1,100,000	-	78,969,119
8	8		N/A Veterans Memorial Cemetery Expansion, <i>DMVA</i>	4,564,922	-	83,534,041
9	10		N/A Multi-Use Support Building, Youthful Offender System, <i>DOC</i>	4,897,755	-	88,431,796
10	11		N/A Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, <i>DHS</i>	1,428,500	1,443,000	89,860,296
11	21		N/A Lebanon Mill Dam Restoration, <i>History Colorado</i>	768,210	-	90,628,506
12	22		N/A Georgetown Loop Business Capitalization Program, <i>History Colorado*</i>	300,000	100,000	90,928,506
13	23		N/A Highway Construction Projects, <i>CDOT</i>	500,000	-	91,428,506
14	24		N/A Pearce McAllister Renovation, <i>History Colorado</i>	843,876	-	92,272,382
15	25	1	Meyer Hall Replacement, <i>CSM*</i>	14,600,000	-	106,872,382
16	26	2	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, <i>FLC*</i>	10,000,000	-	116,872,382
19	19	5	Auraria Library Renovation, <i>AHEC</i>	17,848,307	-	124,720,689
20	29	6	Health Professions and Science Building, Arvada Campus, <i>RRCC</i>	10,000,000	12,532,288	134,720,689
24	20	10	Visual and Performing Arts Complex, <i>UCCS*</i>	13,281,999	21,413,439	148,002,688
25	33	11	Quigley Hall Renovation, <i>WSCU</i>	5,000,000	-	153,002,688
27	9		N/A IT Systems Replacement, Division of Motor Vehicles, <i>DOR</i>	41,021,167	-	194,023,855
28	13		N/A Electronic Health Record and Pharmacy System Replacement, <i>DHS</i>	9,849,610	-	203,873,465
29	16		N/A Program and Master Planning, Colorado Mental Health Institutes, <i>DHS</i>	815,000	-	204,688,465
30	12		N/A Laboratory Space per House Bill 13-1020, <i>DPS**</i>	7,200,000	-	211,888,465
32	18		N/A Capitol Complex Leased Space Maintenance Request, <i>DPA</i>	5,400,000	-	217,288,465
33	14		N/A Offender Management Information System, <i>DOC</i>	5,796,000	-	223,084,465
Grand Total				\$233,084,465	\$42,786,347	
Conditional Appropriations (prioritized per H.B. 14-1342)						
19	19	5	Auraria Library Renovation, <i>AHEC</i>	5,000,000	-	5,000,000
16	26	2	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, <i>FLC*</i>	10,827,755	2,115,987	15,827,755
17	27	3	Chemistry Building Addition, <i>CSU</i>	15,000,000	-	30,827,755
18	28	4	Ketchum Arts and Sciences Building (Capital Renewal Project), <i>CU Boulder</i>	11,592,712	1,149,528	42,420,467
21	30	7	Aviation, Aerospace, and Advanced Manufacturing Building, <i>MSU Denver*</i>	5,279,128	-	47,699,595
22	31	8	Tomlinson Library Addition and Renovation, <i>CMU</i>	18,462,102	6,037,654	66,161,697
23	32	9	East Campus Renovation, <i>ASU</i>	5,843,218	-	72,004,915
25	33	11	Quigley Hall Renovation, <i>WSCU</i>	20,779,853	-	92,784,768
31	17		N/A Statewide Leave, Time Tracking, and Human Resources Management Systems Modernization, <i>OIT</i>	16,070,000	-	108,854,768
26	NP		N/A Level 2 Controlled Maintenance (through score 14), <i>DPA</i>	21,480,980	360,025	130,335,748
Grand Total Conditional				130,335,748	9,663,194	

*Reflects projects requiring out-year cash match

Rerevised FY 2014-15 Long Bill Capital Construction Projects

CDC	OSPB	CCHE	Project Title	CCF	CF	Cumulative Total: State Funds
			Rerevised bill - required	\$233,084,465	\$42,786,347	\$275,870,812
			Reserves available in captial construction fund	2,591,000		
			Transfer amount required (excluding conditional appropriations)	230,493,465		

*Reflects projects requiring out-year cash match

Capital Construction Projects Funded in FY 2014-15 Introduced Long Bill

CDC	OSPB	CCHE	Project Title	CCF	CF	Cumulative Total: State Funds
1	1		NP Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), <i>CU Denver*</i>	\$6,993,118	\$7,297,620	\$6,993,118
2	2		NP Various Higher Education Projects — November 2008 Issue (COP Payment), <i>CCHE</i>	18,587,556	-	25,580,674
3	3		N/A Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), <i>DOC</i>	18,426,771	-	44,007,445
4	4		N/A Controlled Maintenance Projects — Level 1 (37 projects), <i>various agencies</i>	25,746,381	-	69,753,826
5	5		N/A Digital Trunked Radio System, Software Upgrade, <i>OIT</i>	3,636,760	-	73,390,586
6	6		N/A Suicide Risk Mitigation, <i>DHS</i>	4,478,533	-	77,869,119
7	7		N/A Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, <i>DHS</i>	1,100,000	-	78,969,119
8	8		N/A Veterans Memorial Cemetery Expansion, <i>DMVA</i>	4,564,922	-	83,534,041
9	10		N/A Multi-Use Support Building, Youthful Offender System, <i>DOC</i>	4,897,755	-	88,431,796
10	11		N/A Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, <i>DHS</i>	1,428,500	1,443,000	89,860,296
11	21		N/A Lebanon Mill Dam Restoration, <i>History Colorado</i>	768,210	-	90,628,506
12	22		N/A Georgetown Loop Business Capitalization Program, <i>History Colorado*</i>	300,000	100,000	90,928,506
13	23		N/A Highway Construction Projects, <i>CDOT</i>	500,000	-	91,428,506
14	24		N/A Pearce McAllister Renovation, <i>History Colorado</i>	843,876	-	92,272,382
15	25	1	Meyer Hall Replacement, <i>CSM*</i>	14,600,000	-	106,872,382
19	19	5	Auraria Library Renovation, <i>AHEC</i>	17,848,307	-	124,720,689
20	29	6	Health Professions and Science Building, Arvada Campus, <i>RRCC</i>	10,000,000	12,532,288	134,720,689
24	20	10	Visual and Performing Arts Complex, <i>UCCS*</i>	13,281,999	21,413,439	148,002,688
25	33	11	Quigley Hall Renovation, <i>WSCU</i>	5,000,000	-	153,002,688
27	9		N/A IT Systems Replacement, Division of Motor Vehicles, <i>DOR</i>	41,021,167	-	194,023,855
28	13		N/A Electronic Health Record and Pharmacy System Replacement, <i>DHS</i>	9,849,610	-	203,873,465
29	16		N/A Program and Master Planning, Colorado Mental Health Institutes, <i>DHS</i>	815,000	-	204,688,465
30	12		N/A Laboratory Space per House Bill 13-1020, <i>DPS**</i>	7,200,000	-	211,888,465
32	18		N/A Capitol Complex Leased Space Maintenance Request, <i>DPA</i>	5,400,000	-	217,288,465
33	14		N/A Offender Management Information System, <i>DOC</i>	5,796,000	-	223,084,465
Grand Total Potential Action on State-Funded Requests				\$223,084,465	\$42,786,347	
General Fund Transfer Required				CCF	CF/RF/FF	Grand Total
		JBC Action		\$223,084,465	\$42,786,347	\$265,870,812
		Reserves available in captial construction fund		2,591,000		
		Transfer amount required		220,493,465		

*State-funded projects with out-year cash match.

Capital Development Committee Prioritized Capital Construction List FY 2014-15, Highlighted to Show Differences with OSPB Request*

CDC	OSPB	CCHE	Project Title	CCF	CF	Cumulative Total: State Funds
1	1		NP Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), <i>CU Denver</i>	\$6,993,118	\$7,297,620	\$6,993,118
2	2		NP Various Higher Education Projects — November 2008 Issue (COP Payment), <i>CCHE</i>	18,587,556	-	25,580,674
3	3		N/A Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), <i>DOC</i>	18,426,771	-	44,007,445
4	4		N/A Controlled Maintenance Projects — Level 1 (37 projects), <i>various agencies</i>	25,746,381	-	69,753,826
5	5		N/A Digital Trunked Radio System, Software Upgrade, <i>OIT</i>	3,636,760	-	73,390,586
6	6		N/A Suicide Risk Mitigation, <i>DHS</i>	4,478,533	-	77,869,119
7	7		N/A Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, <i>DHS</i>	1,100,000	-	78,969,119
8	8		N/A Veterans Memorial Cemetery Expansion, <i>DMVA</i>	4,564,922	-	83,534,041
9	10		N/A Multi-Use Support Building, Youthful Offender System, <i>DOC</i>	4,897,755	-	88,431,796
10	11		N/A Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, <i>DHS</i>	1,428,500	1,443,000	89,860,296
11	21		N/A Lebanon Mill Dam Restoration, <i>History Colorado</i>	768,210	-	90,628,506
12	22		N/A Georgetown Loop Business Capitalization Program, <i>History Colorado</i>	300,000	100,000	90,928,506
13	23		N/A Highway Construction Projects, <i>CDOT</i>	1,615,000	-	92,543,506
14	24		N/A Pearce McAllister Renovation, <i>History Colorado</i>	843,876	-	93,387,382
15	25	1	Meyer Hall Replacement, <i>CSM</i>	14,600,000	-	107,987,382
16	26	2	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, <i>FLC</i>	20,827,755	2,115,987	128,815,137
17	27	3	Chemistry Building Addition, <i>CSU</i>	15,000,000	-	143,815,137
18	28	4	Ketchum Arts and Sciences Building (Capital Renewal Project), <i>CU Boulder</i>	11,592,712	1,149,528	155,407,849
19	19	5	Auraria Library Renovation, <i>AHEC</i>	22,848,307	-	178,256,156
20	29	6	Health Professions and Science Building, Arvada Campus, <i>RRCC</i>	10,000,000	12,532,288	188,256,156
21	30	7	Aviation, Aerospace, and Advanced Manufacturing Building, <i>MSU Denver</i>	5,279,128	-	193,535,284
22	31	8	Tomlinson Library Addition and Renovation, <i>CMU</i>	18,462,102	6,037,654	211,997,386
23	32	9	East Campus Renovation, <i>ASU</i>	5,843,218	-	217,840,604
24	20	10	Visual and Performing Arts Complex, <i>UCCS</i>	13,281,999	21,413,439	231,122,603
25	33	11	Quigley Hall Renovation, <i>WSCU</i>	25,779,853	-	256,902,456
26	NP		N/A Level 2 Controlled Maintenance (54 projects), <i>DPA</i>	38,745,295	360,025	295,647,751
27	9		N/A IT Systems Replacement, Division of Motor Vehicles, <i>DOR</i>	41,021,167	-	336,668,918
28	13		N/A Electronic Health Record and Pharmacy System Replacement, <i>DHS</i>	9,849,610	-	346,518,528
29	16		N/A Program and Master Planning, Colorado Mental Health Institutes, <i>DHS</i>	815,000	-	347,333,528
30	12		N/A Laboratory Space per House Bill 13-1020, <i>DPS</i>	7,200,000	-	\$354,533,528
31	17		N/A Statewide Leave, Time Tracking, and Human Resources Management Systems Modernization, <i>OIT</i>	16,070,000	-	370,603,528
32	18		N/A Capitol Complex Leased Space Maintenance Request, <i>DPA</i>	5,400,000	-	376,003,528
33	14		N/A Offender Management Information System, <i>DOC</i>	5,796,000	-	381,799,528
34	34	12	Animal Sciences Building Renovation and Expansion, Phase II, <i>CSU</i>	4,863,456	-	386,662,984
35	35	13	Science and Health Lab Renovation, <i>ACC</i>	5,879,416	1,469,854	392,542,400
36	36	14	Heating Plant Renovation (Capital Renewal Project), <i>CSM</i>	6,150,000	6,150,000	398,692,400
37	37	15	Psychology Building Renovation and Addition, <i>CSU Pueblo</i>	2,308,268	-	401,000,668
38	38	16	Health Sciences Department Remodel, <i>CMU</i>	\$6,974,130	\$2,000,000	\$407,974,798
39	39	17	North Classroom Building Renovation (Capital Renewal Project), <i>CU Denver</i>	7,846,650	12,683,469	415,821,448

Capital Development Committee Prioritized Capital Construction List FY 2014-15, Highlighted to Show Differences with OSPB Request*

CDC	OSPB	CCHE	Project Title	CCF	CF	Cumulative Total: State Funds
40	40	18	Aerospace and Energy Systems Building, <i>CU Boulder</i>	4,354,159	2,902,772	420,175,607
41	41	19	Allied Health and Nursing Building, Larimer Campus, <i>FRCC</i>	19,867,000	4,000,000	440,042,607
42	42	20	Student Learning Commons and Theater, Downtown Studio Campus, <i>PPCC</i>	3,987,186	996,797	444,029,793
43	43	N/A	Replace Deteriorated Infrastructure, Colorado Mental Health Institute at Fort Logan (Capital Renewal Project), <i>DHS</i>	10,700,280	-	454,730,073
44	44	N/A	Upgrade Campus Utility Infrastructure, Colorado Mental Health Institute at Pueblo (Capital Renewal Project), <i>DHS</i>	19,227,152	0	473,957,225
45	45	31	Central Plant Upgrade, Westminster Campus (Capital Renewal Project), <i>FRCC</i>	4,366,780	-	478,324,005
46	NP	21	New Valley Campus Facility, <i>TSJC</i>	5,026,603	450,000	483,350,608
47	15	N/A	Electronic Health Record System, <i>CDPHE</i>	3,274,079	-	486,624,687
48	NP	22	Engineering II Building, Shell Space, <i>CSU</i>	5,990,038	-	492,614,725
49	NP	23	Agriculture Science Program Remodel, <i>OJC</i>	1,393,800	400,000	494,008,525
50	NP	24	Warner College of Natural Resources Addition, <i>CSU</i>	9,977,927	10,000,000	503,986,452
51	NP	25	Shepardson Building Renovation and Expansion, <i>CSU</i>	22,800,000	9,000,000	526,786,452
52	NP	26	Combined Cooling, Heating, and Power System, <i>CMU</i>	6,814,092	-	533,600,544
53	NP	27	Interdisciplinary Building, <i>CU Denver*</i>	11,421,349	11,421,349	545,021,893
54	NP	28	Instructional Lab Wing, <i>CU Denver</i>	9,462,977	9,462,977	554,484,870
55	NP	29	Center for Agricultural Education, <i>CSU</i>	3,317,072	1,000,000	557,801,942
56	NP	30	San Luis Valley Research Center, <i>CSU</i>	4,800,000	-	562,601,942
57	NP	N/A	Level 3 Controlled Maintenance (36 projects), <i>DPA</i>	22,581,263	-	585,183,205
Grand Total All FY 2014-15 State-Funded Requests				\$585,183,205	\$124,386,759	
Summary - Comparison CDC & OSPB Recommendations				CCF	CF/RF/FF	Grand Total
Recommended "above the CDC line" (for funding) by CDC*				\$376,003,528	\$52,449,541	\$428,453,069
Recommended "above the OSPB line" (for funding) by OSPB*				216,484,668	30,254,059	246,738,727
CDC Request Above OSPB Request				159,518,860	22,195,482	181,714,342

* The CDC recommended funding through CDC item #32 ("the CDC line"). Highlighted items above the CDC line = items not requested for funding by OSPB that were recommended for funding by the CDC. Highlighted items below the CDC line = items not recommended for funding by CDC but requested by OSPB. OSPB requested funding through item #22 of *its* prioritized list.

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**FY 2014-15
STAFF FIGURE SETTING RECOMMENDATIONS
CAPITAL CONSTRUCTION**

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

**Prepared By:
Amanda Bickel, JBC Staff
March 11, 2014**

For Further Information Contact:

Joint Budget Committee Staff
200 E. 14th Avenue, 3rd Floor
Denver, Colorado 80203
Telephone: (303) 866-2061
TDD: (303) 866-3472

Table of Contents

Department Overview.....	3
FY 2014-15 State-funded Projects.....	3
FY 2014-15 Cash-funded Projects.....	11
COFRS Modernization – Capital Appropriation and Common Policy Recommendation.....	12
FY 2013-14 Capital Construction Headnotes.....	16
Controlled Maintenance Trust Fund.....	18
Long Bill Reorganization.....	19
FY 2011-12 Supplemental Request.....	21
Proposed Rules/Resolution on How Budget Requests Should Be Directed (JBC, CDC, JTC) ...	22

Attachments:

February 24, 2014 letter and attachments from the CDC describing CDC recommendations

Draft resolution: Concerning changes to the Joint Rules of the Senate and House of Representatives

CAPITAL CONSTRUCTION

FY 2014-15 STAFF FIGURE SETTING RECOMMENDATIONS

Department Overview

Pursuant to Section 24-37-304, C.R.S. the Governor’s Office (and elected officials as relevant) submit a prioritized list of capital development and controlled maintenance projects to the Capital Development Committee (CDC). The CDC, in turn, in turn submits a list of prioritized projects to the Joint Budget Committee for its consideration.

Pursuant to Section 2-3-203, C.R.S., the Joint Budget committee is ultimately responsible for reviewing all budget requests, including capital requests, and making appropriation recommendations to the appropriations committees and the General Assembly. However, Section 2-3-203 (1) (b), C.R.S., requires that “if the joint budget committee’s recommendations [to the appropriations committees/the General Assembly] alter the determinations of priority established by the capital development committee, prior to making the recommendations, the joint budget committee shall notify the capital development committee and allow for a joint meeting of the two committees”.

The CDC submitted its recommended project list for FY 2014-15 to the JBC on February 24, 2014.

FY 2014-15 State-funded Projects

Executive Request: For FY 2014-15, the Governor requested 22 projects that would require expenditure of state funds from the Capital Construction Fund or the Higher Education Federal Mineral Lease Revenues Fund. This included a request for level 1 (but not level 2 or 3) controlled maintenance projects. Consistent with statute, the Colorado Commission on Higher Education (CCHE) submitted a prioritized list of higher education projects for inclusion in the Governor’s and CDC’s prioritization process, but the Governor’s Office of State Planning and Budgeting (OSPB) only recommended two of these (and the projects selected were not #1 and #2 on the CCHE list).

The OSPB request for state-funded projects, including budget amendments, was for \$246.8 million total funds, including **\$216.9 million** from the Capital Construction Fund.¹

CDC Recommendation: The CDC has submitted a prioritized list that requests projects totaling **\$376.0 million from the Capital Construction Fund or \$159.5 million more than the OSPB**

¹ After adjustments, the CDC reflects the request for the projects requested by OSPB at \$216.5 million.

request. *The attached table highlights projects that are included in the CDC prioritized list that were not included in the OSPB list and projects that were included in the OSPB list that are not recommended for funding in the CDC's prioritized list.* The CDC also changed the priority order for a variety of projects, even when both the CDC and the OSPB recommend project funding. The following is a brief summary of the CDC changes that moved projects either above or below the funding line, *i.e.*, recommendations that moved projects in or out of the “recommended to fund” category. The CDC:

- Added (moved “above the line”) 9 higher education projects not included in the Executive request. Its letter notes that it recommended 11 higher education projects in CCHE’s priority order (CDC priorities 15-26), providing support for at least one project per governing board. The additional 9 higher education projects increase the total request by **\$127.4 million**.
- Added level 2 controlled maintenance (**\$38.7 million**), in light of the need to address deferred maintenance needs.
- Added 2 other small projects (Pearce McAllister Renovation for History Colorado and a highway construction projects; CDC priority 13 and 14) for **\$2.5 million**. The CDC noted that it had prioritized various History Colorado projects higher on the list than OSPB due to their potential to generate income for History Colorado.
- Eliminated (moved “below the line”) 2 information technology projects: The Department of Corrections (DOC) Offender Management System and the Department of Public Health and Environment (CDPHE) Electronic Health Record System request. These changes reduced the request by **\$9.1 million**. The CDC indicated that this was in light of their late submission and, in the case of the DOC request, concerns about the project raised by the Joint Technology Committee. During figure setting for CDPHE, the JBC voted to fund the CDPHE project (\$3.7 million) in the operating budget.

The CDC has provided a letter (attached) that explains in more detail the differences between the two lists and the rationale for the CDC’s decisions. See the appendix for the letter and more detail on the individual projects, including the controlled maintenance projects.

JBC Working Document – Does Not Represent Committee Decision

CDC	OSPB	CCHE	Project Title	Capital Construction Fund (CCF)	Cash Funds	Cumulative Total: CCF State Funds
1	1	NP	Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), <i>CU Denver*</i>	\$6,993,118	\$7,297,620	\$6,993,118
2	2	NP	Various Higher Education Projects — November 2008 Issue (COP Payment), <i>CCHE</i>	18,587,556	-	25,580,674
3	3	N/A	Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), <i>DOC</i>	18,426,771	-	44,007,445
4	4	N/A	Controlled Maintenance Projects — Level 1 (37 projects), <i>various agencies</i>	25,746,381	-	69,753,826
5	5	N/A	Digital Trunked Radio System, Software Upgrade, <i>OIT</i>	3,636,760	-	73,390,586
6	6	N/A	Suicide Risk Mitigation, <i>DHS</i>	4,478,533	-	77,869,119
7	7	N/A	Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, <i>DHS</i>	1,100,000	-	78,969,119
8	8	N/A	Veterans Memorial Cemetery Expansion, <i>DMVA</i>	4,564,922	-	83,534,041
9	10	N/A	Multi-Use Support Building, Youthful Offender System, <i>DOC</i>	4,897,755	-	88,431,796
10	11	N/A	Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, <i>DHS</i>	1,428,500	1,443,000	89,860,296
11	21	N/A	Lebanon Mill Dam Restoration, <i>History Colorado</i>	768,210	-	90,628,506
12	22	N/A	Georgetown Loop Business Capitalization Program, <i>History Colorado*</i>	300,000	100,000	90,928,506
13	23	N/A	Highway Construction Projects, <i>CDOT</i>	1,615,000	-	92,543,506
14	24	N/A	Pearce McAllister Renovation, <i>History Colorado</i>	843,876	-	93,387,382
15	25	1	Meyer Hall Replacement, <i>CSM*</i>	14,600,000	-	107,987,382
16	26	2	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, <i>FLC*</i>	20,827,755	2,115,987	128,815,137
17	27	3	Chemistry Building Addition, <i>CSU</i>	15,000,000	-	143,815,137
18	28	4	Ketchum Arts and Sciences Building (Capital Renewal Project), <i>CU Boulder</i>	11,592,712	1,149,528	155,407,849
19	19	5	Auraria Library Renovation, <i>AHEC</i>	22,848,307	-	178,256,156
20	29	6	Health Professions and Science Building, Arvada Campus, <i>RRCC</i>	10,000,000	12,532,288	188,256,156

JBC Working Document – Does Not Represent Committee Decision

CDC	OSPB	CCHE	Project Title	Capital Construction Fund (CCF)	Cash Funds	Cumulative Total: CCF State Funds
21	30	7	Aviation, Aerospace, and Advanced Manufacturing Building, <i>MSU Denver*</i>	5,279,128	-	193,535,284
22	31	8	Tomlinson Library Addition and Renovation, <i>CMU</i>	18,462,102	6,037,654	211,997,386
23	32	9	East Campus Renovation, <i>ASU</i>	5,843,218	-	217,840,604
24	20	10	Visual and Performing Arts Complex, <i>UCCS*</i>	13,281,999	21,413,439	231,122,603
25	33	11	Quigley Hall Renovation, <i>WSCU</i>	25,779,853	-	256,902,456
26	NP	N/A	Level 2 Controlled Maintenance (54 projects), <i>DPA</i>	38,745,295	360,025	295,647,751
27	9	N/A	IT Systems Replacement, Division of Motor Vehicles, <i>DOR</i>	41,021,167	-	336,668,918
28	13	N/A	Electronic Health Record and Pharmacy System Replacement, <i>DHS</i>	9,849,610	-	346,518,528
29	16	N/A	Program and Master Planning, Colorado Mental Health Institutes, <i>DHS</i>	815,000	-	347,333,528
30	12	N/A	Acquisition of Additional Denver CBI Lab Space to Comply with House Bill 13-1020, <i>DPS**</i>	7,200,000	-	\$354,533,528
31	17	N/A	Statewide Leave, Time Tracking, and Human Resources Management Systems Modernization, <i>OIT</i>	16,070,000	-	370,603,528
32	18	N/A	Capitol Complex Leased Space Maintenance Request, <i>DPA</i>	5,400,000	-	376,003,528
33	14	N/A	Offender Management Information System, <i>DOC</i>	5,796,000	-	381,799,528
34	34	12	Animal Sciences Building Renovation and Expansion, Phase II, <i>CSU</i>	4,863,456	-	386,662,984
35	35	13	Science and Health Lab Renovation, <i>ACC*</i>	5,879,416	1,469,854	392,542,400
36	36	14	Heating Plant Renovation (Capital Renewal Project), <i>CSM</i>	6,150,000	6,150,000	398,692,400
37	37	15	Psychology Building Renovation and Addition, <i>CSU Pueblo</i>	2,308,268	-	401,000,668
38	38	16	Health Sciences Department Remodel, <i>CMU</i>	\$6,974,130	\$2,000,000	\$407,974,798
39	39	17	North Classroom Building Renovation (Capital Renewal Project), <i>CU Denver</i>	7,846,650	12,683,469	415,821,448
40	40	18	Aerospace and Energy Systems Building, <i>CU Boulder*</i>	4,354,159	2,902,772	420,175,607
41	41	19	Allied Health and Nursing Building, Larimer Campus, <i>FRCC</i>	19,867,000	4,000,000	440,042,607
42	42	20	Student Learning Commons and Theater, Downtown Studio Campus, <i>PPCC</i>			444,029,793

JBC Working Document – Does Not Represent Committee Decision

CDC	OSPB	CCHE	Project Title	Capital Construction Fund (CCF)	Cash Funds	Cumulative Total: CCF State Funds
				3,987,186	996,797	
43	43	N/A	Replace Deteriorated Infrastructure, Colorado Mental Health Institute at Fort Logan (Capital Renewal Project), <i>DHS</i>	10,700,280	-	454,730,073
44	44	N/A	Upgrade Campus Utility Infrastructure, Colorado Mental Health Institute at Pueblo (Capital Renewal Project), <i>DHS</i>	19,227,152	0	473,957,225
45	45	31	Central Plant Upgrade, Westminster Campus (Capital Renewal Project), <i>FRCC</i>	4,366,780	-	478,324,005
46	NP	21	New Valley Campus Facility, <i>TSJC*</i>	5,026,603	450,000	483,350,608
47	15	N/A	Electronic Health Record System, <i>CDPHE</i>	3,274,079	-	486,624,687
48	NP	22	Engineering II Building, Shell Space, <i>CSU</i>	5,990,038	-	492,614,725
49	NP	23	Agriculture Science Program Remodel, <i>OJC</i>	1,393,800	400,000	494,008,525
50	NP	24	Warner College of Natural Resources Addition, <i>CSU</i>	9,977,927	10,000,000	503,986,452
51	NP	25	Shepardson Building Renovation and Expansion, <i>CSU</i>	22,800,000	9,000,000	526,786,452
52	NP	26	Combined Cooling, Heating, and Power System, <i>CMU</i>	6,814,092	-	533,600,544
53	NP	27	Interdisciplinary Building, <i>CU Denver*</i>	11,421,349	11,421,349	545,021,893
54	NP	28	Instructional Lab Wing, <i>CU Denver</i>	9,462,977	9,462,977	554,484,870
55	NP	29	Center for Agricultural Education, <i>CSU</i>	3,317,072	1,000,000	557,801,942
56	NP	30	San Luis Valley Research Center, <i>CSU</i>	4,800,000	-	562,601,942
57	NP	N/A	Level 3 Controlled Maintenance (36 projects), <i>DPA</i>	22,581,263	-	585,183,205
Grand Total All FY 2014-15 State-Funded Requests				\$585,183,205	\$124,386,759	
Summary - Comparison CDC & OSPB Recommendations				CCF	CF/RF/FF	Grand Total
Recommended "above the line" by CDC				\$376,003,528	\$52,449,541	\$428,453,069
Recommended "above the line" by OSPB				<u>216,484,668</u>	<u>30,254,059</u>	<u>246,738,727</u>
CDC Request Above OSPB Request				159,518,860	22,195,482	181,714,342

**Includes slight change from original request, pursuant to CDC communication on March 6, 2014

General Fund Transfer to Capital Development Fund Required to Fund Projects: State capital development projects approved will require a General Fund transfer to the Capital Development Fund. The table below reflects the offsets estimated to be available. As reflected below, **staff anticipates that virtually all state-funded project amounts that are approved will need to be funded through a transfer of General Fund to the Capital Construction Fund, due to the very limited amounts available from offsetting sources.** The Federal Mineral Lease amount will be finalized after the March 2014 forecast and will affect the total amount of transfer required. Based on the OSPB December 2013 estimate of Federal Mineral Lease revenue used by the CDC, staff anticipates that the Executive Request would require a transfer of \$213.9 million General Fund, while the CDC recommendations would require a transfer of \$373.4 million General Fund.

Revenue Source	
Capital Construction Fund balance as of July 1, 2013	\$1,391,000
Capital Construction Fund projected FY 2013-14 interest earnings	1,200,000
Corrections Expansion Reserve Fund balance available July 1, 2014, under current law	<u>0</u>
<i>Higher Education Federal Mineral Lease Revenues Fund available for various higher education projects COP payment (tentative - pending March forecast)</i>	<u>0</u>
Subtotal (A)	2,591,000
Cost of state funded projects - Executive Request (B)	216,487,020
General Fund Transfer Required for Executive Request (B-A)	\$213,896,020
Cost of state funded projects - CDC Recommendation (C)	376,003,528
General Fund Transfer Required for CDC Recommendation (C-A)	\$373,412,528

JBC Staff Recommendation: *In light of the role of the CDC, JBC staff does not typically make recommendations on the prioritization of capital projects.* However, staff has provided some additional information on the various projects on the CDC and Executive lists where the two entities differed.

Points to Consider Related to Prioritization

- **Lease-purchase / Certificates of Participation payments (CDC Items 1-3 and 5):** These items always have first priority in the list, as the penalties associated with not making the payments would be significant. *Although Item 2 (Higher Education Projects) were expected to be covered by federal mineral lease revenues when the projects were authorized in 2008, there is no funding available from this source for FY 2014-15 based on current information, so Capital Construction Funds (General Fund) will again be required.*

- **CDOT Highway Construction (CDC item 13):** Staff understands that this is a high priority CDOT project that will be supported by CDOT’s other funding sources (HUTF, federal) if General Fund is not made available. CDOT submitted this request consistent with statutory requirement that it submit a prioritized list to the CDC. In recent years, the only state appropriation provided for CDOT has been a General Fund Exempt transfer associated with Referendum C requirements. *Should the JBC agree to fund this project and the JBC again authorize such a transfer, staff would recommend that any GFE support for CDOT be used to support this requested project.*
- **Pearce-McAllister Cottage (CDC Item 14):** The Capital Development Committee placed this project relatively high on the prioritization list, although it was “below the line” for OSPB. The request is to renovate the 5,386 GSF Pearce-McAllister Cottage which was constructed in 1899 and currently houses the Denver Museum of Miniatures Dolls, and Toys to create 500 GSF suites. History Colorado faces a problem with this space because the annual rent it receives for the space (\$6,300 or \$1.17 per square foot) is well below the estimated maintenance costs of about \$20,000 per year. According to the CDC write-up, History Colorado plans to market the suites to state legislators and other state employees as well as attendees at events hosted at the History Colorado center. History Colorado assumes it could achieve 70 percent occupancy and be paid at state per diem rates, generating \$62,000 in the first year and up to \$609,000 by year ten. The History Colorado write-up also cites office space as an option. *While staff appreciates the problem History Colorado seeks to address, staff does not believe History Colorado has adequately thought-through its plans for this space. It does not have a specific business plan nor has it determined what a third-party vendor would charge to operate this space like a hotel.* The request indicates that the project would have no impact on state operating costs, but this seems improbable, as staff assumes that any new business venture is likely to involve additional ongoing expenses, as well as, presumably, revenue. Staff understands that program plans sometimes changes after projects have received capital construction funding, but staff believes a project intended to generate income should probably be more carefully developed, particularly given the challenges History Colorado is already facing with regard to earnings and visitation at its core facilities.
- **Higher education projects (Items 13-25):** As the Committee is aware, due to the lack of available state funding, higher education institutions have been relying heavily on student fees and other non-state sources in order to continue construction on a wide range of projects. Annual reports compiled by the Department of Higher Education on large cash funded projects at the institutions reflect hundreds of millions in infrastructure investments. In FY 2012-13 alone, the annual large cash funded project report identified \$1.5 billion in cash-funded projects in progress at the higher education institutions. This includes investments across the system—at the community colleges, as well as the large university systems. This highlights the capacity of the higher education system to pay for projects internally, when General Fund is constrained. However, as staff has also noted in higher education presentations, institutions’ increasing reliance on cash funds has both driven student fees and placed pressure on the long-term viability of smaller institutions.

- **Controlled Maintenance level 2 (CDC Item 26):** As the Committee is aware, deferred maintenance is a significant problem throughout the State. The State Architect calculates that the current replacement value of state buildings eligible for capital construction funding is \$10.2 billion. *Thus, to set aside 1.0 percent for controlled maintenance, \$102.0 million would be required. Even if the General Assembly funds level 2 controlled maintenance, this will only provide \$64.4 million.* About 12 percent of the State’s buildings have a facility condition index (FCI) below 50 percent, while about 35 percent have an FCI below 70 percent.

[The State Architect also recommends that the General Assembly set aside another 1-3 percent per year for larger renovation projects related to maintaining existing building stock (an additional \$100-\$300 million). As reflected in the CDC’s letter to the JBC, many of the items included in this year’s request are related to replacing or updating existing infrastructure, rather than building new projects.]

Controlled maintenance is managed differently from other capital projects, in that the state architect is responsible for prioritization of projects. The overall process is designed to distribute funding widely to state agencies and higher education institutions based on their square footage and system maintenance needs.

As described in the Architect’s report, controlled maintenance levels *originally* reflected the following:

- Level I:** life safety and/or loss of use (resulting from equipment/system failure and/or lack of compliance with codes and other requirements)
- Level II:** projects causing operational disruptions/energy inefficiencies and/or environmental contamination
- Level III:** projects containing differing levels of deterioration.

The 2012 report noted, however, that:

“The result of not having sufficient funding for all three levels is causing, for example, roofing projects that were originally prioritized in Level 3 to now rise in criticality to Levels 1 and 2 due to increased deterioration over time. The previous types of projects per category intended for each level are now mixed throughout the levels.”

- **Capitol Complex Leased Space Maintenance Request (CDC Item 32):** This request is effectively a group of controlled maintenance projects that have been brought forward due to Executive interest in completing the projects more quickly. Staff notes that the Department has engaged consultants related the Capitol Complex Master Plan and that these consultants are expected to make recommendations related to the overall Plan and financing for ongoing maintenance. *If funding available does not make it possible to fully fund the CDC’s list, staff assumes that improvements included in this request will be requested in the future but potentially with funding spread to additional funding sources. Staff believes the General Assembly might reasonably wait to fund this request, pending the completion of the Capitol Complex Master Plan.*

- **Offender Management System (OSP Item 14) and Electronic Health Records for CDPHE (OSP Item 15):** The Joint Technology Committee identified concerns with the Offender Management System request, leading the CDC to lower it in priority. The expectation is that the project will be resubmitted after further work. The CDC also lowered the CDPHE project in priority because it had missed CDC deadlines. The JBC voted to fund this project through the operating budget. The CDC’s proposed bill to clean-up capital construction statutes is expected to add a provision specifying that budget amendments will be submitted to the CDC by December 10 of each year. (There is currently no provision in CDC statutes for budget amendments.)

FY 2014-15 Cash-funded Projects

Request: The Governor requested funding for 18 cash funded projects totaling \$105.8 million for FY 2014-15. In addition, the Judicial Branch requested funding for one cash funded project (COP payment) totaling \$21.6 million.

CDC Action: The Capital Development Committee recommended all of the cash funded projects requested by the Governor and the Judicial Branch, with the exception of a request related to superfund sites (\$51.0 million) that was approved as a supplemental adjustment rather than a FY 2014-15 request, a request that was withdrawn, and minor technical adjustments described in the CDC’s letter. With these adjustments, the total cash funds request from the CDC is for \$76.0 million. Additional detail on the projects and their associated costs can be found in Attachment E to the CDC’s letter.

eLicense Implementation	Agriculture	CF	\$700,000
Correctional Industries – Miscellaneous Small Projects	Corrections	CF	660,000
Workers' Compensation Mainframe Migration and Modernization Project	Labor	CF	5,932,500
Infrastructure and Real Property Maintenance, Wildlife Areas	Natural Resources	CF	900,000
Land and Water Acquisitions, Wildlife Areas	Natural Resources	CF	11,300,000
Land and Water Acquisitions, State Parks	Natural Resources	CF	950,000
New Park Development	Natural Resources	CF	5,261,054
Park Infrastructure and Facilities	Natural Resources	CF	10,713,244
Park Infrastructure and Facilities	Natural Resources	FF	1,919,000
Brownfields Cleanup Program (aka HB 00-1306 Site Cleanups)	Public Health	CF	250,000
Medical Marijuana Registration System	Public Health	CF	1,117,284
G.R. Carrel Hall Renovation	Public Safety	HUTF	545,633
Motor Carrier Training Facility and Dormitory	Public Safety	CF	1,200,000
Performance-Based Brake Tester Acquisition and Installation, Dumont Port of Entry	Public Safety	CF	500,000
New Colorado History Museum (COP Payments)	Higher Education	CF	3,121,000
Regional Museum Preservation Projects	Higher Education	CF	700,000
Ralph L. Carr Justice Center (COP Payment)	Judicial	CF	21,627,507

Colorado Financial Reporting System (COFRS) Modernization	Governor OIT	RF	8,566,515 75,963,737
---	--------------	----	-------------------------

Staff Recommendation: Staff has not identified any technical issues related to these items other than those described for COFRS modernization (below) and has no substantive recommendations, in light of the role of the CDC in recommending projects.

COFRS Modernization – Capital Appropriation and Common Policy Recommendation

Summary - Project Status Concerns - Recommendation

The Executive is moving ahead rapidly on a new state accounting system (formerly known as COFRS II and now known as CORE—Colorado Operations Resource Engine) Staff has heard conflicting opinions regarding whether the project will be ready to launch July 1, 2014 as currently planned. **The project is clearly behind schedule in a number of significant areas.**

Ultimately, the Executive oversight committee for the project –Henry Sobanet, Kathy Nesbitt, and Kristen Russell—will need to decide whether the project is “go/no go” within the original timeframe and will need to determine if they wish to approach the General Assembly for additional time or resources. However, **in JBC staff’s opinion, appropriations from the General Assembly should not be treated as an obstacle to spending more time or resources on the front-end to ensure that CORE is a success.** In light of the State’s history of launching projects before they are ready—with depressing results—**staff believes the JBC should encourage the Executive to be forthright about any additional funding needs earlier, rather than later.**

IV&V and Project Status Reports

The most recent system progress reports and Independent Validation and Verification (IV&V) reports for the project, identify significant concerns. **Specifically, the IV&V report, dated January 23, 2014, indicated that the project status was “red”** because it was not on track to meet its go-live date. The report identified the top three items contributing to this assessment as:

- Project governance: the project does not have supporting structure in place to support the implementation of CORE, given the multiple departments involved. Lack of firm central control “allows decisions to flounder”.
- End user training (EUT) is undefined: Due to changes in direction, the plan for EUT had not been completed, and the timeline was severely compromised (based on the January assessment).
- Expert assistance needed for user acceptance training (UAT) script creation: Because the UAT planning was started late, the development of scripts is confined to a short timeframe and is expected to be completed by state personnel with little knowledge of the CORE screens, workflow or functionality.

reasonably confident that the system will work as intended. This same system is operating successfully in other states and this should reduce the risk of a serious failure related to basic accounts and controls. However, some staff who have been involved in development of interfaces to existing Colorado IT systems have significant concerns about whether these will be ready and functioning well prior to system launch. There is also general anxiety about the system among end users who have not yet had the opportunity to work with the system. Project management hopes to address this anxiety somewhat through a statewide conference scheduled for the end of March.

- There are clearly *negatives and positives associated with delaying the project*. If CORE does not launch at the beginning of the fiscal year, data will need to be entered into the old system as well as the new system, driving additional workload. The old COFRS system is “barely hanging on” and the State does not want to rely on it for any longer than needed. Finally, the new system will bring new functionality and is supposed to be user-friendly. There are also likely cost-implications in a delay. Thus, moving to CORE more quickly is attractive. On the other hand, the current compressed schedule is extremely problematic if interfaces do not work smoothly and staff are attempting to learn how to use the new system on July 1 at precisely the time they are closing out the books for FY 2013-14 in COFRS.
- From the JBC staff perspective, *the biggest risk is if system problems delay payments to vendors, local governments, and the public*. Payroll is not dependent upon CORE. Further, many other key payment systems are not reliant on CORE: the Department of Revenue, the Department of Transportation, and higher education institutions all operate on separate systems and place summarized data into the statewide system. However, *there are some critical state payments, such as Medicaid payments to vendors and Department of Education transfers to school districts for which payment authorization relies on action within the state accounting system. These pieces must work properly for the system to successfully go live*.

While the *Joint Technology Committee (JTC)* has had presentations on the system, it apparently has not received sufficient information to provide a recommendation related to the project.

FY 2014-15 Requested and Recommended Appropriation

Consistent with the overall “behind” status of the project, the Executive has also been behind schedule with respect to submitting budget requests related to the project.

- The Governor’s Office submitted a late budget request to the CDC for COFRS appropriations for FY 2014-15 but never formally tried-up its operating request to align with the capital request.
- The Executive has repeatedly indicated that it will update federal funds amounts based on negotiations with federal authorities about federal participation. However, the fund-splits reflected in the CDC request have not been significantly updated since originally proposed for FY 2012-13.
- The request approved by the CDC, including a capital construction appropriation, is not an appropriate structure for this project once the construction phase is completed and ongoing operations have begun. At present, the Governor’s Office anticipates that the project will “go live” July 1, 2014, i.e., it will be in ongoing operations mode for FY 2014-15. **Staff**

therefore assumes that any current action taken related to the FY 2014-15 budget will be merely a “placeholder”, pending a subsequent executive request.

OSPB leadership has committed to staff that the Governor’s Office will be submitting a supplemental request, along with its November 2014 budget request, that will make substantial changes to the COFRS II/CORE appropriation consistent with the funding structure required on an ongoing basis for the project.

Project documents submitted last year anticipated that ongoing costs, starting in FY 2014-15 would include:

- \$3.9 million for “managed advantage” ongoing payments to the vendor for system maintenance and hosting;
- \$4.0 million for lease-purchase payments;
- approximately \$530,000 per year in ongoing OIT personal services and operating costs; and
- Reduced General Fund/cash obligations of about \$1.0 million per year and an associated increase in federal appropriations, to compensate for a higher level of state funds support during the project’s construction phase.

The Executive Request will presumably address changes along these lines, but the details will be modified. Staff’s understanding is that the request will likely include adjustments to appropriations in the Department of Personnel and the Governor’s Office of Information Technology, as well as a lease-purchase payment in the capital budget for payments on the lease-purchase issuance of up to \$33 million authorized pursuant to S.B. 13-190.

Staff also assumes that, as the State collects data on utilization of the system, fund splits by agency will be adjusted.

Recognizing that the amounts proposed for the Long Bill will be subject to mid-year adjustment, staff has simply recommended the Executive Request reflected in the capital construction budget as a “placeholder”. *Almost without exception, the amounts reflected continue the General Fund cash, and reappropriated amounts included in the FY 2013-14 budget, but add back federal funds removed while the project was under construction in FY 2013-14.*

Dept	GF	CF	RF	FF	Total
Agriculture	9,783	56,487	0	6,701	72,971
Corrections	480,395	30,736	33,379	15,402	559,912
Education	61,100	89,496	47,318	0	197,914
Governor	22,407	23,019	0	21,753	67,179
Health Care Policy and Financing	329,397	173,190	2,052	446,021	950,660
Higher Education	0	19,614	16,847	2,543	39,004
Human Services	814,729	251,033	0	455,458	1,521,220
Judicial	1,056,857	0	0	10,340	1,067,197
Labor and Employment	0	185,370	0	258,727	444,097
Law	0	0	46,431	1,139	47,570

Dept	GF	CF	RF	FF	Total
Legislative Department	19,406	0	0	0	19,406
Local Affairs	104,883	0	52,620	45,222	202,725
Military and Veterans Affairs	1,418	0	0	36,272	37,690
Natural Resources	130,479	1,113,765	67,437	100,015	1,411,696
Personnel	74,907	30,022	183,132	0	288,061
Public Health	0	0	699,370	0	699,370
Public Safety	52,658	95,007	34,217	16,746	198,628
Regulatory Agencies	3,016	131,452	7,995	2,003	144,466
Revenue	80,654	232,718	0	0	313,372
State	0	40,140	0	0	40,140
Transportation	0	107,310	0	34,811	142,121
Treasury	45,502	55,614	0	0	101,116
TOTAL	\$3,287,591	\$2,634,973	\$1,190,798	\$1,453,153	\$8,566,515

FY 2013-14 Capital Construction Headnotes

Below are staff's (minor) updates to the capital construction headnotes for FY 2013-14. **Staff recommends that the Committee approve the capital construction headnotes as amended for FY 2014-15.**

SECTION 3. Capital construction appropriation. (1) (a) (I) The sums in this section, or so much thereof as may be necessary for the purposes specified, are hereby appropriated out of any funds accrued or accruing to the capital construction fund not otherwise appropriated and out of the cash funds and federal funds specified for construction projects at the respective institutions and agencies enumerated in this section. Except as otherwise provided in subparagraph (II) of this paragraph (a) or in particular line items of appropriation, the appropriations made in this section shall become available upon passage and approval of this act and, if any appropriated project is initiated within the fiscal year, the appropriation therefor shall remain available until completion of the project or for a period of three years, whichever comes first, at which time unexpended and unencumbered balances shall revert to the funds from which they were appropriated.

(II) An appropriation for a lease-purchase payment is for the ~~2013-14~~ 2014-15 fiscal year only.

(b) For purposes of section 20 of article X of the state constitution and pursuant to section 24-75-302 (1) (b), Colorado Revised Statutes, the unrestricted year-end balance of the capital construction fund for the 1991-92 fiscal year shall constitute a reserve. Consequently, any moneys credited to the capital construction fund constitute a reserve increase and therefore constitute state fiscal year spending, as defined in section 24-77-102 (17) (a), Colorado Revised Statutes, and any moneys transferred or expended from the capital construction fund constitutes a reserve transfer or expenditure which is excluded from state fiscal year spending, as defined in section 24-77-102 (17) (b), Colorado Revised Statutes.

(c) Moneys appropriated in this section from the capital construction fund include:

(I) Sums transferred pursuant to section 24-75-302, Colorado Revised Statutes, which sums constitute state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes;

(II) ~~Six hundred thousand dollars (\$600,000)~~ ONE MILLION TWO HUNDRED THOUSAND DOLLARS in interest earnings for the ~~2012-13~~ 2013-14 fiscal year in the capital construction fund pursuant to section 24-75-302 (1), Colorado Revised Statutes, which sum does not constitute state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes.

(d) Moneys appropriated in this section from cash funds shall constitute state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes.

(2) Except as otherwise specifically noted, appropriations from state funds shall be reduced by the amount of any funds received from federal, local, private, or other state sources and not appropriated in this act. This restriction shall not apply to any funds received by a state agency or institution of higher education or the Council on the Arts from any state or nonstate source for use in the Art in Public Places program.

(3) Operating and maintenance costs shall be a major consideration in the design and construction of any project involving renovation.

(4) A construction project for which the lowest bid is in excess of the appropriation shall be redesigned to conform to the appropriation and may be commenced if approved under the procedures set forth in this subsection (4). The agency shall submit the redesigned project to the state buildings division of the department of personnel or, for higher education projects, to the Colorado commission on higher education, which shall assure that the redesigned project meets the program needs of the agency and the necessary quality of the building. The state buildings division and the Colorado commission on higher education shall report all such analyses to the joint budget committee and to the capital development committee on a regular basis. If the redesigned project is approved by the state buildings division or the Colorado commission on higher education, the project may commence. If the redesigned project is not approved, it shall not be commenced until further action is taken by the general assembly to reauthorize the project.

(5) Expenditures of funds appropriated for capital construction shall be in accord with section 17-24-111, Colorado Revised Statutes, which requires institutions, agencies, and departments to purchase such goods and services as are produced by the division of correctional industries from said division.

(6) **Definitions.** As used in this section:

(a) "Physical planning" includes all fees for survey and site investigation and architectural and engineering services, but no contract for architectural/engineering services shall commit the state to physical planning expenses greater than those which are provided in the

appropriation. No funds appropriated for any other purpose shall be expended for physical planning.

(b) "Program plan" or "program planning" relates to a specific project or facility and shall include, but is not limited to, an inventory of amounts and types of space currently available; an analysis of amounts, types, and relative locations of space required for current programs as determined by use of accepted state space standards; an analysis of projected programs and space required; and, if a change in facilities is justified based on analysis, recommendations for demolition, remodeling, or construction, including a detailed budget which relates to a realistic timetable for implementation.

Controlled Maintenance Trust Fund

The purpose of the Controlled Maintenance Trust Fund, pursuant to Section 24-75-302.5, C.R.S. is to provide a stable, predictable and consistent source of revenues for controlled maintenance. The intent was to use interest on the principal amount to support annual controlled maintenance appropriations. However, because there has been virtually no principal in the Trust Fund for many year, the CDC recommendations do not reflect financing any controlled maintenance with this Fund. Appropriation of \$23.0 million in FY 2012-13 and \$48.0 million in FY 2013-14 were transferred out to address disaster emergencies. An additional \$78.0 million added mid-year in FY 2014-15 has thus far remained intact.

As of the end of December, staff in the Department of the Treasury anticipated that \$425,279 would be in the Fund prior to the new \$78 million transfer authorized through the 2014 session supplemental bill.

Long Bill Reorganization

As discussed in staff's budget briefing on November 7, 2014, **staff recommends that the JBC adopt a new Long Bill structure for capital construction.**

Current Long Bill format. The capital construction section of the Long Bill has historically organized capital and controlled maintenance appropriations by department, dividing each department into controlled maintenance and capital construction subsections or, in the case of higher education, establishing subdivisions by higher education institution and further subdividing into controlled maintenance and capital construction subsections for each institution, as shown below.

<p>SECTION 3. Capital Construction</p> <p>Part I - Department of Agriculture</p> <ul style="list-style-type: none">(1) Controlled Maintenance<ul style="list-style-type: none">Line Item 1Line Item 2Subtotal(2) Capital Construction<ul style="list-style-type: none">Line Item 3 <p>Total Part I - Department of Agriculture</p> <p>Part VII – Department of Higher Education</p> <ul style="list-style-type: none">(1) Institution #1<ul style="list-style-type: none">(A) Controlled Maintenance<ul style="list-style-type: none">Line Item 1(B) Capital Construction<ul style="list-style-type: none">Line Item 2Line Item 3Subtotal<p>Total – Institution #1</p>(2) Institution #2<ul style="list-style-type: none">(A) Controlled Maintenance<ul style="list-style-type: none">Line Item 1(B) Capital Construction<ul style="list-style-type: none">Line Item 2<p>Total – Institution #2</p> <p>Total Part VII – Department of Higher Education</p> <p>GRAND TOTALS (CAPITAL CONSTRUCTION)</p>

The primary advantage of this approach is that it provides a total for each state department and institution that includes both controlled maintenance and capital construction projects.

Proposed alternative format. An alternative approach suggested by staff organizes capital into two major divisions: (1) Capital Construction/Capital Renewal/Capital Lease Purchase Payments; and (2) Controlled Maintenance. Within each of these major divisions, there are subdivisions for each department and sub-subdivisions for higher education institutions, as shown below.

<p>SECTION 3. Capital Construction</p> <p>Part I – Capital Construction, Capital Renewal, and Capital Lease Purchase Payments</p> <p>(1) Department of Agriculture</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal - Agriculture</p> <p>(2) Department of Higher Education</p> <p> (A) Institution #1</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal</p> <p> (B) Institution #2</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal</p> <p> Subtotal– Higher Education</p> <p>Total Part I - Capital Construction</p> <p>Part II – Controlled Maintenance</p> <p>(1) Department of Agriculture</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal - Agriculture</p> <p>(2) Department of Higher Education</p> <p> (A) Institution #1</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal</p> <p> (B) Institution #2</p> <p> Line Item 1</p> <p> Line Item 2</p> <p> Subtotal</p> <p> Subtotal– Higher Education</p> <p>Total Part II - Controlled Maintenance</p> <p>GRAND TOTALS (CAPITAL CONSTRUCTION)</p>

Advantages of the new format include the following:

Legislative Process/Statutory Control: The proposed reorganization parallels General Assembly Long Bill processes and statutory controls. The General Assembly controls the proposed “Part I” Capital Construction section, and line item totals in this section represent real caps on expenditure amounts. The Capital Development Committee reviews and prioritizes all requested appropriations for these projects and recommends them on an individual basis to the JBC and the General Assembly.

In contrast, pursuant to Section 24-30-1303.7, C.R.S. line items in Part II are not fully controlled by the General Assembly. The Executive Director of the Department of Personnel (whose authority is typically delegated to the State Architect) has authority to transfer funds from one controlled maintenance project to another, when the actual cost of a project exceeds the amount appropriated or when an emergency need arises. Thus, only the total controlled maintenance appropriation is capped and changes to individual line items may be made without further action by the General Assembly.

Ease of Long Bill Review: The proposed reorganization makes it easier for members of the General Assembly, departments, and the public to find the capital construction projects that draw most attention, i.e., the major prioritized capital projects. Members of the General Assembly are typically far more focused on the proposed “Part I” projects than the “Part II” projects, and the reorganization reduces the amount of extra material that an interested person must wade through to find the project that interests them the most.

Length of the Long Bill: The reorganization makes for a shorter Long Bill. The FY 2013-14 Long Bill would have been about one-third shorter had it been written in the proposed alternative format.

FY 2011-12 Supplemental Request

Request: On February 11, 2014, the Capital Development Committee forwarded a late supplemental request from the Department of Public Health and Environment to adjust funding for Superfund Sites Cleanup.

<u>Fund Source</u>	<u>Prior Appropriations</u>	<u>Supplemental Request</u>	<u>Future Requests</u>	<u>Total Cost</u>
CF	\$2,015,000	\$5,100,922	\$0	\$7,115,922
FF	\$18,135,000	\$45,908,299	\$0	\$64,043,299
	\$20,150,000	\$51,009,221	\$0	\$71,159,221

The CDC’s write-up indicates that this will increase the project scope for the Superfund Spending Authority project to continue work at the Central City/Clear Creek site and expand ongoing work at three additional sites: California Gulch (upper Arkansas River), Captain Jack

Mine, and Standard Mine. The federal government provides up to 90 percent of funding for Superfund site cleanup. The Hazardous Substance Response Fund provides the state's 10 percent share. Colorado has 22 active Superfund sites. The request is based on anticipated funding from the federal Environmental Protection Agency.

Recommendation: Staff recommends the request. The Hazardous Substance Response Fund is from user fees on waste producers, among other sources. At the end of FY 2014-15, \$8.6 million in uncommitted reserves is projected to be in the Fund. Staff notes that the original appropriation to be amended by the CDC request was in S.B. 11-209 (the FY 2011-12 Long Bill).

Proposed Rules/Resolution on How Budget Requests Should Be Directed (JBC, CDC, JTC)

Background – CDC Clean up Bill – Draft Resolution: As the Committee is aware, the Capital Development Committee and its staff have been working for some time on a bill to clean-up the capital construction statutes (short title: Revision of All Capital Related Statutes; referred to here as the “capital clean-up bill”). The goal of the CDC’s bill has largely been to accurately codify existing practice, but the bill has also provided an opportunity to reconsider and, as necessary, modify practice.

Both the JBC and the CDC have expressed interest in providing more clear direction to the Executive Branch regarding the “flow” of funding requests. The JBC has been particularly interested, in light of a number of FY 2014-15 operating budget requests that could have been considered as capital requests and in light of the large number of IT projects included this year in both the capital and operating budget request.

Both JBC and CDC staff believe that a **joint rule** of the House and Senate, established through **resolution**, may provide the best mechanism for establishing work-flows between the JBC and CDC and, if they agree, the Joint Technology Committee. Staff believes this would provide more flexibility than a statutory change and seems particularly appropriate if the rule specifies dollar thresholds. Staff assumes that any dollar thresholds will need to change periodically in response to inflation. **A draft resolution entitled Concerning Changes to the Joint Rules of the Senate and House of Representatives is attached at the back of this packet.**

The CDC’s capital clean-up bill currently specifies that joint rules shall be used for this purpose (page 8 of the 3/5/14 bill draft).

Current practice (starting-point for the proposed rules):

As outlined in a CDC staff memo to the JBC and the CDC for a joint meeting of the two Committees on December 11, 2013, current practice is based both on the statutory definition of capital construction as well as historic memoranda of understanding between the JBC and CDC and State Architect and OSPB rules.

Initial Review/Prioritization by CDC

Capital construction: acquisition, construction, demolition, remodeling, or renovation of real property over \$500,000 regardless of fund source [Definition in 3/5/14 Capital Clean-up bill draft, p. 3/ 24-30-1301 (2)]

Capital renewal: large controlled maintenance project or integrated controlled maintenance project exceeding \$2.0 million [definition in bill draft p. 5/ 24-30-1301 (3)]

Information technology projects: any IT project exceeding \$500,000 regardless of fund source [IT included in definition of capital construction in bill draft, p. 4 and 8/24-30-1301 (2) (g) and (10)]

Initial Prioritization by State Architect; referred to the CDC in prioritization categories 1,2, and 3

Controlled maintenance: corrective repairs or replacement, including improvements for health, life safety, and code requirements (addresses building systems such as heating, plumbing, roofs) ranging in cost from \$15,000 to \$2,000,000 [definition in bill draft p. 5/ 24-30-1301 (4); see also p. 22/ 24-30-1303.9]

Direct Review by JBC (operating budget)

Capital outlay: construction, renovation, site improvements, replacement or renewal of building systems but “does not include those things defined as capital construction, controlled maintenance or capital renewal” [24-75-112/a portion is referenced in bill draft p. 70]. In practice:

- routine maintenance
- new construction or renovation costing less than \$500,000 that can be absorbed in the operating budget
- information technology projects costing less than \$500,000

Review Process for Draft Resolution:

- An initial document was drafted by OLLS for initial review by the CDC, with the expectation that the CDC would provide comments to the JBC. A revised version (which has not yet been reviewed by the CDC) is attached.
- JBC staff also recently requested that the Joint Technology Committee (JTC) review the draft and provide input to the JBC, but staff anticipates that this will be scheduled at a later date and therefore does not have formal JTC input at this time.
- JBC staff has some recommended changes to the draft and anticipates that the JBC will have some proposed changes. (JBC staff did not have an opportunity to provide input before the initial draft was distributed to the CDC.)
- If the JBC proposes changes, it should forward these changes for comment back to the JTC and the CDC. If the committees can agree on changes, staff will finalize the resolution for introduction. If some issues appear contentious, staff can arrange a joint meeting or the committee members can speak to each other informally to reach a resolution.

CDC discussion on the draft resolution:

- The CDC recommends that the threshold for CDC review of IT projects be raised to \$1.0 million (from the \$500,000 in the draft)

- The CDC wishes the Joint Technology Committee to review all IT projects submitted to the CDC, but does not believe that all IT requests (including all operating requests) need to be reviewed by the JTC.
- OLLS staff expressed concern that the use of “may” at various points in the resolution is too broad and could allow agencies the choice to submit minor projects through either the capital or operating request approaches.

JBC staff comments:

Information Technology Projects

- **The \$1.0 million dollar threshold for review of IT systems may still be too low and that additional language may be needed to clarify what is meant by “modification to existing systems”, which may be funded through the operating budget.** As reflected in the table below, the majority of operating budget projects considered in the OIT budget would require in excess of \$1.0 million. These projects, further, typically require all state agencies to contribute to the OIT change and thus are deeply connected to the operating budget. Thus, it would be problematic if many of these projects were shifted to CDC review.
- **Staff does not believe that “all” IT operating requests should be reviewed by the JTC, based on the extensive array of often small IT operating requests.** Staff suggests instead: (1) Improvements to existing projects over a specific dollar threshold (e.g. \$5.0 million) be reviewed automatically by the JTC; (2) Other operating projects be reviewed by the JTC at the JBC’s request.
- **Longer-term, staff believes that it might be useful for the JTC, instead of the CDC, to prioritize large IT requests. However, the JTC may not be ready to take on that role at this point and the CDC may not agree;** this is an issue that will need to be resolved between the committees and by the General Assembly. Based on the requirements and definitions currently included in the CDC’s clean-up bill, as well as current JTC statutes, staff imagines this would require statutory change that could not be addressed solely through the resolution/joint rule. Staff notes that even if the JTC were to take on more of a CDC role with respect to large IT projects, staff would still not recommend that the JTC review or prioritize all smaller IT operating requests.

Other (non-IT Projects)

- **Staff recommends that the language from page 3, line 28 through page 4, line 9 be modified to revert to the status quo, in which all projects, regardless of the size of the Department’s holdings, be subject to a \$500,000 cut off for capital-type requests funded in the operating budget.** The proposed change was largely targeted at Department of Human Services, which supports this change. However, other large departments (the Department of Corrections) did not feel that this would have a significant impact, and the change would effectively move a number of cash-funded items routinely funded in the capital budget into the operating budget (e.g., annual correctional industries projects and Department of Natural Resources ongoing maintenance activities into the operating budget). Staff also notes that, even in the Department of Human Services, only one request this year would exceed the \$500,000 threshold.

Additional background on which projects have been classified as operating versus capital in the FY 2014-15 executive request and how the resolution might/might not change this.

IT Requests

The table on the following page summarizes information technology requests submitted for capital construction. Pursuant to the definition of information technology included in the CDC “clean up” bill and the draft resolution on page 4, **information technology projects subject to CDC review would include:**

“installation, development, or upgrade of information technology, including the purchase of services from the office of information technology...” and “the majority of the components of which have a useful life of at least five years and a total project cost as specified in joint rule....except that “information technology” does not include personal computer replacement or maintenance...” CDC review does not include “modifications to existing systems”.

As noted above, the CDC is now proposing that the joint rule include a cutoff of \$1.0 million. Pursuant to this definition:

- Staff would assume that at least two projects originally submitted as operating requests in the current fiscal year would need to be submitted as capital requests on the grounds that they reflect larger purchases of new technology;
- One capital request (for the Department of Agriculture) would need to be submitted as an operating request based on the dollar threshold. In addition, the Digital Trunked Radio Software Upgrade might be classified as an operating request because it modifies an existing system.

JBC Working Document – Does Not Represent Committee Decision

Department	Operating or Capital	Priority Type	Description	General Fund or Capital Construction Funds	Cash Funds	Reapprop. Funds	Federal Funds	Total	FTE	Outyear costs for capital
Operating Information Technology Requests - FY 2014-15										
Education	Operating	R	R3 Core Network and IT Refresh	3,070,988	0	0	0	3,070,988	4.6	
Governor's Office	Operating	R	R5 Broadband Mapping and Planning Services	428,866	0	0	0	428,866	0.0	
Governor's Office	Operating	R	R6 Service Management EcoSystem	0	0	3,455,000	0	3,455,000	0.0	
Governor's Office	Operating	R	R8 IT Technical Development	0	0	256,620	0	256,620	0.0	
Governor's Office	Operating	R	R2 Secure Colorado Phase II	0	0	4,100,000	0	4,100,000	0.0	
Governor's Office	Operating	R	R3 Eliminate Redundant Applications	0	0	2,960,000	0	2,960,000	0.0	
Governor's Office	Operating	R	R4 Capitol Complex Network Resiliency	0	0	660,000	0	660,000	0.0	
Governor's Office	Operating	R	R7 DTRS Operations Increase	0	0	1,116,397	0	1,116,397	0.0	
Governor's Office	Operating	NPI	NPI CDPS Cyber-Crime Initiative	0	0	231,061	0	231,061	1.8	
Governor's Office	Operating	BA	BA CBMS Technology Improvement Workplan	0	0	40,159,304	0	40,159,304	0.0	
Governor's Office	Operating	BA	BA HPCF Business Utilization Services Application	0	0	60,122	0	60,122	0.0	
Governor's Office	Operating	BA	BA HPCF Customer Service Technology True-up	0	0	3,468	0	3,468	0.0	
Health Care Policy and Financing	Operating	R	R17 Computer replacement and office software	161,491	0	0	161,491	322,982	0.0	
Health Care Policy and Financing	Operating	R	R5 Electronic health records exchange	1,054,893			4,694,033	5,748,926	0.0	
Human Services	Operating	R	R11 MHIs electronic health record system	350,396	0	0	0	350,396	4.5	
Human Services	Operating	R	R16 Windows 7 Support / Microsoft Office Upgrade	1,370,355	0	0	0	1,370,355	0.0	
Human Services	Operating	R	R21 Health Information Management System (HIMS)	229,129	0	0	0	229,129	0.0	
Human Services	Operating	R	R6 General, career, and technical education	606,689	0	0	0	606,689	3.6	
Human Services	Operating	R	R19 Improving Colorado Works Performance Management	0	0	0	400,440	400,440	0.0	

JBC Working Document – Does Not Represent Committee Decision

Department	Operating or Capital	Priority Type	Description	General Fund or Capital Construction Funds	Cash Funds	Reapprop. Funds	Federal Funds	Total	FTE	Outyear costs for capital
			Capabilities							
Judicial	Operating	R	R1 Regional technicians for IT support	306,875	0	0	0	306,875	4.0	
Judicial	Operating	R	R3 Network bandwidth	0	1,048,510	0	0	1,048,510	0.0	
Judicial	Operating	R	R8 IT staff	991,284	0	0	0	991,284	13.0	
Law	Operating	R	R1 Asset Maintenance	162,097	(107,493)	43,591	18,289	116,484	0.0	
Law	Operating	R	R3 Database Administrator	0	0	105,651	0	105,651	1.0	
Personnel	Operating	R	R2 Transparency Online Project Modernization	142,235	0	0	0	142,235	0.0	
Personnel	Operating	BA	BA1 Legislative Audio Digitization	186,502	0	0	0	186,502	2.0	
Public Safety	Operating	R	R10 CSP, Portable Radios	0	1,343,900	0	0	1,343,900	0.0	
Public Safety	Operating	R	R13 DCJ, CCIB System Improvement & Maintenance	25,000	0	0	0	25,000	0.0	
Revenue	Operating	R	R4 ITD, Replace Capitol Annex Cabling	863,218	0	0	0	863,218	0.0	
Treasury	Operating	BA	S2 Investment Tools	8,503	0	0	0	8,503	0.0	
Total IT Operating Requests FY 2014-15				\$9,958,521	\$2,284,917	\$53,151,214	\$5,274,253	\$70,668,905	34.5	
Capital Information Technology Requests - FY 2014-15										
Governor's Office	Capital	5	Digital Trunked Radio System, Software Upgrade	3,636,760	0	0	0	3,636,760		Yes
Revenue	Capital	9	IT Systems Replacement, Division of Motor Vehicles	41,021,167	0	0	0	41,021,167		Yes
Human Services	Capital	13	Electronic Health Record and Pharmacy System Replacement	9,849,610	0	0	0	9,849,610		Yes
Corrections	Capital	14	Offender Management Information System	5,796,000	0	0	0	5,796,000		Yes
Public Health	Capital	15	Electronic Health Record System	3,274,079	0	0	0	3,274,079		Yes
Governor's Office	Capital	17	Statewide Leave, Time Tracking, and Human Resources Management Systems	16,070,000	0	0	0	16,070,000		No

JBC Working Document – Does Not Represent Committee Decision

Department	Operating or Capital	Priority Type	Description	General Fund or Capital Construction Funds	Cash Funds	Reapprop. Funds	Federal Funds	Total	FTE	Outyear costs for capital
			Modernization							
Agriculture	Capital		eLicense Implementation	0	700,000	0	0	700,000		No
Labor	Capital		Workers' Compensation Mainframe Migration and Modernization Project	0	5,932,500	0	0	5,932,500		No
Governor's Office	Capital		Colorado Financial Reporting System (COFRS) Modernization	0	0	8,566,515	0	8,566,515		Yes
Public Health	Capital		Medical Marijuana Registration System	0	1,064,080	0	0	1,064,080		No
Total IT Capital Requests FY 2014-15				79,647,616	7,696,580	8,566,515	0	\$95,910,711		

Other (non-IT) Requests

From Capital to Operating: Staff believes the resolution, as drafted would result in the reclassification of the following projects from capital to operating for the following cash-funded projects. **Most of these shifts would NOT occur if the resolution caps capital construction items that may be included in the operating request at \$500,000, rather than \$1,000,000 for larger departments. If this component is changed, the only project that would move would be Brownfields Cleanup (a grant program).**

Correctional Industries – Miscellaneous Small Projects	Corrections	CF	660,000
Infrastructure and Real Property Maintenance, Wildlife Areas	Natural Resources	CF	900,000
Land and Water Acquisitions, State Parks	Natural Resources	CF	950,000
Brownfields Cleanup Program (aka HB 00-1306 Site Cleanups)	Public Health	CF	250,000

From Operating to Capital: Staff does not have a comprehensive list of operating projects that might be affected by the proposal. Staff believes issues have arisen primarily related to the Department of Human Services, where there have been operating, controlled maintenance, and capital requests all of which address an interlocking set of needs.

- If the \$1,000,000 threshold is applied to larger agencies, all of the Human Services operating requests related to maintenance/capital would be included in the operating budget.
- **If the \$500,000 threshold is applied (as staff now recommends), one project might be shifted from operating to capital:** the Department’s request for \$593,067 to perform building renewal projects to preserve and update administrative spaces at the Colorado Mental Health Institute at Fort Logan. Even this item might not be moved if it clearly corresponds to “routine maintenance”, which is classified as “capital outlay” in the resolution. **It might be helpful to more carefully define “routine maintenance” in the resolution.**
- Several other capital-related requests – regional center capital outlay (\$420,000) and increase funding for critical replacement costs (\$233,083) were below the \$500,000 threshold.

Sen. Gail Schwartz, Chair
Sen. Randy Baumgardner
Sen. Cheri Jahn

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



CAPITAL DEVELOPMENT COMMITTEE

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



February 24, 2014

Representative Crisanta Duran
Chair, Joint Budget Committee
200 East 14th Avenue, Third Floor
Denver, Colorado 80203

Dear Representative Duran:

The Capital Development Committee (CDC) is pleased to forward its FY 2014-15 capital construction and controlled maintenance recommendation to the Joint Budget Committee (JBC) for inclusion in the 2014 Long Bill.

Recognizing that state-funded capital projects will be funded almost entirely through a General Fund transfer, the CDC is recommending, in priority order, state funding for 32 projects, including the full list of projects included in Level 1 and Level 2 controlled maintenance. The CDC requests that the JBC fund these projects in priority order. The CDC is also recommending cash funds spending authority for 17 projects. The CDC believes the recommended list of projects reflects a balanced approach to addressing capital need at state agencies and higher education institutions. The recommended list of projects also places priority on deferred maintenance for both capital infrastructure and information technology systems. The CDC submits these recommendations with the understanding that its priorities may need to be revisited by the JBC due to new revenue projections, new information received about projects, future decisions made by the General Assembly, or pending legislation that impacts the General Fund.

A further explanation of the factors considered by the CDC when prioritizing and recommending projects for state funding is included in the State-Funded Recommendation section following Figure 1.

State-Funded Recommendation

The CDC is recommending state funding for 32 projects — 3 certificates of participation annual payments, 16 state department capital construction projects, 11 higher education capital construction projects, and 2 levels of controlled maintenance projects, comprised of 91 individual projects. The projects total \$428.4 million for FY 2014-15 and \$302.5 million for FY 2015-16, as shown in **Figure 1**. A General Fund transfer of \$373.4 million is necessary to fully fund the CDC's recommendation for FY 2014-15 (see Figure 3).

Figure 1
Summary of CDC FY 2014-15 State-Funded Recommendation
With Subsequent Year Impact

Fiscal Year	Total Cost (in millions)	Capital Construction Fund (CCF)	Cash Funds (CF)	Federal Funds (FF)
2014-15	\$428.4	\$376,005,880	\$50,646,546	\$1,803,025
2015-16	\$302.5	\$234,474,886	\$68,000,147	\$0

The CDC's state-funded priority list includes most of the projects recommended for funding by the Governor's Office of State Planning and Budgeting (OSPB), with the exception of two projects submitted after the statutory deadline for capital budget submittals. The committee modified the priority order of and added several projects to the OSPB list. What follows is an explanation of the CDC's recommendations, in order of project priority.

CDC priority order 1 through 10. The CDC concurred with the priority order of the first 11 projects on the OSPB list, with the exception of OSPB priority #9: IT Systems Replacement, Division of Motor Vehicles, Department of Revenue, which the CDC reordered as priority #27. The first ten projects prioritized by the CDC include three annual certificates of participation lease payments, Level I Controlled Maintenance, and upgrades to important infrastructure and systems at several state agencies.

CDC priority order 11 through 14. The CDC recommends state funding for three projects at History Colorado, all of which are expected to improve the agency's future revenue earning potential. In addition, the CDC recommends funding a request from the Colorado Department of Transportation (CDOT) for a deferred maintenance project to replace lights in the Hanging Lake Tunnel. The CDOT project and one History Colorado project (Pearce McAllister Renovation) were not recommended for funding by OSPB; however, the relatively inexpensive cost of the projects (\$1.6 million and \$0.8 million, respectively), the deferred maintenance need associated with both projects, and the fact that neither project includes out-year costs, prompted the CDC to recommend funding.

CDC priority order 15 through 25. The Governor's prioritized recommendation only included two higher education institution projects. These two projects were recommended for funding by the Colorado Commission on Higher Education (CCHE) as priority order #5 and #10. OSPB recommended the projects in a different priority order because they were continuation projects commenced in the prior budget year — a criterion that was given a greater weight by OSPB than by CCHE. During its deliberations, the CDC determined that it would consider the priority order established by CCHE and recommended funding for CCHE priority order #1 through #11. The committee determined that it was important to more widely fund higher education projects, especially in light of the fact that during the recent economic downturn, there was little capital investment of state funds in higher education institutions. The committee's recommendation includes one project for each higher education system in the state. There is a \$43.2 million cash match commitment for these projects. Most of the recommended projects renovate rather than construct new facilities. There are out-year state costs associated with four of the projects totaling \$55.6 million; however the institutions have been informed that there is no guarantee of out-year funding and have reassured the committee that each phase/year of funding is stand alone and will accomplish discrete work in the affected facilities.

CDC priority order #26. The CDC recommends fully funding Level 2 controlled maintenance. The committee stated during its deliberations that it is important to maintain and improve our state facilities. The backlog of outstanding deferred maintenance increased during the recent economic downturn, which the CDC believes makes it even more important to invest in controlled maintenance in years when there is available funding.

CDC priority order #27 through #32. The remaining projects on the CDC priority order list are projects that the committee deemed worthy of funding in FY 2014-15, but prioritized farther down the list than OSPB. CDC priority #26, IT Systems Replacement, Division of Motor Vehicles is a crucial system upgrade. However, the Joint Technology Committee (JTC) expressed concern in a February 17 letter to the JBC and CDC about the high cost of the project. The CDC concurred and opted to reorder the project in its priority order list to reflect the concern. The committee hopes that the JTC will continue to work with the department to address concerns about the cost of the project and the process used to secure the project bid.

The remaining projects prioritized by the CDC include one late budget request: Renovation of Capitol Complex Leased Space per House Bill 13-1020, Department of Public Safety. Although the CDC opted not to prioritize the other two late state-funded budget requests, the committee believes that the Department of Public Safety project is timely and should be funded for FY 2014-15 because of the requirement under HB 13-1020 to test DNA from sexual assault investigations. Additionally, the project as submitted addresses significant deferred maintenance issues at 690 and 700 Kipling Street. As previously stated, the CDC made it a priority to address outstanding deferred maintenance needs through its recommendation.

OSPB prioritized projects not recommended for funding. Two projects recommended for funding by OSPB were not recommended for funding by the CDC because the committee did not believe that the stated need for the projects justified the lateness of the submittals. Additionally, the JTC expressed concern in its letter dated February 17 about the Offender Management Information System, Department of Corrections project and asked for information about the long-term benefits of implementing a new system. Both projects have merit and should be revised and resubmitted within the statutory deadlines for funding consideration in future years.

The CDC recognizes that it will take a large General Fund transfer in order to fully fund its recommendation and that the transfer amount it is recommending is \$159.5 million more than the amount included in the Governor's most recent budget submission. The committee is invested in funding additional capital construction and controlled maintenance projects for FY 2014-15 above what was recommended for funding by OSPB. It believes that there is a clear and demonstrated need for additional funding. Additionally, the committee believes that there will be one-time money available to spend in FY 2014-15, and that capital construction is a prudent investment of one-time moneys. It respectfully requests that the JBC consider making a substantial investment in capital construction and controlled maintenance in the upcoming budget year.

Figure 2 summarizes the FY 2014-15 state-funded recommendations by category and source of funding.

Figure 2
Summary of CDC FY 2014-15 State-Funded Recommendations
(in millions)

Project Type	# of Requests	Total Amount	State Funds	Cash Funds	Federal Funds
Controlled Maintenance					
Level 1	37	\$25.8	\$25.8	\$0.0	\$0.0
Level 2	54	\$39.1	\$38.7	\$0.0	\$0.4
Capital Construction					
Certificates of Participation (COPs)	3	\$51.3	\$44.0	\$7.3	\$0.0
All other capital requests	27	\$312.2	\$267.5	\$43.3	\$1.4
Total	121	\$428.4	\$376.0	\$50.6	\$1.8

Sources of revenue. The available revenue for capital construction, as identified by Legislative Council Staff, totals \$55.0 million from the sources listed in **Figure 3**. To make up the difference between the CDC's recommendation (\$428.4 million) and the identified revenue sources (\$55.0 million), the CDC is recommending a General Fund transfer to the CCF of \$373.4 million.

Figure 3
Proposed Revenue for FY 2014-15 State-Funded Projects

Amount	Source
\$1,391,000	Capital Construction Fund balance as of July 1, 2013
\$1,200,000	Capital Construction Fund projected FY 2013-14 interest earnings
\$7,297,620	Tobacco Master Settlement Cash Fund moneys available for Various Projects at Anschutz Medical Campus COP payment
\$43,348,896	Cash match for various institution of higher education projects and History Colorado project
\$1,803,025	Federal match for controlled maintenance project at an existing readiness center (armory) and capital project at State Veterans Nursing Homes
\$55,040,541	Subtotal
\$428,455,421	Cost of state-funded projects
\$373,414,880	General Fund transfer required

Cash Recommendation

The CDC is recommending cash funds spending authority for 17 projects. The projects total \$75.9 million for FY 2014-15. The CDC recommendation only includes state and judicial department projects. Pursuant to changes in the review and approval process for higher education cash-funded projects, the CDC approved Two-Year Projections of Cash Need for higher education institutions in February 2014 and forwarded these recommendations to the Department of Higher Education.

Technical details about various cash projects. The cash-funded recommendation includes one project within the Department of Public Safety requested from off-the-top moneys from the Highway Users Tax Fund (HUTF). The total request amount from this source is \$545,633. There are currently sufficient off-the-top moneys available to fund this project.

Funding for the Colorado Financial Reporting System (COFRS) modernization project is requested from reappropriated funds made available through an existing common policy and subsequent transfer from the operating to the capital budget. The listed cost of \$8.6 million includes the anticipated FY 2014-15 lease payment and ongoing costs associated with hosting and maintaining the system.

Four projects within the Department of Natural Resources require a footnote in order to allow the department to substitute federal funds for cash funds spending authority in the event that federal funds become available for any of these projects. The remaining DNR project includes a federal fund component and does not require a footnote. The suggested footnote discussed with the department reads as follows: "To the extent that federal funds become available for this project, the division may replace cash fund appropriations with federal funds so long as the total appropriation for this line item is not exceeded."

Two adjustments were made to the amount of cash funds spending authority requested after the projects were submitted, including: (1) increasing the overall cost of the Medical Marijuana Registration System, Colorado Department of Public Health and Environment to allow for a 5 percent contingency; and (2) increasing the cash funds spending authority for the COP payment for the History Colorado Center by \$100,000 to allow for small adjustments to the payment amount resulting from federal sequestration or other contingencies.

Two projects within the Department of Public Safety are requested from a newly created cash fund: the Motor Carrier Safety Fund. House Bill 14-1081, which has been sent to the Governor for his signature, creates the new fund within the department for expenses related to commercial carrier operations.

Attachments

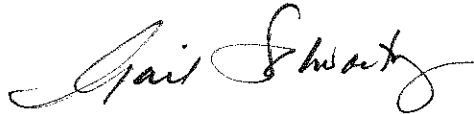
Five documents are attached for your reference and described below.

- *Attachment A* lists the CDC's state-funded capital recommendations in priority order, with descriptions of each project, prior year and out-year costs for the projects, and project cost totals. Attachment A also shows funding requested from cash and federal sources;
- *Attachment B* lists the CDC's state-funded capital recommendations in priority order and shows the General Fund transfer required to fund through each priority. It also lists the FY 2014-15 state-funded capital requests that were not approved or recommended for funding by the CDC. This list is included for informational purposes. Attachment B also reflects the OSPB recommended priority order;

- *Attachment C* provides a description of controlled maintenance projects recommended by the CDC, as prioritized by the Office of the State Architect. The controlled maintenance projects recommended by the CDC include all Level 1 and 2 controlled maintenance projects, but they are split into two requests: Priority #4 listed in Attachments A and B includes the Level 1 Controlled Maintenance request (37 projects); and Priority #26 listed in Attachments A and B includes Level 2 projects (54 projects). The descriptions of each level of controlled maintenance includes a cover sheet summarizing the included projects;
- *Attachment D* is an excerpt from the Office of the State Architect's FY 2014-15 Annual Report to the CDC. It lists the projects in score order included in the FY 2014-15 Level 3 Controlled Maintenance submission. Additional information about these projects is available upon request to Legislative Council Staff;
- *Attachment E* lists the FY 2014-15 cash-funded state department capital requests that were approved by the CDC and includes descriptions of each project, prior year and out-year costs for the projects, and project cost totals.

The CDC welcomes the opportunity to meet with the JBC to discuss these recommendations. If you have any questions or concerns about the CDC's recommendations, please call Kori Donaldson, Legislative Council Staff, at 303-866-4976.

Sincerely,



Senator Gail Schwartz
Chair, Capital Development Committee

- c: Capital Development Committee Members
Joint Budget Committee Members
Erick Scheminske, Office of State Planning and Budgeting
Laura Blomquist, Office of State Planning and Budgeting
Tonya Covarrubias, Department of Higher Education
John Ziegler, Joint Budget Committee Staff
Amanda Bickel, Joint Budget Committee Staff
Larry Friedberg, Office of the State Architect
Brenda Shelinbarger, Office of the State Controller
Kori Donaldson, Capital Development Committee Staff

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
1	Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), CU Denver	CCF \$22,661,205 CF \$38,221,967 Total \$60,903,172	\$6,993,118 \$7,297,620 \$14,290,738	\$7,289,938 \$7,000,000 \$14,289,938	\$19,671,176 \$23,000,000 \$42,671,176	\$56,635,437 \$75,519,587 \$132,155,024
	The project makes the tenth of 26 annual lease payments for certificates of participation (COPs) sold to finance seven capital construction projects at the Anschutz Medical Campus. The total repayment cost to the state, based on a principal amount of \$202.9 million, for all the projects is \$331.0 million. Construction of the facilities was completed in 2008. Including FY 2014-15, the COP payments for the Anschutz projects will continue for 17 more years, through FY 2030-31.					
2	Various Higher Education Projects — November 2008 Issue (COP Payment), CCH/E	CCF \$23,074,669 CF \$51,242,896 Total \$74,317,565	\$18,587,556 \$0 \$18,587,556	\$18,587,813 \$0 \$18,587,813	\$15,569,575 \$40,118,176 \$55,687,751	\$75,819,613 \$91,361,072 \$167,180,685
	The project makes the seventh of 19 annual lease payments for certificates of participation (COPs) sold on November 6, 2008. The November 6 COP issuance financed construction for projects at 12 higher education institutions. The total repayment cost to the state, based on a principal amount of \$202.3 million, for all the projects is \$315 million. The COP payments will continue for 13 more years, through FY 2026-27.					
3	Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), DOC	CCF \$57,277,421 CF \$8,922,546 Total \$66,199,967	\$18,426,771 \$0 \$18,426,771	\$20,254,768 \$0 \$20,254,768	\$60,770,481 \$0 \$60,770,481	\$156,729,441 \$8,922,546 \$165,651,987
	The project makes the sixth of ten certificates of participation (COPs) annual lease payments for the construction of a 948-bed high-custody facility built to house the highest risk population of the state's convicted offenders. The facility is complete, but is not occupied. The total repayment cost to the state, based on a principal amount of \$102.8 million, is \$206.6 million. The COP payments will continue for five more years, through FY 2018-19.					
4	Controlled Maintenance Projects — Level 1 (37 projects), various agencies	CCF \$79,048,999 CF \$7,433,999 FF \$1,308,590 Total \$87,791,588	\$25,746,381 \$0 \$0 \$25,746,381	\$32,506,172 \$0 \$0 \$32,506,172	\$99,488,500 \$0 \$0 \$99,488,500	\$236,790,052 \$7,433,999 \$1,308,590 \$245,532,641
	Level I controlled maintenance projects make the most critical repairs to state facilities and address concerns such as life safety and loss of use. There are 37 projects in this category, including 13 state department requests and 24 higher education requests.					
5	Digital Trunked Radio System, Software Upgrade, OIT	CCF \$3,726,190 CF \$0 Total \$3,726,190	\$3,636,760 \$0 \$3,636,760	\$3,636,760 \$0 \$3,636,760	\$3,547,383 \$0 \$3,547,383	\$14,547,093 \$0 \$14,547,093
	The four-phase project purchases new software to support the Digital Trunked Radio System (DTRS). The DTRS is a statewide public safety, two-way radio communication system. The system is used by state and local government agencies for day-to-day communications and to improve interagency cooperation and coordination in first responder situations. The project upgrades the existing software platform in order to mitigate risks associated with the system's security, interoperability, and capacity. This year's request for Phase II upgrades the DTRS software from version 7.7 to version 7.9.					

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost	
6	Suicide Risk Mitigation, DHS	CCF CF Total	\$0 \$0 \$0	\$4,478,533 \$0 \$4,478,533	\$4,556,369 \$0 \$4,556,369	\$1,775,086 \$0 \$1,775,086	\$10,809,988 \$0 \$10,809,988
	<p>The project completes the third phase of a five-phase project to improve patient units at the Colorado Mental Health Institutes in order to mitigate the risk of patient suicide or self-harm. This year's request will address areas on the first and second floors of Building 106 at the Pueblo facility. These areas house the Community Reintegration Unit, Strategies to Accomplish Recovery, and the Social Learning Program. The request will also address spaces in the east and west wings of the first floor of Building E at the Fort Logan facility.</p>						
7	Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, DHS	CCF CF Total	\$0 \$0 \$0	\$1,100,000 \$0 \$1,100,000	\$2,000,000 \$0 \$2,000,000	\$6,000,000 \$0 \$6,000,000	\$9,100,000 \$0 \$9,100,000
	<p>The project addresses safety and self-harm risks in 12 Division of Youth Corrections facilities. This year's request for Phase I will conduct a comprehensive assessment of, and planning process for, the necessary renovations at the division facilities and address the most immediately identifiable needs including: replacing wooden doors with 14-gauge steel doors; installing glass enclosures for second floor living units; and replacing bathroom and isolation room hardware.</p>						
8	Veterans Memorial Cemetery Expansion, DMVA	CCF CF Total	\$0 \$0 \$0	\$4,564,922 \$0 \$4,564,922	\$0 \$0 \$0	\$0 \$0 \$0	\$4,564,922 \$0 \$4,564,922
	<p>The project expands and improves the Veterans Memorial Cemetery in Grand Junction. The cemetery is nearing capacity for interments. A build-out of the site is needed in order to raise the capacity to meet projected future needs. The renovation will address maintenance upgrades for the grounds, expansion of the administrative building, and build-out of the property to accommodate additional burials.</p>						
9	Multi-Use Support Building, Youthful Offender System, DOC	CCF CF Total	\$0 \$296,332 \$296,332	\$4,897,755 \$0 \$4,897,755	\$0 \$0 \$0	\$0 \$0 \$0	\$4,897,755 \$296,332 \$5,194,087
	<p>The two-phase project constructs an 11,600-GSF Multi-Use Support Building for the Youthful Offender System (YOS) prison at the Colorado Mental Health Institute at Pueblo. This year's request for Phase II completes project design and constructs the recreational gymnasium and an enlarged library. Phase I renovated the existing 1,570-GSF recreation room and barber shop to create additional program space, including an enlarged barber shop, two classrooms, and meeting space.</p>						
10	Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, DHS	CCF FF Total	\$0 \$0 \$0	\$1,428,500 \$1,443,000 \$2,871,500	\$0 \$0 \$0	\$0 \$0 \$0	\$1,428,500 \$1,443,000 \$2,871,500
	<p>The project makes safety improvements and facility upgrades at the State Veterans Nursing Homes located in Florence, Homelake, and Rifle. According to the department, all three homes are in need of upgrades to address resident care issues that were not considered at the time of their original construction.</p>						
11	Lebanon Mill Dam Restoration, History Colorado	CCF CF Total	\$0 \$0 \$0	\$768,210 \$0 \$768,210	\$0 \$0 \$0	\$0 \$0 \$0	\$768,210 \$0 \$768,210
	<p>The project addresses History Colorado's need to provide a secured water source for the Georgetown Loop Railroad. Specifically, the project will reconstruct a historic dam at the Lebanon Mill near Clear Creek to provide a sufficient water supply for the Georgetown Loop site and an educational tool about historic water mills for park visitors.</p>						

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
12	Georgetown Loop Business Capitalization Program, History Colorado	CCF CF Total	\$300,000 \$100,000 \$400,000	\$300,000 \$100,000 \$400,000	\$300,000 \$100,000 \$400,000	\$1,200,000 \$400,000 \$1,600,000
	The four-phase project purchases additional rolling stock (locomotives) and makes repairs to the existing rolling stock at the Georgetown Loop Railroad. An inadequately sized and poorly maintained fleet can lead to operational disruptions that may close the railroad. According to History Colorado, disruption in railroad service has a negative impact on the local economy and unreliability creates a decline in railroad visitation and business reputation. This year's request for Phase II makes improvements to three locomotives and purchases a salvaged locomotive to refurbish.					
13	Highway Construction Projects, CDOT	CCF CF Total	\$2,000,000 \$0 \$2,000,000	\$1,615,000 \$0 \$1,615,000	\$0 \$0 \$0	\$3,615,000 \$0 \$3,615,000
	The project upgrades the lighting system in Hanging Lake Tunnel in Glenwood Canyon along Interstate 70. The department says the lighting system in Hanging Lake Tunnel is over 20 years old and obsolete.					
14	Pearce McAllister Renovation, History Colorado	CCF CF Total	\$0 \$0 \$0	\$843,876 \$0 \$843,876	\$0 \$0 \$0	\$843,876 \$0 \$843,876
	The project renovates the 5,386-GSF Pearce-McAllister Cottage, which will create 11 suites to be made available for private rental. History Colorado says the building is poorly suited for its current use as a museum, and that the annual rent paid by the museum — about \$6,300 — does not cover the ongoing maintenance costs of the cottage, which have averaged about \$20,000 a year over the last ten years.					
15	Meyer Hall Replacement, CSM	CCF CF Total	\$0 \$0 \$0	\$14,600,000 \$0 \$14,600,000	\$0 \$30,000,000 \$30,000,000	\$14,600,000 \$30,000,000 \$44,600,000
	The project constructs a 95,090-GSF, four-story research facility for the College of Applied Science and Engineering (CASE) on the site currently occupied by Meyer Hall. The university says that this project is needed to address space insufficiencies; replace an antiquated facility; provide improved learning, teaching, and research spaces; and attract top students and faculty to the CASE program.					
16	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, FLC	CCF CF Total	\$0 \$0 \$0	\$20,827,755 \$2,115,987 \$22,943,742	\$8,293,345 \$2,115,987 \$10,409,332	\$29,121,100 \$4,231,974 \$33,353,074
	The project demolishes a portion of Berndt Hall and constructs a new, larger facility in the same location for the Geosciences, Physics, and Engineering Departments. The existing facilities do not comply with current building code requirements and do not satisfy the need for a modern academic science facility. This reconstruction will address significant maintenance needs and will allow the college to effectively compete with peer institutions and deliver high quality educational services.					

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost	
17	Chemistry Building Addition, CSU	CCF CF Total	\$0 \$0 \$0	\$15,000,000 \$0 \$15,000,000	\$23,000,000 \$5,400,000 \$28,400,000	\$12,000,000 \$0 \$12,000,000	\$50,000,000 \$5,400,000 \$55,400,000
	<p>The project constructs a 60,000-GSF stand-alone structure on the northwest side of the Chemistry Building in the planned science quad on the Fort Collins main campus. The project addresses a shortage of laboratory and associated office space for faculty and students. According to the university, outdated instructional facilities contribute to diminished program quality at a time when program demand is high.</p>						
18	Ketchum Arts and Sciences Building (Capital Renewal Project), CU Boulder	CCF CF Total	\$0 \$0 \$0	\$11,592,712 \$1,149,528 \$12,742,240	\$0 \$0 \$0	\$0 \$0 \$0	\$11,592,712 \$1,149,528 \$12,742,240
	<p>The project funds the second phase of a two-phase capital renewal project to upgrade the building systems in the Ketchum Arts and Sciences Building (58,544 GSF). According to the university, upgrading the systems within the Ketchum Arts and Sciences Building will significantly improve building operational efficiencies, reduce the building's environmental impact, and save energy and costs.</p>						
19	Auraria Library Renovation, AHEC	CCF CF Total	\$4,000,000 \$0 \$4,000,000	\$22,848,307 \$0 \$22,848,307	\$0 \$0 \$0	\$0 \$0 \$0	\$26,848,307 \$0 \$26,848,307
	<p>The two-phase project renovates the 184,832-GSF Auraria Library. This year's request for Phase II addresses building deficiencies, upgrades changing technologies to meet student needs, and creates more social spaces for learning.</p>						
20	Health Professions and Science Building, Arvada Campus, RRCC	CCF CF Total	\$0 \$0 \$0	\$10,000,000 \$12,532,288 \$22,532,288	\$0 \$0 \$0	\$0 \$0 \$0	\$10,000,000 \$12,532,288 \$22,532,288
	<p>The project renovates 10,000 GSF in an existing 23,000-GSF facility on the Arvada Campus and constructs a 50,000-GSF, two-story building to address a deficit in academic space for health careers, technologies, and sciences programs on the Lakewood and Arvada campuses. The college explains that student demand for health professions degrees is greater than can be accommodated on its Lakewood and Arvada campuses and its teaching laboratory space is at capacity.</p>						
21	Aviation, Aerospace, and Advanced Manufacturing Building, MSU Denver	CCF CF Total	\$0 \$0 \$0	\$5,279,128 \$0 \$5,279,128	\$14,720,872 \$16,404,160 \$31,125,032	\$0 \$23,595,840 \$23,595,840	\$20,000,000 \$40,000,000 \$60,000,000
	<p>The three-phase project constructs a 141,900-GSF facility to support the development of an Aviation, Aerospace, and Advanced Manufacturing degree program. This year's request for Phase I designs the project. According to the university, it is already an industry leader in providing advanced-manufacturing graduates to local corporations, particularly to Colorado's aerospace industry.</p>						

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
22	Tomlinson Library Addition and Renovation, <i>CMU</i>	CCF CF Total	\$0 \$0 \$0	\$18,462,102 \$6,037,654 \$24,499,756	\$0 \$0 \$0	\$18,462,102 \$6,037,654 \$24,499,756
	The project renovates and constructs additions to the Tomlinson Library. The additions — a one-story annex on the south side of the building, a third-story addition on the northwest corner of the building, east and west side second-floor additions under the existing roof, and a ground-floor addition on the east side of the building — will add 24,187 GSF to the library. Tomlinson Library is over 25 years old, and the university says the space is no longer adequate to accommodate the university's growing enrollment and collections, as well as changing technology.					
23	East Campus Renovation, <i>ASU</i>	CCF CF Total	\$0 \$0 \$0	\$5,843,218 \$0 \$5,843,218	\$0 \$0 \$0	\$5,843,218 \$0 \$5,843,218
	The project renovates a newly purchased, 34,000-GSF building in order to create new program space and to address accessibility, code, and life-safety deficiencies. The building, which is located two blocks from the main campus, has been occupied by the university since 2011 and was acquired through lease-purchase from the Alamosa School District. The university explains that, based on its projected student growth, additional classroom space is needed for general education classes and the first-year student experience program.					
24	Visual and Performing Arts Complex, <i>UCCS</i>	CCF CF Total	\$4,684,334 \$0 \$4,684,334	\$13,281,989 \$21,413,439 \$34,695,438	\$9,608,699 \$6,980,000 \$16,588,699	\$27,575,032 \$28,393,439 \$55,968,471
	The three-phase project will construct 84,879 GSF of the Visual and Performing Arts (VaPA) Center to be located on the north campus. According to the university, the VaPA Center will not only consolidate a scattered department in a facility built to handle the unique needs of the department, but will also create a community access point to the university. In response to program demands, an additional Physical Phase II request will be forthcoming, and will construct an additional 49,258 GSF, making the VaPA Center a total of 134,137 GSF.					
25	Quigley Hall Renovation, <i>WSCU</i>	CCF CF Total	\$0 \$0 \$0	\$25,779,853 \$0 \$25,779,853	\$0 \$0 \$0	\$25,779,853 \$0 \$25,779,853
	The project will renovate Quigley Hall in order to address life-safety and code-compliance issues in the two-story academic building. Quigley Hall is over 40 years old and the college says it requires significant renovation to meet code requirements, modernize building and technology systems, and restructure how the space is used within the facility.					
26	Level 2 Controlled Maintenance (54 projects), <i>DPA</i>	CCF FF Total	\$22,948,867 \$0 \$22,948,867	\$38,745,295 \$360,025 \$39,105,320	\$32,506,172 \$0 \$32,506,172	\$193,688,834 \$360,025 \$194,048,859
	Level I controlled maintenance projects make repairs to state facilities and address potential program disruption. There are 54 projects in this category, including 19 state department requests and 35 higher education requests.					

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost	
27	IT Systems Replacement, Division of Motor Vehicles, DOR	CCF CF Total	\$0 \$0 \$0	\$41,021,167 \$0 \$41,021,167	\$52,350,833 \$0 \$52,350,833	\$0 \$0 \$0	\$93,372,000 \$0 \$93,372,000
<p>The two-phase project, conducted in cooperation with the Governor's Office of Information Technology, replaces the software systems used by the Division of Motor Vehicles to process driver's licenses, and titles and registrations, known respectively as the Driver's License System (DLS) and the Colorado State Tinting and Registration System (CSTARS). This year's request for Phase I replaces the DLS.</p>							
28	Electronic Health Record and Pharmacy System Replacement, DHS	CCF CF Total	\$0 \$0 \$0	\$9,849,610 \$0 \$9,849,610	\$4,863,145 \$0 \$4,863,145	\$0 \$0 \$0	\$14,712,755 \$0 \$14,712,755
<p>The project will implement an Electronic Health Record (EHR) system at the Mental Health Institutes at Pueblo and Fort Logan, operated by the Department of Human Services. A May 2011 state audit of the psychiatric medication practices for adult civil patients at the institutes contained a recommendation that the institutes pursue the implementation of an EHR and the department believes that an EHR will provide additional clinical benefits for the institutes.</p>							
29	Program and Master Planning, Colorado Mental Health Institutes, DHS	CCF CF Total	\$0 \$0 \$0	\$815,000 \$0 \$815,000	\$0 \$0 \$0	\$0 \$0 \$0	\$815,000 \$0 \$815,000
<p>The project develops facility program plans and site master plans for the Colorado Mental Health Institutes at Fort Logan and Pueblo. The program and master planning will identify the long-term facility improvements required to meet programmatic goals such as reducing the use of patient seclusion and restraint, and develop future capital construction requests for both campuses.</p>							
30	Renovation of Capitol Complex Leased Space per House Bill 13-1020, DPS	CCF CF Total	\$0 \$0 \$0	\$7,202,352 \$0 \$7,202,352	\$0 \$0 \$0	\$0 \$0 \$0	\$7,202,352 \$0 \$7,202,352
<p>The project renovates 690 and 700 Kipling to add two forensic lab set-ups in order to test DNA from sexual assault investigations. The additional lab space is needed in order to comply with the provisions of House Bill 13-1020, which required law enforcement agencies to submit to the Colorado Bureau of Investigation (CBI) an inventory of all unanalyzed forensic evidence in active sexual assault investigations and for the CBI to develop a plan to analyze this evidence. Of the project's total cost, about \$4.4 million will address deferred maintenance needs identified during a recent review.</p>							
31	Statewide Leave, Time Tracking, and Human Resources Management Systems Modernization, OIT	CCF CF Total	\$0 \$0 \$0	\$16,070,000 \$0 \$16,070,000	\$0 \$0 \$0	\$0 \$0 \$0	\$16,070,000 \$0 \$16,070,000
<p>The project purchases licenses for a human resources software application to be used by all executive branch departments. The executive branch departments say that they currently lack a unified human resource management system.</p>							

FY 2014-15 State-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

CDC Priority	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
32	Capitol Complex Leased Space Maintenance Request, DPA	\$0	\$5,400,000	\$0	\$0	\$5,400,000
		\$0	\$0	\$0	\$0	\$0
	Total	\$0	\$5,400,000	\$0	\$0	\$5,400,000

The project addresses six large maintenance projects in buildings throughout the Capitol Complex. The department, through its annual operating budget, annually requests funds to address on-going maintenance of and upgrades to the facilities in the Capitol Complex, including one-time costs for repairs or improvements. However, according to the department, the various projects included in this request are more involved and costly than can be addressed through the regular operating budget.

Grand Total	Total	\$327,268,015	\$428,455,421	\$302,475,033	\$405,424,717	\$1,453,623,186
	CCF	219,741,685	376,005,880	234,474,886	318,610,701	1,148,833,152
	CF	106,217,740	50,646,516	68,000,147	86,814,016	311,678,419
	FF	1,308,590	1,803,025	0	0	3,111,615

Note: Appropriations listed in the "Prior Appropriations" column include any appropriations made to a project for the prior five fiscal years (FY 2009-10 through FY 2013-14). Appropriations listed in the "Future Requests" column include projections made by the various agencies in the current fiscal year for FY 2015-16 through FY 2018-19.

Capital Development Committee Priority-Order List
FY 2014-15 State-Funded Capital Requests
Funding recommended through CDC #32

CDC	OSPB	CCHE	Project Title	CCF	CF	Cumulative Total: State Funds
1		NP	Various Projects at the Anschutz Medical Campus (formerly Fitzsimons) (COP Payment), CU Denver*	\$6,993,118	\$7,297,620	\$6,993,118
2		NP	Various Higher Education Projects — November 2008 Issue (COP Payment), CCHÉ	18,587,556	-	25,580,674
3		N/A	Centennial Correctional Facility Expansion (formerly CSP II) (COP Payment), DOC	18,426,771	-	44,007,445
4		N/A	Controlled Maintenance Projects — Level 1 (37 projects), various agencies	25,746,381	-	69,753,826
5		N/A	Digital Trunked Radio System, Software Upgrade, OIT	3,636,760	-	73,390,586
6		N/A	Suicide Risk Mitigation, DHS	4,478,533	-	77,869,119
7		N/A	Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections, DHS	1,100,000	-	78,969,119
8		N/A	Veterans Memorial Cemetery Expansion, DMVA	4,564,922	-	83,534,041
9		N/A	Multi-Use Support Building, Youthful Offender System, DOC	4,897,755	-	88,431,796
10		N/A	Resident Support Areas and Security Upgrades, Various State Veterans Nursing Homes, DHS	1,428,500	1,443,000	89,860,296
11		N/A	Lebanon Mill Dam Restoration, History Colorado	768,210	-	90,628,506
12		N/A	Georgetown Loop Business Capitalization Program, History Colorado*	300,000	100,000	90,928,506
13		N/A	Highway Construction Projects, CDOT	1,615,000	-	92,543,506
14		N/A	Pearce McAllister Renovation, History Colorado	843,876	-	93,387,382
15		1	Meyer Hall Replacement, CSM*	14,600,000	-	107,987,382
16		2	Berndt Hall Reconstruction — Geosciences, Physics, and Engineering, FLC*	20,827,755	2,115,987	128,815,137
17		3	Chemistry Building Addition, CSU	15,000,000	-	143,815,137
18		4	Ketchum Arts and Sciences Building (Capital Renewal Project), CU Boulder	11,592,712	1,149,528	155,407,849
19		5	Auraria Library Renovation, AHÉC	22,848,307	-	178,256,156
20		6	Health Professions and Science Building, Arvada Campus, RRCC	10,000,000	12,532,288	188,256,156
21		7	Aviation, Aerospace, and Advanced Manufacturing Building, MSU Denver*	5,279,128	-	193,535,284
22		8	Tomlinson Library Addition and Renovation, CMU	18,462,102	6,037,654	211,997,386
23		9	East Campus Renovation, ASU	5,843,218	-	217,840,604
24		10	Visual and Performing Arts Complex, UCCS*	13,281,999	21,413,439	231,122,603
25		11	Quigley Hall Renovation, WSCU	25,779,853	-	256,902,456
26	NP	N/A	Level 2 Controlled Maintenance (54 projects), DPA	38,745,295	360,025	295,647,751
27		N/A	IT Systems Replacement, Division of Motor Vehicles, DOR	41,021,167	-	336,668,918
28		N/A	Electronic Health Record and Pharmacy System Replacement, DHS	9,849,610	-	346,518,528
29		N/A	Program and Master Planning, Colorado Mental Health Institutes, DHS	815,000	-	347,333,528
30		N/A	Renovation of Capitol Complex Leased Space per House Bill 13-1020, DPS	7,202,352	-	\$354,535,880
31		N/A	Statewide Leave, Time Tracking, and Human Resources Management Systems Modernization, OIT	16,070,000	-	370,605,880
32		N/A	Capitol Complex Leased Space Maintenance Request, DPA	5,400,000	-	376,005,880
33		N/A	Offender Management Information System, DOC	5,796,000	-	95,656,296
34		12	Animal Sciences Building Renovation and Expansion, Phase II, CSU	4,863,456	-	380,969,336
35		13	Science and Health Lab Renovation, ACC*	5,879,416	1,469,854	386,748,752
36		14	Heating Plant Renovation (Capital Renewal Project), CSM	6,150,000	6,150,000	392,898,752
37		15	Psychology Building Renovation and Addition, CSU Pueblo	2,308,268	-	395,207,020

*State-funded project with out-year cash match.
 Prepared by Legislative Council Staff

Capital Development Committee Priority-Order List (Cont.)
 FY 2014-15 State-Funded Capital Requests
 Funding recommended through CDC #32

OSPB	CCHC	Project Title	CCF	CF	Cumulative Total: State Funds
38		16 Health Sciences Department Remodel, CMU	\$6,974,130	\$2,000,000	\$402,181,150
39		17 North Classroom Building Renovation (Capital Renewal Project), CU Denver	7,846,650	12,683,469	410,027,800
40		18 Aerospace and Energy Systems Building, CU Boulder*	4,354,159	2,902,772	414,381,959
41		19 Allied Health and Nursing Building, Larimer Campus, FRCC	19,867,000	4,000,000	434,248,959
42		20 Student Learning Commons and Theater, Downtown Studio Campus, PPCC	3,987,186	996,797	438,236,145
43		N/A Replace Deteriorated Infrastructure, Colorado Mental Health Institute at Fort Logan (Capital Renewal Project), DHS	10,700,280	-	448,936,425
44		N/A Upgrade Campus Utility Infrastructure, Colorado Mental Health Institute at Pueblo (Capital Renewal Project), DHS	19,227,152	0	468,163,577
45		31 Central Plant Upgrade, Westminster Campus (Capital Renewal Project), FRCC	4,366,780	-	472,530,357
46	NP	21 New Valley Campus Facility, TSJC*	5,026,603	450,000	477,556,960
47	15	N/A Electronic Health Record System, CDPHE	3,274,079	-	480,831,039
48	NP	22 Engineering II Building, Shell Space, CSU	5,990,038	-	486,821,077
49	NP	23 Agriculture Science Program Remodel, OJC	1,393,800	400,000	488,214,877
50	NP	24 Warner College of Natural Resources Addition, CSU	9,977,927	10,000,000	498,192,804
51	NP	25 Shepardson Building Renovation and Expansion, CSU	22,800,000	9,000,000	520,992,804
52	NP	26 Combined Cooling, Heating, and Power System, CMU	6,814,092	-	527,806,896
53	NP	27 Interdisciplinary Building, CU Denver*	11,421,349	11,421,349	539,228,245
54	NP	28 Instructional Lab Wing, CU Denver	9,462,977	9,462,977	548,691,222
55	NP	29 Center for Agricultural Education, CSU	3,317,072	1,000,000	552,008,294
56	NP	30 San Luis Valley Research Center, CSU	4,800,000	-	556,808,294
57	NP	N/A Level 3 Controlled Maintenance (36 projects), DPA	22,581,263	-	579,389,557
Grand Total/All FY 2014-15 State-Funded Requests			\$585,785,557	\$124,386,759	

*State-funded project with out-year cash match.
 Prepared by Legislative Council Staff

Summary Information: Level I Controlled Maintenance

Project Title	Department Name	score	higher ed	state	new project	existing project	prior funding	former CM level	cost
Controlled Maintenance Emergency Account	Personnel and Administration	1.01	0	1	0	1	0		\$2,000,000
	<i>Subtotal: Score 1 projects</i>								\$2,000,000
Replace Chiller, La Vista Correctional Facility	Corrections	3.01							757,283
Replace Obsolete Fire Alarms, Various Buildings	Colorado State University	3.02							753,948
	<i>Subtotal: Score 3 projects</i>								\$1,511,231
Improve Fire Department Access	University of Colorado at Boulder	4.01		1	2	0	0		184,739
Upgrade Fire Sprinklers	University of Northern Colorado	4.02							1,108,622
Upgrade Electronic Security Systems	Human Services	4.03							1,651,549
Encapsulate Asbestos, Building 400 Series	University of Colorado Denver	4.04							338,905
Replace De-Aerator/Surge Tank, CTCF	Corrections	4.05							262,275
Replace Deteriorated Natural Gas Lines	Colorado State University	4.06							592,150
Replace Microwave Site Towers, B Group	Office of Information Technology	4.07							851,070
	<i>Subtotal: Score 4 projects</i>								\$4,969,310
Mitigate Wildfire Risk, Georgetown Loop Railroad	History Colorado	5.01		3	0	1	1		304,656
Improve ADA Accessibility, Tenth Street Pedestrian Corridor	Auraria Higher Education Center	5.02						2	576,934
Address Fire Safety Code Deficiencies	Colorado School of Mines	5.03							359,166
Install Campus Security System	Colorado State University — Pueblo	5.04							998,351
Improve Life Safety, Theatre Building	Fort Lewis College	5.05							612,018
	<i>Subtotal: Score 5 projects</i>								\$2,851,125
Repair/Replace Fire Sprinkler Systems, Division of Youth Corrections	Human Services	6.01							546,946
Upgrade Fire Sprinklers, Various Buildings	University of Colorado at Boulder	6.02							790,983
Upgrade Campus Security Systems, Colorado School for the Deaf and the Blind	Education	6.03							569,440
	<i>Subtotal: Score 6 projects</i>								\$1,907,339
Replace Fire Alarm Systems	Auraria Higher Education Center	7.01		1	2	1	1		638,693
	<i>Subtotal: Score 7 projects</i>								\$636,693
Upgrade Fire Detection/Suppression Systems, Four Buildings	Colorado Community Colleges — Lowry	8.01		0	1	0	0		749,139
Perform Structural Repairs and Code-Compliance Upgrades, Aurora Readiness Center	Military and Veterans Affairs	8.02							540,500
Remedy Storm Water and Sanitary Waste Cross Connection Violation, Building 500	University of Colorado Denver	8.03							474,315
Replace Roof, Sterling Correctional Facility	Corrections	8.04							984,386
Replace Chiller and Upgrade Cooling Plant	Red Rocks Community College	8.05							764,060
	<i>Subtotal: Score 8 projects</i>								\$3,612,400
Repair Life Safety Systems and HVAC — Colorado State Patrol Academy	Public Safety	10.01							601,700
Improve Exterior Doors	Western State Colorado University	10.02							524,612
Improve Campus-Wide Safety and Security	Morgan Community College	10.03							531,148
Upgrade Plachy Pool	Adams State University	10.04							897,510
Upgrade Elevators, Legislative Services Building	Colorado State University	10.05							616,463
Replace HVAC, Tomlinson Library	Personnel and Administration	10.06							558,800
Replace Chiller and Cooling Tower, Administration and Research Center	Colorado Mesa University	10.07							909,399
Replace Classroom Unit Ventilators and Chiller, North Building	University of Colorado at Boulder	10.08							888,073
Upgrade HVAC System, Building 967	Arapahoe Community College	10.09							742,704
Repair/Replace Roof, Health Sciences and Medical Technology Buildings	Colorado Community Colleges — Lowry	10.10						2	738,183
Repair Roof and Ceiling, Bowman Building	Pueblo Community College	10.11							587,870
Replace Water Well and Sprinkler System, Camp George West	Lamar Community College	10.12							566,221
	Public Safety	10.13							193,600
	<i>Subtotal: Score 10 projects</i>								\$8,356,283
GRAND TOTAL: LEVEL I Controlled Maintenance		37	10	13	25	11	11		\$25,745,381

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
1.01 1995-048	CCF	\$2,000,000
Personnel and Administration		
<i>Controlled Maintenance Emergency Account</i>		
<p>The project funds the Controlled Maintenance Emergency Account, which is administered by the Office of the State Architect for emergency projects on an as-needed basis throughout the fiscal year. Criteria for requests for emergency funding are: (1) a need that is immediate in nature; and (2) a problem that directly affects the health, safety, and welfare of the public and day-to-day operations of the agencies. Requests may involve systems and fixed equipment critical to the functionality of a facility, but cannot involve movable equipment, furniture, and fixtures related to the programmatic activities conducted in the facility.</p>		
3.01 2015-072	CCF	\$757,283
Corrections		
<i>Replace Chiller, La Vista Correctional Facility</i>		
<p>The project replaces the main chiller at one of La Vista Correctional Facility's two central chilled water plants with a new, 300-ton centrifugal chiller. The existing chiller has failed and the temporary replacement chiller costs the facility \$11,600 per month to rent. The project also modifies the chiller room to address code compliance issues, makes improvements to maximize energy efficiency, and enlarges existing stairwell access to allow for equipment installation.</p>		
3.02 2015-073	CCF	\$753,948
Colorado State University		
<i>Replace Obsolete Fire Alarms, Various Buildings</i>		
<p>The two-phase project replaces deteriorated fire alarm systems in various buildings on campus. Fire alarm systems in these buildings have very limited to no automatic detection coverage, and replacement parts are not available for the systems currently in place. These buildings are also out of fire code compliance. This year's request for Phase I will replace fire alarms in the Pathology, Sage Hall, and Weber Buildings. Phase II will replace fire alarms in the Administration, Atmospheric Chemistry, Molecular and Radiological Biosciences, and Vocational Buildings.</p>		
4.01 2015-074	CCF	\$164,739
University of Colorado at Boulder		
<i>Improve Fire Department Access</i>		
<p>The project improves fire department access to the student center and adjacent locations by widening a roadway and relocating an automatic vehicle barrier arm. The project provides a wider turning radius for emergency vehicles and will allow room for a vehicle queue without crossing the heavily-traveled pedestrian and bicycle path that borders Broadway Street.</p>		
4.02 2015-075	CCF	\$1,108,622
University of Northern Colorado		
<i>Upgrade Fire Sprinklers</i>		
<p>The three-phase project provides automatic fire sprinkler systems in seven campus buildings. Currently, these buildings lack critical fire prevention infrastructure. The project includes fire sprinkler piping and controls; pumps and water service upgrades, as needed; system modifications; and all related repairs. This year's request for Phase I addresses Kepner and Parsons Halls. Phase II will address Candelaria and Gray Halls, and the Heating Plant. Phase III will address Carter and Crabbe Halls.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
4.03 2011-069	CCF	\$1,651,549
Human Services		
<i>Upgrade Electronic Security Systems</i>		
<p>The now six-phase project upgrades the electronic security systems at eight facilities in the youth corrections system. Existing manual security controls will be replaced with computer-programmable systems. According to the department, the new systems will integrate voice communications, locking and exiting controls, visual security and digital recording, and a secure key system with personnel use tracking and monitoring functions. This year's request for Phase V provides a security system for Mount View Youth Services Center. Phase I designed the project for all sites and installed a new system at the Marvin Foote Youth Services Center. Phase II upgraded the systems at the Platte Valley and the Spring Creek Youth Services Centers. Phases III and IV upgraded systems at the Lookout Mountain Youth Services Center and included an unforeseen sitewide replacement of new doorjambbs capable of accepting the new hardware. Phase VI, which requires a funding increase as a result of the unforeseen issues in Phases III and IV, will continue upgrades in three additional facilities.</p>		
4.04 2015-076	CCF	\$338,905
University of Colorado Denver		
<i>Encapsulate Asbestos, Building 400 Series</i>		
<p>The project encapsulates asbestos in five basement crawlspaces on the northwest side of campus. The crawlspaces contain steam and plumbing systems, the repair of which is made difficult and costly as maintenance workers must be certified to work in a hazardous materials contaminated space. The asbestos will be encapsulated with a spray-on material that will form a thick, rubbery coating to protect workers from contamination.</p>		
4.05 2015-077	CCF	\$262,275
Corrections		
<i>Replace De-Aerator/Surge Tank, Colorado Territorial Correctional Facility</i>		
<p>The project replaces a de-aerator/surge tank that serves the facility's three boilers, which provide facility heating and steam for food service equipment. The 30-year-old eroded tank is currently assisted by a temporary vertical tank. The department says the tank has deteriorated to the point of potential structural failure, which could result in injury.</p>		
4.06 2015-078	CCF	\$592,150
Colorado State University		
<i>Replace Deteriorated Natural Gas Lines</i>		
<p>The project replaces approximately 4,000 linear feet of steel natural gas line on the main campus. The existing line is 50 years old and has developed numerous leaks in the past five years resulting in the risk of catastrophic failure, and potential explosion, in a densely populated area. In addition to installing new polyethylene gas line, the project installs new isolation valves in order to improve system operability and increase the size of some sections to accommodate the needs of buildings.</p>		
4.07 2015-079	CCF	\$851,070
Office of Information Technology		
<i>Replace Microwave Site Towers, B Group</i>		
<p>The three-phase project replaces six microwave towers. The towers are part of the state public safety radio network used by public safety officers and first responders. Many of the towers are more than 35 years old, and the recent structural analysis of the towers revealed that many suffer from metal fatigue due to continued exposure to poor weather conditions and loading stresses. The poor condition of the towers exposes state personnel to potentially hazardous working conditions. This year's request for Phase I replaces tower structures at Cheyenne Mountain and Sunlight Mountain. Phase II will replace tower structures at Reiradon Hill and La Veta. Phase III will replace tower structures at Buckhorn and Boyero. A previously-funded request, completed in 2012, replaced the six microwave site towers that were deemed to be in the most critical condition.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
5.01 2015-084	CCF	\$304,656
Colorado Historical Society (History Colorado) <i>Mitigate Wildfire Risk, Georgetown Loop Railroad</i>		
<p>The three-phase project mitigates fire risk in the railroad park by removing high-density dead or dying trees standing outside the firebreak created by a related project. The Colorado Historical Society has consulted with the Clear Creek County Fire Chief to determine the areas requiring mitigation. The project will reduce fuel loads, promote growth of high value and diverse tree stock, and create access for firefighters in an area covering over 60 acres. This year's request for Phase I encompasses about 16 acres. Phase II will encompass about 20 acres. Phase III will encompass about 31 acres.</p>		
5.02 2014-056	CCF	\$576,934
Auraria Higher Education Center <i>Improve ADA Accessibility, Tenth Street Pedestrian Corridor</i>		
<p>The three-phase project installs permeable pavers and raises the grade of the curbs along the 10th Street pedestrian corridor. In the course of this work, the project also makes storm water improvements, replaces buried chilled water piping, and provides cathodic protection to existing condensate and steam piping to reduce corrosion. The existing street cross-slopes are between 5 percent and 10 percent, exceeding the ADA maximum of 2 percent. Additionally, the steep crowns cause slippery and hazardous conditions during inclement weather, and the existing walking surface has deteriorated and cracked. This year's request for Phase II completes the improvements between Champa Street and Curtis Street. Phase III will complete the improvements between Curtis Street and Larimer Street. Phase I designed the project and constructed walkway and drainage improvements from Colfax Avenue to north of Champa Street.</p>		
5.03 2015-080	CCF	\$359,166
Colorado School of Mines <i>Address Fire Safety Code Deficiencies</i>		
<p>The project improves life safety systems in five buildings on campus. The project adds fire sprinklers and replaces obsolete fire alarm devices, as identified by a recent inspection by the Golden Fire Department, at Hill Hall, the Steinhauer Field House, and Engineering Hall; increases the fire rating of building walls at the Truck Shop; and improves egress at Coolbaugh Hall.</p>		
5.04 2012-064	CCF	\$998,351
Colorado State University — Pueblo <i>Install Campus Security System</i>		
<p>The three-phase project provides controlled access to all General Fund-supported campus buildings, and video surveillance for all General Fund-supported buildings, open spaces, and parking lots, including surveillance of building entrances and corridors. The campus has experienced a rise in break-ins and thefts as a result of aging door and lock hardware coupled with lack of surveillance. This year's request for Phase II installs the electronic door access system. Phase I designed the project and began the installation of new doors. Phase III will install a campus video surveillance system and complete the installation of electronic doors and hardware.</p> <p>Funding history. The first phase of the project was funded from the remaining proceeds from the 2008 sale of certificates of participation on behalf of various higher education projects. House Bill 12-1357 directed the Capital Development Committee (CDC) to determine how to spend the remaining proceeds, and in September 2012, the CDC approved spending from this source for 11 higher education institution controlled maintenance projects.</p>		
5.05 2014-039	CCF	\$612,018
Fort Lewis College <i>Improve Life Safety, Theatre Building</i>		
<p>The two-phase project makes life-safety upgrades to the Theatre Building to address deteriorating or inadequate building systems. The Theatre Building is one of the oldest buildings on campus, and it is not in compliance with current code requirements. This year's request for Phase II installs a new roof system over part of the building to increase the carrying capacity, replaces the alarm system panel, and reconfigures the building's smoke detectors. Phase I installed an automatic fire sprinkler system throughout the building and a mechanical system in the auditorium and stage area that included a smoke evacuation system, and improved ventilation to the seating area.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
6.01 2012-051	CCF	\$546,946
Human Services		
<i>Repair/Replace Fire Sprinkler Systems, Division of Youth Corrections</i>		
<p>The three-phase project replaces fire sprinkler mains with heavier, walled steel pipes. The existing fire sprinkler mains are constructed of thin-wall steel pipe and have had numerous leaks. The leaks are believed to be due to standing water resulting from improper drainage, which will also be addressed by the project. This year's request for Phase III makes repairs at the Platte Valley Youth Services Center. Phase I made repairs at the Marvin W. Foote Youth Services Center. Phase II made repairs to two buildings at the Betty K. Marler Youth Services Center.</p>		
6.02 2015-081	CCF	\$790,953
University of Colorado at Boulder		
<i>Upgrade Fire Sprinklers, Various Buildings</i>		
<p>The five-phase project provides fire sprinkler coverage in buildings on campus that were built at a time when no fire or life-safety codes were in effect. Risks include open stairs and unprotected corridors. A fire on one floor of such a building will quickly spread to other parts of the floor through these unprotected corridors. This year's request for Phase I addresses the Clare and Denison Arts and Sciences Buildings. Phase II will address the McKenna Languages and Economics Buildings. Phase III will address the Science Learning Laboratory and the Sommers-Bausch Observatory. Phase IV will include the Fiske Planetarium and the Communication Disorders Building. Finally, Phase V will include the University Theater and Muenzinger. A previously-funded request, completed in 2008, made similar upgrades to other buildings on campus.</p>		
6.03 2015-082	CCF	\$569,440
Education		
<i>Upgrade Campus Security Systems, Colorado School for the Deaf and the Blind</i>		
<p>The two-phase project resolves safety issues at the school by: relocating parking areas away from central campus and restricting access; securing building entrances with a series of doors and security film on entry glass; installing additional magnetic card readers at entry points; and installing a basic video surveillance system in public areas. This year's request for Phase I secures building entrances and moves a parking lot. Phase II will install the surveillance and parking lot control systems.</p>		
7.01 2015-083	CCF	\$638,693
Auraria Higher Education Center		
<i>Replace Fire Alarm Systems</i>		
<p>The project repairs fire alarm systems in five buildings on campus. The aged systems are failing because of obsolete components that are no longer available from or supported by the manufacturer. The safety issues became apparent during the current controlled maintenance fire sprinkler installation project. The project will replace panels and other system components with code compliant equipment that is compatible with the campus fire alarm network system. This year's request for Phase I addresses the St. Cajetans, Rectory, and West Classroom Buildings. Phase II will address the Bear Creek and Central Classroom Buildings.</p>		
8.01 2013-061	CCF	\$749,139
Colorado Community Colleges — Lowry		
<i>Upgrade Fire Detection/Suppression Systems, Four Buildings</i>		
<p>The three-phase project updates and installs fire alarm and fire sprinkler systems in various campus buildings to resolve fire code deficiencies. This year's request for Phase III addresses Building #849, the Health Education facility, and the Campus Facilities Maintenance Office. Phase I addressed the Campus Conference Center and the Dental Program teaching facility. Phase II addressed the system's IT facility and a classroom building.</p>		
<p>Funding history. The first phase of the project was funded from the remaining proceeds from the 2008 sale of certificates of participation on behalf of various higher education projects. House Bill 12-1357 directed the Capital Development Committee (CDC) to determine how to spend the remaining proceeds, and in September 2012, the CDC approved spending from this source for 11 higher education institution controlled maintenance projects.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
8.02 2015-085	CCF	\$540,500
Military and Veterans Affairs		
<i>Perform Structural Repairs and Code-Compliance Upgrades, Aurora Readiness Center</i>		
<p>The project performs an overhaul on the armory. The armory was built in 1967 on unstable soils. A structural repair project was last completed in 1993; however, some portions of the building were not repaired during that project, including lower level floor slabs and exterior masonry walls. A slab in the storage area will be removed and replaced, and all lower floors will be levelled and refinished. The exterior masonry walls, including a vehicle doorframe, and the roof membrane will be repaired. All windows will be replaced to remedy the issues of inoperability, inefficiency, and insecurity. The bathroom, which currently accommodates three at a time, will be enlarged to house an adequate number of showers for the up to 150 people using them and made wheelchair accessible. Two lower level classrooms will be modified for improved air and light quality, acoustics, and general usability. The HVAC overhaul will replace dysfunctional radiator controls, outside air temperature sensors, and cooling control units. Life safety systems will be relocated as required by the project, and asbestos will be abated in all areas impacted by the project.</p>		
8.03 2015-086	CCF	\$474,315
University of Colorado Denver		
<i>Remedy Storm Water and Sanitary Waste Cross Connection Violation, Building 500</i>		
<p>The project makes repairs and replacements to correct cross-connection points between storm water and sanitary waste piping, while also replacing failed pipes in the system. Storm drainage piping is currently routed to a sump pump that is also connected to the sanitary waste system; when this system backs up, sewage flows into the storm water sump creating a code violation and risk of nearby stream contamination. The failing pipes are original to the 1941 building. Additionally, a sewage ejector pump will be replaced and some floor drains rerouted.</p>		
8.04 2015-087	CCF	\$984,386
Corrections		
<i>Replace Roof, Sterling Correctional Facility</i>		
<p>The two-phase project replaces the rubber roofing system on three buildings at the Sterling Correctional Facility. The facility has employed used tires and concrete blocks to maintain the integrity of the roofing system temporarily; however, the failing roof is above three generators and new chillers that were installed in 2012, and the gymnasium, which the department says is essential program space for managing high-custody-level offenders. This year's request for Phase I replaces the roofs on the Central Plant and Visiting Buildings. Phase II will replace the roof on the High Security Programs Building.</p>		
8.05 2015-088	CCF	\$764,060
Red Rocks Community College		
<i>Replace Chiller and Upgrade Cooling Plant</i>		
<p>The project upgrades the campus' cooling plant by replacing a 40-year-old chiller with a new, 150-ton chiller and accessories. Because of its age, the chiller's compressors cannot be effectively rebuilt and replacement parts are difficult to acquire.</p>		
10.01 2015-089	CCF	\$601,700
Public Safety		
<i>Repair Life Safety Systems and HVAC — Colorado State Patrol Academy and Emergency Operations Center</i>		
<p>The project upgrades the life safety, HVAC, and electrical systems in the 45-year-old Colorado State Patrol (CSP) Academy and Emergency Operations Center (EOC). Currently, there are outdated life safety systems in the kitchen and dorms of the CSP Academy, while the EOC bunker is unusable during an emergency due to its failing HVAC and electrical systems. At the academy, the exhaust system and the fire suppression and alarm system will be replaced in the kitchen, while the fire alarm systems in the dorm rooms will be upgraded to be code compliant. At the EOC, the HVAC and electrical systems will be upgraded, and an emergency generator installed to back up those systems.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
10.02 2015-090	CCF	\$524,612
Western State Colorado University		
<i>Improve Exterior Doors</i>		
<p>The project addresses campus security and accessibility concerns through door improvements. Electronic locks and magnetic entries will be added to six buildings on campus to allow for controlled access and the ability to perform emergency lockdowns; these enhancements will allow for ADA accessibility. In total, 79 exterior doors and 18 garage doors will be replaced at Whipp Maintenance, Savage Library, Taylor Hall, Quigley Hall, Hurst Hall, and Crawford Hall.</p>		
10.03 2009-162	CCF	\$531,148
Morgan Community College		
<i>Improve Campus-Wide Safety and Security</i>		
<p>The project makes improvements to campus security by making repairs to and replacing doors and windows and installing security cameras. There is currently no campus-wide security system, several doors and windows contain single-pane glass, the keyless entry system is aging and has outdated components, and the keyed doors are difficult to open and close. The project installs campus-wide security cameras and a new wireless key card entry system, rekeys all key-locked doors, and replaces select doors and windows. The college made a similar request in FY 2008-09, which did not receive funding.</p>		
10.04 2015-091	CCF	\$897,510
Adams State University		
<i>Upgrade Plachy Pool</i>		
<p>The project makes safety upgrades to the Plachy Pool and facility. Inconsistent chemical feeds caused by equipment at the end of its useful life have created chemical imbalances in the pool, which pose a health risk and contribute to increased maintenance costs. The filtration system has blockage issues that lead to standing water. The pool water temperature system is also at the end of its useful life. The project replaces the water chemistry, mechanical filtration, and temperature control systems. The tile surfaces on the pool deck will also be replaced.</p>		
10.05 2015-112	CCF	\$616,463
Colorado State University		
<i>Upgrade Elevators, Nine Buildings</i>		
<p>The project furnishes and installs a new microprocessor and other components to control the elevator systems in nine buildings on campus. These elevators frequently shut down with passengers inside, and are unable to respond in fire incidents as current code requires.</p>		
10.06 2014-072	CCF	\$558,800
Personnel and Administration		
<i>Upgrade Elevators, Legislative Services Building</i>		
<p>The project performs a complete rehabilitation of one passenger and one freight elevator. The elevators frequently shut down between floors with passengers inside. The rehabilitation will furnish and install new machine room equipment with microprocessor controls; new shaft equipment; and new car operating panels, push button stations, sign fixtures, and cab interiors. This year's request modifies and limits the scope of a previously unfunded request.</p>		
10.07 2015-092	CCF	\$909,399
Colorado Mesa University		
<i>Replace HVAC, Tomlinson Library</i>		
<p>The project replaces the HVAC system at Tomlinson Library with a new ground source heat pump system. The existing 27-year-old HVAC system, which the university says is in use up to 17 hours a day, is at the end of its useful life and securing replacement parts for it is difficult. The new piping will piggyback on the geothermal exchange system at the adjacent Houston Hall.</p>		

FY 2014-15 Level I Controlled Maintenance Request

Project Title	Fund Source	Amount
10.08 2015-093	CCF	\$888,073
University of Colorado at Boulder <i>Replace Chiller and Cooling Tower, Administration and Research Center</i> <p>The project replaces the chiller and cooling tower and provides digital controls at the Administration and Research Center East Campus. The current cooling system is at the end of its useful life, not up to code, and demands a high level of maintenance.</p>		
10.09 2015-094	CCF	\$742,704
Arapahoe Community College <i>Replace Classroom Unit Ventilators and Chiller, North Building</i> <p>The project replaces the air conditioning unit, associated electrical panel, exterior piping, and ventilators in the North Building. The six-stage cooling unit is 30 years old, and has lost two of its stages. There is no back-up system, and failure of the unit would require building closure.</p>		
10.10 2007-078	CCF	\$738,183
Colorado Community Colleges — Lowry <i>Upgrade HVAC System, Building 967</i> <p>The project upgrades the HVAC system and replaces and relocates the air handling units to allow for easier repair of the system. The project also re-tubes the boiler and upgrades its controls, and replaces building automation controls that were damaged by lightning. In addition, the project addresses a damaged chiller and leaking cooling and heating coils.</p> <p>Funding history. Phase I of the project was appropriated in FY 2007-08, but funding was later partially rescinded during the 2009 session due to the budgetary shortfall. Because of additional scope requirements that have since been identified, the request has been revised and resubmitted as a one phase request.</p>		
10.11 2009-170	CCF	\$587,870
Pueblo Community College <i>Repair/Replace Roof, Health Sciences and Medical Technology Buildings</i> <p>The project repairs or replaces the roofs of two buildings: the Medical Arts and Technologies Building and the Health Science Building. Both buildings have deteriorating ceiling systems on the upper levels as a result of water intrusion. In one instance water intrusion has led to the failure of the ceiling grid above the main corridor of the Medical Arts and Technologies Building. The roofs require aggressive maintenance to keep the buildings safe and usable.</p>		
10.12 2015-095	CCF	\$566,221
Lamar Community College <i>Repair Roof and Ceiling, Bowman Building</i> <p>The project make repairs at two lecture halls in the Bowman Building. The ceilings, which contain asbestos, will be demolished and replaced, and new energy-efficient lighting fixtures will be installed. The floors will be retiled, stairs repaired, and lighting fixtures installed at floor level. The seating in both lecture halls will be replaced and brought into code compliance.</p>		
10.13 2015-096	CCF	\$193,600
Public Safety <i>Replace Water Well and Sprinkler System, Camp George West</i> <p>The project funds exploratory work in order to rehabilitate a collapsed well and a 30-year-old sprinkler system. The well served as the source of irrigation water for the grounds at Camp George West. The site is now using city water, at a much higher cost. If repairs to the well are not accomplished by 2015, the state is at risk of losing its water right through lack of use.</p>		

Total Request Amount	\$25,746,381
-----------------------------	---------------------

Summary Information: Level II Controlled Maintenance

Project Title	Dept/Institution Name	score	higher ed	state	new project	existing project	prior funding	former GM level	cost
Replace Electrical System, Units 1-6, Arkansas Valley Correctional Facility	Corrections	12.01						1	\$803,704
Improve Lebanon Mine Safety and Egress	History Colorado	12.02							461,974
Replace Roof and Install Rooftop HVAC Units, Mullen Building	Trinidad State Junior College	12.03							1,322,967
Repair Campus Steam Branch	Colorado School of Mines	12.04						3	663,964
Upgrade HVAC, Mechanical Engineering Building	University of Colorado at Boulder	12.05							1,167,768
Repair Elevators, Building 500	University of Colorado Denver	12.06							400,854
Upgrade Building Automation System	Human Services	12.07							779,175
Replace HVAC System, 1881 Pierce Street	Revenue	12.08							737,550
Replace HVAC System, Colorado School for the Deaf and the Blind	Education	12.09							1,155,567
Replace Boiler, Centennial Campus	Pikes Peak Community College	12.10							508,668
Upgrade Electrical and Plumbing Systems, Bloom Mansion	History Colorado	12.11							182,270
Repair/Replace Water, Sanitary, and Storm Water Infrastructure	Colorado State Fair	12.12							992,325
Replace Electrical Transformers	Northeastern Junior College	12.13							376,956
Replace Electrical Switchgear, Larimer Campus	Front Range Community College	12.14							641,913
Replace Deteriorated Domestic Water Lines	Colorado State University	12.15							781,381
Replace/Restore Roof, State Capitol Building	Personnel and Administration	12.16						3	1,578,742
Replace Outdoor Walkways	Arapahoe Community College	12.17							286,129
Control Erosion and Stormwater Runoff	University of Colorado at Colorado Springs	12.18						1	341,490
Assess Hazardous Materials, Capitol Complex Facilities	Personnel and Administration	12.19							318,000
Subtotal: Score 12 projects		19	11	8	10	9	6	6	\$13,461,397
Improve Perimeter Security, AVCF and FGF	Corrections	14.01							750,388
Upgrade/Replace Fire Alarm System, Laboratory Building	Public Health and Environment	14.02							323,200
Upgrade HVAC, Chemistry Building	Colorado State University	14.03							800,703
Replace Roof, Repair Paving, and Recommision HVAC System, Watkins Armory*	Military and Veterans Affairs	14.04						3	720,050
Repair Facilities Management Building	Auraria Higher Education Center	14.05						3	843,776
Repair/Replace HVAC Systems in A, B, C, D, and E Buildings, CHHI Fort Logan	Human Services	14.06						3	865,370
Replace Chillers, Wheeler and Life Science Buildings	Otero Junior College	14.07							726,000
Rehabilitate Elevators, State Office Building	Personnel and Administration	14.08							696,300
Repair/Replace Roofs, Colorado Mental Health Institute at Fort Logan (third cycle)	Human Services	14.09							971,449
Replace Roof, McLaughlin Building, Rangely Campus	Colorado Northwestern Community College	14.10						3	250,672
Replace Roofs, Three Buildings	University of Northern Colorado	14.11							842,863
Replace Microwave Site Rectifier/Chargers, B Group	Office of Information Technology	14.12							588,837
Subtotal: Score 14 projects		12	5	7	7	5	1	1	\$7,999,583
Upgrade Storm Sewer Drainage	Western State Colorado University	15.01							808,786
Upgrade Air Handling Units and Exhaust Fans, Ramaley Building	University of Colorado at Boulder	15.02							1,481,195
Replace Steam Heating System, Shepardson Building	Colorado State University	15.03							897,274
Subtotal: Score 15 projects		3	3	0	3	0	0	0	\$3,187,255
Improve Pedestrian Safety	Fort Lewis College	16.01						3	526,752
Repair Campus Primary Electrical System	Colorado School of Mines	16.02						3	418,770
Replace Transformers	Colorado Mesa University	16.03							211,072
Upgrade Fire Alarm Notifier System, Larimer Campus	Front Range Community College	16.04							352,560
Repair/Replace Roofs, Grand Junction Regional Center	Human Services	16.05						3	838,423
Replace Obsolete Building Automation Control System	Colorado State University	16.06							997,197
Replace Heating Plant Boiler #3	University of Northern Colorado	16.07							1,365,000
Subtotal: Score 16 projects		7	6	1	3	4	1	1	\$4,709,774
Improve Fire Suppression System, Centennial Correctional Facility	Corrections	18.01							694,743
Upgrade Building 500 HVAC, VAV Distribution, and Zone Controls	University of Colorado Denver	18.02							695,593
Upgrade HVAC, Moby Arena	Colorado State University	18.03							1,961,109
Repair/Replace Rooftop Units, University Hall	University of Colorado at Colorado Springs	18.04							649,549
Remove Asbestos and Replace Carpet, North Building	Arapahoe Community College	18.05							525,483
Repair Roof, Wubben Hall	Colorado Mesa University	18.06						3	344,146

Summary Information: Level II Controlled Maintenance (Cont.)

Project Title	Dept/Institution Name	score	higher ed	state	new project	existing project	prior funding	former CM level	cost
Replace Roofs, Fine Arts Building and Planetarium	Adams State University	18.07	•	•	•	•	•	3	282,553
Replace Electrical System, Units 1-6, Arkansas Valley Correctional Facility (Phase III)	Corrections	18.08	•	•	•	•	•	1	836,509
Subtotal: Score 18 projects		8	6	2	4	4	2		\$5,989,685
Replace Boiler and Controls System and Clean Building Ductwork, Health Sciences Building	Pueblo Community College	20.01	•	•	•	•	•		629,857
Replace Roof, Building 697	Colorado Community Colleges — Lowry	20.02	•	•	•	•	•	3	393,030
Replace Roof, Construction Technology Building	Red Rocks Community College	20.03	•	•	•	•	•		299,860
Restore Windows and Granite Exterior, State Capitol Building	Personnel and Administration	20.04	•	•	•	•	•	3	1,180,004
Extend Bartley Boulevard	Colorado State University — Pueblo	20.05	•	•	•	•	•		874,850
Subtotal: Score 20 projects		4	4	1	2	3	0		\$3,377,607
GRAND TOTAL: LEVEL II Controlled Maintenance		54	35	19	29	25	10		\$38,746,295

* This project includes \$380,025 in matching federal funds. This amount is not included in the score 12 subtotal or Level II grand total.

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
12.01 2014-038	CCF	\$803,704
Corrections		
<i>Replace Electrical System, Units 1-6, Arkansas Valley Correctional Facility</i>		
<p>The three-phase project replaces buried electrical cable with new conduit wire and electrical equipment in all six housing units at the Arkansas Valley Correctional Facility. It also replaces electrical panels, gutters, and junction boxes damaged by water infiltration from leaking plumbing fixtures. The water infiltration also caused damage to signaling fire alarm and security circuits located in the gutters. An earlier controlled maintenance project funded in FY 2009-10 assessed the damage to the electrical system and designed repairs. This year's request for Phase II replaces the buried underground cable and makes repairs to Units 3 and 4. Phase I replaced equipment in Units 1 and 2. Phase III, also requested for funding in FY 2014-15 (see project no. 2015-133), will replace equipment in the remaining two units.</p>		
12.02 2015-109	CCF	\$461,974
Colorado Historical Society (History Colorado)		
<i>Improve Lebanon Mine Safety and Egress</i>		
<p>The project creates a second entrance/exit at the Lebanon Mine. Tours of the mine are offered to visitors at the Georgetown Loop Railroad. In 2012, 22,000 people toured the mine. The project improves portions of the mine that are currently closed to visitors and installs a second entrance/exit in order to improve emergency egress and tour operations.</p>		
12.03 2009-169	CCF	\$1,322,967
Trinidad State Junior College		
<i>Replace Roof and Install Rooftop HVAC Units, Mullen Building</i>		
<p>The project replaces the roof to improve drainage and installs two rooftop HVAC units to address inadequate building cooling and air exchange. The roof is old and brittle, and has cracked in places. During summer months, the building is air conditioned by fans, small portable cooling units, and window units. The available cooling and air exchange is insufficient to address the needs of some of the classes programmed in the building, including gunsmithing and welding.</p>		
12.04 2014-070	CCF	\$663,964
Colorado School of Mines		
<i>Repair Campus Steam Branch</i>		
<p>The three-phase project replaces existing steam pipes that provide heat to classrooms, laboratories, offices, residence halls, and the campus dining facility. The steam pipes are more than 55 years old and beyond their useful life. A 2012 emergency controlled maintenance project repaired a leaking steam pipe line serving Guggenheim Hall. This year's request for Phase I replaces steam pipes that are older than the lines serving Guggenheim Hall near the campus dining facility. Phase II will replace steam pipes near Stratton Hall and Phase III will replace steam pipes near the student recreation facility.</p>		
12.05 2014-064	CCF	\$1,167,768
University of Colorado at Boulder		
<i>Upgrade HVAC, Mechanical Engineering Building</i>		
<p>The two-phase project makes a variety of upgrades to the HVAC system, including: modifying air handling units, installing pre-heat coils, repairing/replacing terminal boxes, modifying the return air system, replacing fume hood controls, modifying exhaust systems, repairing/replacing exhaust fans, and installing fire/smoke dampers to improve air circulation and indoor air quality for building occupants. The HVAC system has deteriorated, and comfort levels cannot be maintained in the building. Additionally, fume hood controls, emergency shower and eyewash installations, and exhaust air systems need to be upgraded to address life safety and code issues. This year's request for Phase II addresses the west half of the basement, 1st floor, and 2nd floor. Phase I addressed the east half of the basement, 1st floor, and 2nd floor, as well as the entire 3rd floor.</p>		
12.06 2015-097	CCF	\$400,854
University of Colorado Denver		
<i>Repair Elevators, Building 500</i>		
<p>The three-phase project makes repairs and modernizes the seven elevators in Building 500 in order to address code compliance issues. The university employs an elevator contractor to perform preventative maintenance; the contractor has identified code deficiencies that need to be corrected. This year's request for Phase I addresses code deficiencies in all seven elevators. Phase II will address modernization and repairs to the controls, digital drives, counterweight buffers, and door operators in three elevators. Phase III will make similar updates and repairs to the remaining four elevators.</p>		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
12.07 2014-052	CCF	\$779,175
Human Services		
<i>Upgrade Building Automation System</i>		
<p>The three-phase project retrofits control panels for the building automation system used by the department to control environmental and life-safety systems in 300 buildings statewide, including youth corrections and psychiatric facilities. Two thirds of the main control panels that make up the field portion of this system are no longer manufactured, and retrofitting them with modern controllers eliminates the need to install completely new systems. This year's request for Phase II retrofits controllers in seven zones/building complexes statewide. Phase I made replacements in six zones and Phase III will make replacements in the seven remaining zones.</p>		
12.08 2014-054	CCF	\$737,550
Revenue		
<i>Replace HVAC System, 1881 Pierce Street</i>		
<p>The four-phase project replaces the HVAC system in the Pierce Street Building. Mechanical systems in the building have not been updated since its construction in 1972, and the four air handling units, south penthouse main fan, and variable air ventilation control system must all be replaced. The building is insufficiently cooled in the summer, hot and cold zones are found in the winter, and air distribution is poor. This year's request for Phase II finishes the south wing and addresses the north wing first floor. Phase I designed the project and started construction for the south wing. Phase III will complete the first floor, and Phase IV will address the basement systems.</p>		
12.09 2015-098	CCF	\$1,155,567
Education		
<i>Replace HVAC System, Colorado School for the Deaf and the Blind</i>		
<p>The project replaces the existing air handling units in the Vocational Building in order to address concerns with ventilation and temperature. The existing system does not provide proper ventilation for the shops and classrooms in the building, which the school says leads to complaints from building occupants about the air temperature and quality. The project also installs a direct digital control system.</p>		
12.10 2014-059	CCF	\$508,668
Pikes Peak Community College		
<i>Replace Boiler, Centennial Campus</i>		
<p>The two-phase project replaces two boilers that serve the entire campus. Oxygen pitting, which corrodes holes in the steel tubes of the boilers, has compromised their integrity. One boiler developed a leak in October 2011, had to be shut down until repairs could be made, and then developed another leak at the end of the heating season. The boiler has been retubed, but it is old and deteriorating. This year's request for Phase II replaces one boiler with five new, energy-efficient modular boilers. Phase I replaced the other boiler with five new, energy-efficient modular boilers.</p>		
12.11 2015-099	CCF	\$182,270
Colorado Historical Society (History Colorado)		
<i>Upgrade Electrical and Plumbing Systems, Bloom Mansion</i>		
<p>The project upgrades the plumbing and electrical systems in the Bloom Mansion. The plumbing upgrades include a new electric water heater, bathroom fixtures, and galvanized water and drainage lines. The electrical upgrades include new building wiring, breaker boxes, switches, outlets, and light fixtures. The goal is to reopen the mansion to the public.</p>		
12.12 2015-100	CCF	\$992,325
Colorado State Fair		
<i>Repair/Replace Water, Sanitary, and Storm Water Infrastructure</i>		
<p>The three-phase project repairs and replaces the sanitary sewer and storm sewer systems. It also replaces damaged asphalt to ensure proper storm water surface flow. The existing systems are between 40 and 60 years old and mix their outflow, which violates code and is a health risk. Additionally, the water pressure on the fairground complex is inadequate. This year's request for Phase I repairs piping around the Events Center and 4-H complex, and replaces the sanitary sewer lines to the animal washing racks. Phase II will install four new storm drains and begin asphalt repairs. Phase III will complete asphalt repairs.</p>		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
12.13 2015-101 Northeastern Junior College <i>Replace Electrical Transformers</i> The project replaces the main electrical transformers in five buildings on campus. The transformers are beyond their useful life and one recent failure caused a power outage that affected several buildings on the east side of campus.	CCF	\$376,956
12.14 2015-102 Front Range Community College <i>Replace Electrical Switchgear, Larimer Campus</i> The project replaces the electrical switchgear providing service to three buildings on campus and the associated transformer. The existing switchgear is more than 40 years old and has exceeded its useful life. Additionally, it is oversized for the electrical demands of the campus.	CCF	\$641,913
12.15 2015-103 Colorado State University <i>Replace Deteriorated Domestic Water Lines</i> The project replaces about 2,200 linear feet of deteriorated domestic water lines under the Oval. The existing water lines were installed in the late 1800s and are starting to fail. The lining of the water mains has eroded which has caused the water quality to deteriorate. The new water lines, which will be installed in such a way as to minimize the impact on the historic elms growing in the area, will improve water quality and pressure, and system reliability and operability.	CCF	\$761,381
12.16 2014-074 Personnel and Administration <i>Replace/Restore Roof, State Capitol Building</i> The two-phase project repairs portions of the State Capitol roof and associated infrastructure. While the tile portion of the roof requires minimal repair, the asphalt shingle portion is in poor condition and at the end of its normal life cycle, and the copper roofing requires replacement. In addition, a black synthetic rubber surface covering certain drainage points is failing, and roof openings such as access hatches and vents require repairs for peeling paint, broken covers, and detached flashing. Six skylights require replacement of copper components due to separation and replacement of glass to meet modern standards for safety and energy efficiency. Finally, a safety tie-off system is required in order to meet code and to allow safe access to the roofs, gutters, and skylights. This year's request for Phase I designs the project, replaces the copper roofs, repairs the tile roofs, and restores the skylights. Phase II will complete the project, including the replacement of the gutters and asphalt shingles.	CCF	\$1,578,742
12.17 2015-104 Arapahoe Community College <i>Replace Outdoor Walkways</i> The project replaces a second-floor walkway between the main and annex buildings. The existing walkway has sloped glass on its roof and vertical glass for sidewalls. The project installs an enclosed walkway with a metal roof system, gutters, side pane safety glass, new entry and exit doors, and lighting. The project also ties the walkway into the HVAC system to provide heating in the winter and cooling in the summer.	CCF	\$286,129
12.18 2013-058 University of Colorado at Colorado Springs <i>Control Erosion and Stormwater Runoff</i> The three-phase project performs erosion control on a piece of the campus's non-developed property, and corrects associated storm water runoff issues. The slope and lack of erosion control on the property results in silt and sand pouring onto Mountain Lion Way and the filling of storm water channels with runoff material. The filling of channels may redirect water flow, potentially damaging campus infrastructure. The project will modify culverts, revegetate the property, and construct sediment traps to control water flow and reduce erosion. This year's request for Phase III mitigates the area around Alpine Village student housing, the Events Center, Main Hall, and the Campus Services Building. Phase I designed the project and mitigated the area around the Summit Village dormitory complex. Phase II mitigated areas near the Engineering Building and University Center, and the drainage areas flowing under pedestrian walkways on the west side of campus.	CCF	\$341,490

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
12.19 2015-105	CCF	\$318,000
Personnel and Administration		
<i>Assess Hazardous Materials, Capitol Complex Facilities</i>		
<p>The project identifies potentially hazardous components such as asbestos, mold, and lead-based paints in buildings and tunnels throughout the Capitol Complex in order to develop protocols for managing these hazards. The project also abates and remediates any critical hazards identified during the assessment. Emergency controlled maintenance funds have been used to address emergency abatement projects in several buildings in the Capitol Complex in recent years.</p>		
14.01 2008-123	CCF	\$750,388
Corrections		
<i>Improve Perimeter Security, Arkansas Valley Correctional Facility and Fremont Correctional Facility</i>		
<p>The four-phase project replaces or repairs lighting and fencing in order to improve perimeter security at two state prisons. This year's request for Phase IV completes the fence repairs and analyzes perimeter lighting at the facilities. Phase I installed new security lighting in the north recreation yard at the Arkansas Valley Correctional Facility, and funded a department-wide security audit and vulnerability analysis regarding perimeter security. Phase II replaced the transponders and microprocessor head in the motion detection system at Fremont, and began repairs to the perimeter fence. Phase III made additional repairs to the fencing and installed a non-lethal electrified fence surrounding the Fremont Correctional Facility.</p>		
14.02 2015-106	CCF	\$323,200
Public Health and Environment		
<i>Upgrade/Replace Fire Alarm System, Laboratory Building</i>		
<p>The project inspects and tests the existing fire alarm system in the Laboratory Building in order to determine what repairs and upgrades are necessary to bring the system into code compliance, and performs such repairs. Some of the existing fire alarm system components do not function properly and the system frequently malfunctions.</p>		
14.03 2015-107	CCF	\$800,703
Colorado State University		
<i>Upgrade HVAC, Chemistry Building</i>		
<p>The project replaces the primary HVAC system, including pumps, water filters, controls, and valves, in the Chemistry Building. The project also replaces the constant volume fans and pumps with variable volume units and controls in order to reduce building energy use. The existing equipment is well past its useful life and replacement parts are difficult to find.</p>		
14.04 2013-064	CCF FF	\$360,025 \$360,025
Military and Veterans Affairs		
<i>Replace Roof, Repair Paving, and Recommission HVAC System, Watkins Armory</i>		
<p>The project replaces and repairs roofing, replaces two rooftop air handling units (AHUs), recommissions the HVAC system, and repairs asphalt paving at the Watkins Armory. The building's roof is comprised of three flat sections, portions of which need to be repaired, and a higher sloped section over the assembly hall and second floor, which will be replaced. The building is in an exposed location, subjecting it to high winds and significant thunderstorms. Numerous roof leaks have occurred and been repaired over the years. Lightning strikes have damaged electrical components of the two AHUs, and the units have seen numerous outages.</p>		
14.05 2009-184	CCF	\$843,776
Auraria Higher Education Center		
<i>Repair Facilities Management Building</i>		
<p>The project makes repairs to the Facilities Management Building to address concerns with poor ventilation and cross-contamination of adjacent work spaces. The project addresses deficiencies with the building's mechanical equipment, general ventilation units, and roof. The project replaces and repairs the paint shop booth, the welding shop ventilation, the carpenter shop dust collector, expansion joint sealants, roofing, building/roof handrails, and entries.</p>		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
14.06 2011-124	CCF	\$865,370
Human Services		
<i>Repair/Replace HVAC Systems in A, B, C, D, and E Buildings, Colorado Mental Health Institute at Fort Logan</i>		
The three-phase project replaces air handlers, chillers, and associated equipment in five buildings to address concerns with antiquated and poorly functioning equipment. Much of this equipment is original to the buildings' construction in 1963. The buildings have no operable windows and there are no backup systems in place if the systems fail. This year's request for Phase I replaces equipment in Buildings A, C, and D. Phase II will address Building E and Phase III will address Building B.		
14.07 2015-116	CCF	\$726,000
Otero Junior College		
<i>Replace Chillers, Wheeler and Life Science Buildings</i>		
The project replaces the chillers in two buildings with higher efficiency units. The existing units are beyond their expected useful life and require frequent maintenance.		
14.08 2015-118	CCF	\$696,300
Personnel and Administration		
<i>Rehabilitate Elevators, State Office Building</i>		
The project installs new machine room equipment to operate two passenger elevators and one freight elevator in the State Office Building in order to prevent accidents and property damage. The elevators require frequent repairs. The project purchases microprocessor controls, geared hoist machines and cable, car operating panels, signals, cab interiors, and door equipment.		
14.09 2015-117	CCF	\$971,449
Human Services		
<i>Repair/Replace Roofs, Colorado Mental Health Institute at Fort Logan (third cycle)</i>		
The three-phase project continues funding for roof replacements on the Fort Logan Campus to address leaks. Earlier controlled maintenance projects have funded roof repairs elsewhere on campus. This request addresses seven buildings in the K-Complex, many of which are linked with covered walkways. This year's request for Phase I repairs two buildings. Phase II will address two additional buildings and Phase III will complete repairs to the final three roofs in the complex.		
14.10 2014-073	CCF	\$250,672
Colorado Northwestern Community College		
<i>Replace Roof, McLaughlin Building, Rangely Campus</i>		
The project replaces the roof on the McLaughlin Building and repairs a drain that delivers runoff from the roof. The roof's overhang leaks at various locations causing deterioration of the roof decking, and the roof has several layers of patchwork in need of replacement. Repairing the drain will mitigate flooding in the building's basement, according to the college.		
14.11 2015-119	CCF	\$842,863
University of Northern Colorado		
<i>Replace Roofs, Three Buildings</i>		
The project replaces the roofs of Gunter Hall, Patton House, and Nottingham Hall. The roofs have numerous leaks, are at the end of their expected useful life, and have been repaired frequently. In Gunter Hall, the ongoing leaks have increased the risk of mold and mildew.		
14.12 2015-120	CCF	\$568,837
Office of Information Technology		
<i>Replace Microwave Site Rectifier/Chargers, B Group</i>		
The two-phase project replaces electrical rectifying/charger units at a number of public safety microwave communications network sites that are part of the Digital Trunked Radio System. The network sites must operate continuously; the Governor's Office of Information Technology says that failure of the rectifying/charger units may result in the inability of public safety and emergency responders to communicate in an entire region. The units are old and replacement parts are difficult to locate. The project replaces rectifying/charger units at 69 of the state's 138 radio transmitting sites. This year's request for Phase I makes the most critical replacements at sites with limited access during winter months. Phase II will replace the remaining units.		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
15.01 2015-121 Western State Colorado University <i>Upgrade Storm Sewer Drainage</i>	CCF	\$808,786
<p>The project makes improvements to the existing drainage system to address erosion and drainage problems in many areas of the campus. The project will rebuild retaining walls, and regrade and resurface deteriorated asphalt surfaces and parking lots.</p>		
15.02 2015-122 University of Colorado at Boulder <i>Upgrade Air Handling Units and Exhaust Fans, Ramaley Building</i>	CCF	\$1,481,195
<p>The three-phase project refurbishes the supply air handling units (AHUs) and replaces supply and exhaust fans in the west and south wings of the Ramaley Building. The existing system is between 35 and 45 years old, lacks redundancy, does not properly exhaust fumes, and does not meet code requirements. This year's request for Phase I refurbishes the AHU in the west wing and replaces the exhaust fans with redundant exhaust fans in both wings. Phases II and III will continue the upgrades.</p>		
15.03 2015-123 Colorado State University <i>Replace Steam Heating System, Shepardson Building</i>	CCF	\$897,274
<p>The project installs a new hot water hydronic system to replace the building's heating system in order to regulate the building temperature and reduce energy usage. According to the university, the existing system has poor temperature control, which results in a wide variation in temperature throughout the building. The project includes installation of building-wide piping distribution, steam-to-water heat exchangers, pumps, controls, and fan-coil units.</p>		
16.01 2013-076 Fort Lewis College <i>Improve Pedestrian Safety</i>	CCF	\$526,752
<p>The three-phase project improves pedestrian safety on campus. Safety concerns include steep and irregular stairs, cracked and uneven asphalt, cracking and spalling on the stairs, and some crumbling sidewalks and stairways. This year's request for Phase I replaces deficient pedestrian walkways and deteriorated stairways in the center of campus. Phase II will continue to create safe access to areas served by the southern pedestrian walkways. Phase III will replace deficient northern campus pedestrian walkways.</p>		
16.02 2012-042 Colorado School of Mines <i>Repair Campus Primary Electrical System</i>	CCF	\$418,770
<p>The four-phase project repairs and replaces components of the campus' power distribution network, which serves as the backbone of the campus' electrical services. Some segments of the electrical cable and switchgear that distribute power have exceeded their useful life and are failing. A failure in 2010 caused a complete electrical outage to one building, disrupting academic and research programs and requiring use of a generator while repairs were made. Each phase of the project upgrades a section of the network. This year's request for Phase III continues the repairs and replacements.</p>		
16.03 2011-095 Colorado Mesa University <i>Replace Transformers</i>	CCF	\$211,072
<p>The project replaces seven transformers in need of major repair. The transformers leak cooling fluids, have holes in their exteriors caused by rust, and do not conform to current safety and operating standards. Additionally, several of the transformers are larger than needed to meet the campus emergency demand. According to the university, replacing the transformers will reduce energy costs and potential contaminant leaks.</p>		
16.04 2015-124 Front Range Community College <i>Upgrade Fire Alarm Notifier System, Larimer Campus</i>	CCF	\$352,560
<p>The project upgrades the centralized fire alarm workstation, individual building fire alarm system control panels, and individual notification devices in each building in order to provide a networked, campus-wide emergency notification system. The existing centralized fire alarm workstation does not connect to the campus emergency notification system.</p>		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
16.05 2014-068	CCF	\$838,423
Human Services		
<i>Repair/Replace Roofs, Grand Junction Regional Center</i>		
The project replaces roofs on twelve buildings on the Grand Junction Regional Center campus and upgrades HVAC systems in many of the same buildings. The roofs are leaking and the HVAC systems are beyond their expected useful life. According to the department, leaking roofs cause program disruptions. Also, many of the clients cared for at the regional center take medications that heighten their sensitivity to temperature. Phase I replaces roofs and upgrades HVAC systems in the Amos, Butler, Hinds Gymnasium, Laundry, Meyer, and Pace Buildings. Phase II will address repairs in the Porter Center and Phase III will address work in five additional buildings.		
16.06 2015-125	CCF	\$997,197
Colorado State University		
<i>Replace Obsolete Building Automation Control System</i>		
The project replaces a system that automates control of 48 buildings on campus. The existing building automation control system is obsolete because the main supplier no longer supports the legacy software and the university must find third-party vendors to supply system components. Thus it is very costly to maintain the system. The new system will provide improved energy efficiency and monitoring/alarm capabilities.		
16.07 2015-126	CCF	\$1,365,000
University of Northern Colorado		
<i>Replace Heating Plant Boiler #3</i>		
The two-phase project replaces an aging boiler in order to provide redundancy for the two main campus boilers. The existing #3 boiler is a high temperature hot water generator. The replacement boiler will be more energy efficient, which the university says will reduce operating costs.		
18.01 2015-127	CCF	\$694,743
Corrections		
<i>Improve Fire Suppression System, Centennial Correctional Facility</i>		
The two-phase project upgrades portions of the fire sprinkler system to replace piping and 714 non-compliant sprinkler heads. It also adds sprinkler heads to sally ports and installs control panels in six living units. This year's request for Phase I begins the improvements. Phase II, which is requested as a FY 2014-15 Level III controlled maintenance project, finishes the improvements and designs and installs a new fire sprinkler system in the Programs Administration Building.		
18.02 2015-128	CCF	\$695,593
University of Colorado Denver		
<i>Upgrade Building 500 HVAC, VAV Distribution, and Zone Controls</i>		
The five-phase project makes improvements to the HVAC distribution system. The constant-volume equipment will be replaced with a variable volume distribution system with hot water reheat and digital controls. Earlier controlled maintenance projects replaced or upgraded the building's air handling units. This year's request for Phase I upgrades the HVAC system on the north side of the 4th floor. Phases II through V will make upgrades to the basement and parts of the ground floor, second floor, fourth floor, and fifth floor.		
18.03 2015-129	CCF	\$1,961,109
Colorado State University		
<i>Upgrade HVAC, Moby Arena</i>		
The project upgrades HVAC equipment, including components of the air handling units, system controls, coils, and pumps. Additionally, the project upgrades the system so it can be connected to a new geexchange system that is planned to heat and cool buildings on the west side of campus once it is operational. The project may also abate asbestos. The existing equipment is beyond its expected useful life and requires increasing time and resources to maintain.		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
18.04 2008-160 University of Colorado at Colorado Springs <i>Repair/Replace Rooftop Units, University Hall</i>	CCF	\$649,549
<p>The two-phase project replaces sections of the roof and 14 rooftop units. Despite routine preventative maintenance and reactive maintenance, the roof leaks and the rooftop units continue to break down. The project also implements a direct digital control system. The project was originally scheduled for three phases and received an appropriation for Phase I, but most of the funding was rescinded. Emergency funding was provided to replace four rooftop units. This year's request for Phase I replaces section C of the roof and associated rooftop units. Phase II will address sections A and B of the roof and associated rooftop units. It will also purchase the digital direct control system.</p>		
18.05 2015-130 Arapahoe Community College <i>Remove Asbestos and Replace Carpet, North Building</i>	CCF	\$525,483
<p>The project removes asbestos in the ceilings of 18 rooms on campus, which requires that the ceiling tiles, insulation, carpet, light fixtures, and furniture be removed from each room. After the asbestos is removed, new ceiling tiles, insulation, light fixtures, and carpet will be installed. According to the college, the affected rooms include general classrooms, the child care center, and the Police Academy.</p>		
18.06 2013-072 Colorado Mesa University <i>Repair Roof, Wubben Hall</i>	CCF	\$344,146
<p>The project repairs a roof that experienced a large leak in December 2010. The leak damaged carpet, gypsum wallboard, and ceiling tiles on both floors of most of the east half of the building. The project removes the roof and replaces it with a built-up roof system with new flashing.</p>		
18.07 2012-057 Adams State University <i>Replace Roofs, Fine Arts Building and Planetarium</i>	CCF	\$282,553
<p>The two-phase project replaces roofs that have reached the end of their useful life and show signs of deterioration. This year's request for Phase I replaces the saw-toothed area of the Fine Arts Building roof. Phase II will replace the Planetarium and parts of the Porter Hall roofs.</p> <p>Funding history. Two earlier controlled maintenance projects were requested to complete the roof replacements and part of the Fine Arts Building roof was replaced. However, funding for one request was partially rescinded and the other request was not funded. The project has since been rescoped.</p>		
18.08 2015-133 Corrections <i>Replace Electrical System, Units 1-6, Arkansas Valley Correctional Facility (Phase III)</i>	CCF	\$836,509
<p>The three-phase project replaces buried electrical cable with new conduit wire and electrical equipment in all six housing units at the Arkansas Valley Correctional Facility. It also replaces electrical panels, gutters, and junction boxes damaged by water infiltration from leaking plumbing fixtures. The water infiltration also caused damage to signaling fire alarm and security circuits located in the gutters. An earlier controlled maintenance project funded in FY 2009-10 assessed the damage to the electrical system and designed repairs. This year's request for Phase III replaces equipment in the remaining two units. Phase I replaced equipment in Units 1 and 2. Phase II, also requested for funding in FY 2014-15 (see project no. 2014-038), will replace the buried underground cable and make repairs to Units 3 and 4.</p>		
20.01 2015-131 Pueblo Community College <i>Replace Boiler and Controls System and Clean Building Ductwork, Health Sciences Building</i>	CCF	\$629,857
<p>The project upgrades the heating system and cleans and repairs the building duct system. The existing system requires continuous maintenance, and is inefficient and unreliable. The college says failure of the boiler system could cause disruption to classes and to clinical appointments for the dental program.</p>		

FY 2014-15 Level II Controlled Maintenance Request

Project Title	Fund Source	Amount
20.02 2013-077 Colorado Community Colleges — Lowry <i>Replace Roof, Building 697</i> The project replaces the roof on Building #697. The roof is nearly 25 years old and no longer serviceable. The project replaces the roofing system, upgrades insulation values, installs new flashings, and seals masonry wall joints, which will improve energy efficiency and curtail water infiltration.	CCF	\$393,030
20.03 2011-111 Red Rocks Community College <i>Replace Roof, Construction Technology Building</i> The project installs a new roof with improved insulation to address code compliance issues and leaking. The existing flashings are failing, water pools on the roof after rainstorms, and the insulation does not meet code requirements.	CCF	\$299,860
20.04 2014-078 Personnel and Administration <i>Restore Windows and Granite Exterior, State Capitol Building</i> The three-phase project restores the double-hung wooden windows and granite-clad portions of the exterior of the State Capitol. The windows are warped, rotting, and unsafe to operate, and some of them do not close completely. Parts of the granite exterior are at risk of cracking from water infiltration and freeze/thaw conditions. The project will require scaffolding. This year's request for Phase I designs the project and makes repairs to the west side of the building. Phase II will address the east side of the building, and Phase III will address the north and south sides of the building.	CCF	\$1,180,004
20.05 2015-132 Colorado State University — Pueblo <i>Extend Bartley Boulevard</i> The project extends Bartley Boulevard 1,200 feet north to connect with Walkingstick Boulevard. The additional roadway will address concerns with increased vehicle traffic, improve pedestrian safety, and provide quicker emergency vehicle access to the north end of the campus.	CCF	\$874,850

Total Request Amount	\$39,105,320
CCF	\$38,745,295
FF	\$360,025

OFFICE OF THE STATE ARCHITECT PROGRAMS ANNUAL REPORT
 PRIORITIZED STATEWIDE PROJECT FUNDING RECOMMENDATIONS FOR FY 2014/2015

DECEMBER 2013

Ref No.	Agency Score	Project Title, Phase	Project M#	Recommended Funding	Project Balance	Cumulative Total of Recommended Projects
LEVEL 3						
92	21	University of Colorado at Boulder Electrical Service Upgrades, Science Learning Lab Building, Ph 1 of 1		\$817,685	\$0	\$65,309,361
93	21	Department of Corrections Perimeter Security Improvements, DRDC and DWCF, Ph 1 of 1		\$976,714	\$0	\$66,286,075
94	21	Colorado State University A and B Wings Roof Replacement, Engineering Building, Ph 1 of 1		\$543,089	\$0	\$66,829,164
95	21	Fort Lewis College Replacement Roof, Miller Student Services, Ph 1 of 1		\$845,760	\$0	\$67,674,924
96	21	Colorado State University West Roof Replacement, Painter Center, Ph 1 of 1		\$153,813	\$0	\$67,828,737
97	21	Auraria Higher Education Center Central Classroom Building, Windows and Mechanical Systems Replacement and Repairs, Ph 1 of 2		\$1,052,040	\$909,801	\$68,880,777
98	21	Colorado School of Mines Campus Building Envelope Repairs, Ph 1 of 2		\$390,220	\$359,215	\$69,270,997
99	21	University of Colorado at Boulder Campus Elevator System Upgrades, Ph 1 of 2		\$710,070	\$662,142	\$69,981,067
100	21	Department of Corrections Replace Fire Alarm System, CSP, Ph 1 of 1		\$948,621	\$0	\$70,929,688
101	24	Colorado State University Replace Deteriorated Storm Water Line, Main Campus, Ph 1 of 1		\$994,309	\$0	\$71,923,997
102	24	Colorado School for the Deaf and Blind Steam Line Replacement - North Side, Ph 1 of 2		\$356,420	\$276,940	\$72,280,417
103	24	Department of Revenue Rehabilitate Elevators, 1881 Pierce, Ph 1 of 1		\$233,200	\$0	\$72,513,617
104	24	Capitol Complex Facilities Rehabilitate Elevators, 1570 Grant Building, Ph 1 of 1		\$366,575	\$0	\$72,880,192
105	24	Northeastern Junior College Accessibility Improvement Project, Ph 1 of 2		\$387,300	\$701,250	\$73,267,492
106	24	Trinidad State Junior College Replace Library Chiller and HVAC Controls, Ph 1 of 1		\$204,160	\$0	\$73,471,652
107	24	Pikes Peak Community College HVAC Distribution and Control Upgrades, Centennial Campus, Ph 1 of 4		\$1,026,551	\$4,560,635	\$74,498,203
108	24	Department of Corrections Roof Replacement, CCF, Ph 1 of 1		\$942,003	\$0	\$75,440,206
109	24	University of Colorado at Boulder Roof Repair/Replacement and Waterproofing, Ph 2 of 2	C9115	\$773,990	\$0	\$76,214,196
110	24	Western State Colorado University Repair/Replace Roofing System, Ph 1 of 1		\$700,909	\$0	\$76,915,105

**OFFICE OF THE STATE ARCHITECT PROGRAMS ANNUAL REPORT
 PRIORITIZED STATEWIDE PROJECT FUNDING RECOMMENDATIONS FOR FY 2014/2015**

DECEMBER 2013

Ref No.	Score	Agency Project Title, Phase	Project M#	Recommended Funding	Project Balance	Cumulative Total of Recommended Projects
111	24	Department of Human Services Repair/Replace Roofs (1st Tier), CMHIP, Ph 1 of 3		\$985,964	\$1,877,475	\$77,901,069
112	24	Adams State University Sidewalk Curb and Gutter Replacement, Ph 1 of 2		\$440,369	\$379,940	\$78,341,438
113	27	Department of Corrections Fire Suppression System Improvements, CCF, Ph 2 of 2		\$758,858	\$0	\$79,100,296
114	27	Department of Corrections Critical Roof Replacement, SCF, Ph 2 of 2		\$711,719	\$0	\$79,812,015
115	28	Department of Human Services Replace Emergency Power Systems and Controls, NYC, Ph 1 of 1		\$842,127	\$0	\$80,654,142
116	28	Colorado Community College System at Lowry Install New Boilers, Chillers, AHUs, and Upgrade the Controls, Building 697, Ph 1 of 1		\$1,262,690	\$0	\$81,916,832
117	28	Capitol Complex Facilities Rehabilitate Elevators, Grand Junction Building, Ph 1 of 1		\$533,100	\$0	\$82,449,932
118	28	Lamar Community College Modernize Walkway Lighting, Campus, Ph 1 of 2		\$592,033	\$575,250	\$83,041,965
119	30	Colorado Community College System at Lowry HVAC Upgrades, Building 905, Ph 1 of 1		\$993,346	\$0	\$84,035,311
120	30	Colorado State University - Pueblo Roof Replacement Art/Music/Music Classroom, Ph 2 of 2	M13019	\$488,730	\$0	\$84,524,041
121	30	Colorado Mesa University Fine Arts Roof Replacement, Ph 1 of 1		\$216,624	\$0	\$84,740,665
122	30	Department of Military and Veterans Affairs Roof Replacement at National Guard Readiness Centers (Armories), Ph 1 of 1		\$169,730	\$0	\$84,910,395
123	32	Department of Human Services Replace HVAC Equipment, Building 049 and Replace Water Softeners, Building 118, CMHIP, Ph 1 of 1		\$781,803	\$0	\$85,692,198
124	36	Pueblo Community College Install Heat Exchanger and Associated Pumps and Controls, MT Building, Pueblo Campus, Ph 1 of 1		\$365,700	\$0	\$86,057,898
125	42	Front Range Community College Rehabilitate Elevators, Westminster Campus, Ph 1 of 3		\$398,565	\$635,642	\$86,456,463
126	42	Pikes Peak Community College Repair and Replace Chiller, Rampart Range Campus, Ph 1 of 1		\$477,079	\$0	\$86,933,542
127	42	Colorado School for the Deaf and Blind Remove Underground Storage Tank, Ph 1 of 1		\$139,397	\$0	\$87,072,939

Level 3 Totals: \$22,581,263 \$10,938,290

CM Cumulative: \$87,072,939 \$49,915,081

Prioritized Controlled Maintenance Grand Total: \$87,072,939

FY 2014-15 Cash-Funded Capital Budget Requests Recommended for Funding by CDC

Project Name	Prior Appropriations		FY 2014-15	2015-16	All Future Requests	Total Cost
eLicense Implementation <i>Department of Agriculture</i>	CF	\$0	\$700,000	\$0	\$0	\$700,000
	Total	\$0	\$700,000	\$0	\$0	\$700,000
<p>The project will configure and deploy a web-based application, CAVU, a product of Iron Data, LLC, to facilitate the Department of Agriculture's licensing activity and inspection schedule. The eLicense program will automate the annual processing of about 40,000 permits, license applications, and renewals. The program will also allow real-time processing, tracking, and reporting of inspection-related enforcement actions. The department says its current system of issuing licenses and tracking inspections is inefficient, labor-intensive, and heavily reliant on paper and postage.</p>						
Correctional Industries – Miscellaneous Small Projects <i>Department of Corrections</i>	CF	\$5,357,980	\$660,000	\$0	\$0	\$6,017,980
	Total	\$5,357,980	\$660,000	\$0	\$0	\$6,017,980
<p>The project completes various small projects to support the operation of Colorado Correctional Industries (CCI). This is an ongoing request that allows the department to expand CCI where needed to accommodate new business or to maintain current operations. Two possible projects have been identified for FY 2014-15, both at the East Canyon Prison Complex (ECPC), including: (1) enlarging the production capacity of the existing fish greenhouse facilities by increasing the size of the greenhouses and adding additional tanks; and (2) expanding the water buffalo dairy facility by building additional corrals, extending the milking parlor, and expanding the fresh milk holding capacity.</p>						
Workers' Compensation Mainframe Migration and Modernization <i>Department of Labor and Employment</i>	CF	\$0	\$5,932,500	\$0	\$0	\$5,932,500
	Total	\$0	\$5,932,500	\$0	\$0	\$5,932,500
<p>The project updates the computer platform for the Division of Workers' Compensation's claims system. The project will reduce the risk of failure of the existing workers' compensation claims system and provide better customer service.</p>						
Infrastructure and Real Property Maintenance, Wildlife Areas <i>Department of Natural Resources</i>	CF	\$3,453,457	\$900,000	\$600,000	\$1,800,000	\$6,753,457
	Total	\$3,453,457	\$900,000	\$600,000	\$1,800,000	\$6,753,457
<p>The project will fund improvements or replacements to existing facilities statewide, and improvements that are not continual and thus are not included in the division's controlled maintenance program. This year's request will commit \$600,000 to fund dam maintenance activities statewide. According to the division, funding for ongoing maintenance needs at its facilities statewide is essential to meeting critical goals, such as providing hunting and fishing recreation in Colorado.</p>						
Land and Water Acquisitions, Wildlife Areas <i>Department of Natural Resources</i>	CF	\$28,500,000	\$11,300,000	\$11,300,000	\$33,900,000	\$85,000,000
	Total	\$28,500,000	\$11,300,000	\$11,300,000	\$33,900,000	\$85,000,000
<p>The project funds the acquisition of interests in real property through a competitive bidding process. The purpose of the ongoing request is to protect, enhance, and restore critical habitat to ensure the survival and stability of a variety of wildlife species, and to secure public access to wildlife. The request also allows CPW to option land and water in order to hold property until it can be acquired through the statutorily authorized process or through a separate bill. Under Parks and Wildlife Commission policy, the purchase of easements is preferred over fee title purchases when CPW acquires land. CPW says changes in Colorado's demographics and population growth, with associated impacts caused by development, have and will continue to present the division with difficult challenges in managing wildlife and wildlife habitats.</p>						

FY 2014-15 Cash-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
Land and Water Acquisitions, State Parks					
<i>Department of Natural Resources</i>					
The project purchases lands adjacent to state parks to provide a buffer between park lands and new development, and acquires water for recreational purposes at various state parks. This year's request addresses acquisitions for two programs: the Water Resources Program and the Property Acquisitions Program. The division is not requesting funding for the New Park Acquisition Program for FY 2014-15, which falls under this line item. CPW says that it engages in an ongoing, annual effort to acquire water for recreational purposes at certain parks.					
CF	\$6,800,000	\$950,000	\$950,000	\$2,850,000	\$11,550,000
Total	\$6,800,000	\$950,000	\$950,000	\$2,850,000	\$11,550,000
New Park Development					
<i>Department of Natural Resources</i>					
The project funds an ongoing program aimed at developing new state parks. This year's request continues the development of Staunton State Park. Opening new parks addresses one of CPW's top six objectives: to provide and promote a variety of outdoor recreation in the state.					
CF	\$5,800,000	\$5,261,054	\$0	\$6,700,000	\$17,761,054
Total	\$5,800,000	\$5,261,054	\$0	\$6,700,000	\$17,761,054
Park Infrastructure and Facilities					
<i>Department of Natural Resources</i>					
The project maintains, restores, and improves park facilities and infrastructure. The division owns and maintains more than 950 individual structures at 42 state parks, many of which are heavily used and require repair or replacement. It also maintains about 185 miles of paved roads at state parks. The division says it is necessary to keep its recreational facilities well-maintained in order to meet its statutory charge to promote outdoor recreation, and to protect public health and safety.					
CF	\$44,436,448	\$10,713,244	\$17,804,687	\$53,414,061	\$126,368,440
FF	\$10,783,337	\$1,919,000	\$685,313	\$2,055,939	\$15,443,589
Total	\$55,219,785	\$12,632,244	\$18,490,000	\$55,470,000	\$141,812,029
Brownfields Cleanup Program (aka HB 00-1306 Site Cleanups)					
<i>Department of Public Health and Environment</i>					
The project provides for the ongoing cleanup of former hazardous waste sites through the Brownfields Cleanup Program, pursuant to House Bill 00-1306. HB 00-1306 provided for an annual appropriation of \$250,000 from the state's Hazardous Substance Response Fund to perform cleanup on properties: (1) that do not have a responsible party to perform remediation; (2) that have been determined to present a threat to human health or the environment; and (3) where remediation will facilitate redevelopment of the property for the public good. The department has identified five potential sites for funding in FY 2014-15.					
CF	\$1,250,000	\$250,000	\$250,000	\$750,000	\$2,500,000
Total	\$1,250,000	\$250,000	\$250,000	\$750,000	\$2,500,000
Medical Marijuana Registration System					
<i>Department of Public Health and Environment</i>					
The project develops an online medical marijuana registration system in order to replace the existing, inadequate system. The new system will manage all medical marijuana applications and records. The existing Medical Marijuana Registry tracks about 107,000 registrants.					
CF	\$0	\$1,117,284	\$0	\$0	\$1,117,284
Total	\$0	\$1,117,284	\$0	\$0	\$1,117,284

FY 2014-15 Cash-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

	Project Name	Prior Appropriations	FY 2014-15	2015-16	All Future Requests	Total Cost
G.R. Carrel Hall Renovation <i>Department of Public Safety</i> The project renovates the 7,025-GSF G.R. Carrel Hall, a Colorado State Patrol Academy building located on the Camp George West campus in Golden. The department says renovating the historically significant G.R. Carrel Hall will increase its utilization as an event facility by DPS and other state departments based in the Denver metropolitan area, preserving the building and leading to departmental savings by supplanting the use of private meeting spaces.	HUTF	\$0	\$545,633	\$0	\$0	\$545,633
	Total	\$0	\$545,633	\$0	\$0	\$545,633
	CF	\$0	\$1,200,000	\$0	\$0	\$1,200,000
Motor Carrier Training Facility and Dormitory <i>Department of Public Safety</i> The project constructs a 3,000-ASF classroom building and an 840-ASF dormitory on the Colorado State Patrol (CSP) Academy campus at Camp George West in Golden. The department says constructing a dedicated, centrally located facility for training motor carrier inspectors will allow for timely training delivery while reducing costs associated with training site rentals.	Total	\$0	\$1,200,000	\$0	\$0	\$1,200,000
	CF	\$0	\$1,200,000	\$0	\$0	\$1,200,000
Performance-Based Brake Tester Acquisition and Installation, Dumont Port of Entry <i>Department of Public Safety</i> The project purchases a performance-based brake tester (PBBT) system and installs it at the Dumont Port of Entry along Interstate 70 in Clear Creek County. By increasing the speed and efficiency of commercial vehicle brake safety inspections at the Dumont Port-of-Entry using PBBT technology, the department says it will be able to increase the number of brake inspections it performs, thus reducing the number of accidents involving commercial vehicles and improving safety along Interstate 70.	CF	\$0	\$500,000	\$0	\$0	\$500,000
	Total	\$0	\$500,000	\$0	\$0	\$500,000
	CF	\$0	\$500,000	\$0	\$0	\$500,000
New Colorado History Museum (COP Payments) <i>History Colorado</i> The project makes the fourth of 35 certificates of participation (COPs) annual lease payments for the construction of a new Colorado history museum. The fourth payment, of about \$3.0 million, is due in September 2014, with future annual payments in following years. Future payments grow over time to about \$5.0 million annually.	CF	\$8,983,640	\$3,121,000	\$3,021,835	\$9,065,488	\$24,191,963
	Total	\$8,983,640	\$3,121,000	\$3,021,835	\$9,065,488	\$24,191,963
	CF	\$8,983,640	\$3,121,000	\$3,021,835	\$9,065,488	\$24,191,963
Regional Museum Preservation Projects <i>History Colorado</i> The project addresses a number of historic preservation issues at regional museums. Specifically, the project will repair, restore, and upgrade historic sites and museums around Colorado. This is an annual request to preserve regional museums and support business operations of History Colorado.	CF	\$4,062,879	\$700,000	\$0	\$0	\$4,762,879
	Total	\$4,062,879	\$700,000	\$0	\$0	\$4,762,879
	CF	\$4,062,879	\$700,000	\$0	\$0	\$4,762,879

FY 2014-15 Cash-Funded Capital Budget Requests Recommended for Funding by CDC (Cont.)

Project Name	Prior Appropriations		FY 2014-15	2015-16	All Future Requests	Total Cost
Ralph L. Carr Justice Center (COP Payment)						
CF	\$70,690,895	\$21,627,507	\$21,543,903	\$64,737,125	\$178,599,430	
Total	\$70,690,895	\$21,627,507	\$21,543,903	\$64,737,125	\$178,599,430	
The project makes the third of 33 certificates of participation (COPs) annual lease payments for the construction of a new judicial center. The new judicial center houses the centralized functions of the Judicial Branch, including appellate and trial courts, and the Department of Law, including the Office of the Attorney General.						
Colorado Financial Reporting System (COFRS) Modernization						
RF	\$15,740,460	\$8,566,515	\$8,877,835	\$26,633,505	\$59,818,315	
Total	\$15,740,460	\$8,566,515	\$8,877,835	\$26,633,505	\$59,818,315	
The project replaces the statewide accounting system used by the Office of the State Controller to record all state revenues and expenditures. This year's request for funding pays costs associated with hosting and maintaining the system (\$4.4 million); professional services (\$0.4 million); and the annual certificates of participation lease payment (\$3.8 million).						

Grand Total	Total	\$205,859,096	\$75,963,737	\$65,033,573	\$201,906,118	\$548,762,524
CF	179,335,299	64,932,589	55,470,425	173,216,674	472,954,987	
FF	10,783,337	1,919,000	685,313	2,055,939	15,443,589	
HUTF	0	545,633	0	0	545,633	
RF	15,740,460	8,566,515	8,877,835	26,633,505	59,818,315	

Note: Appropriations listed in the "Prior Appropriations" column include any appropriations made to a project for the prior five fiscal years (FY 2009-10 through FY 2013-14). Appropriations listed in the "Future Requests" column include projections made by the various agencies in the current fiscal year for FY 2015-16 through FY 2018-19.

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
3.7.14

DRAFT

LLS NO. R14-0961.01 Esther van Mourik x4215

SENATE Joint Resolution

SENATE SPONSORSHIP

(None),

HOUSE SPONSORSHIP

(None),

SHORT TITLE: "Operating Budget Request Vs Capital Budget Request"

DEADLINES: File by: 17 APR 2014

SENATE JOINT RESOLUTION

101 **CONCERNING CHANGES TO THE JOINT RULES OF THE SENATE AND THE**
102 **HOUSE OF REPRESENTATIVES, AND, IN CONNECTION**
103 **THEREWITH, ESTABLISHING RULES TO DIFFERENTIATE AN**
104 **OPERATING BUDGET REQUEST THAT IS REVIEWED BY THE JOINT**
105 **BUDGET COMMITTEE FROM A CAPITAL BUDGET REQUEST THAT**
106 **IS REVIEWED BY THE CAPITAL DEVELOPMENT COMMITTEE.**

1 That in the Joint Rules of the Senate and the House of
2 Representatives, **add** Joint Rule No. 45 as follows:

3 **45. Classification of a Budget Request**

4 (a) THE OPERATING BUDGET GENERALLY INCLUDES ROUTINE EXPENSES

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 RELATED TO DAY-TO-DAY OPERATIONS OF THE EXECUTIVE BRANCH,
2 INCLUDING ITEMS THAT REQUIRE ONGOING FUNDING LEVELS FROM
3 YEAR TO YEAR SUCH AS PERSONNEL, UTILITIES, AND PROGRAM
4 EXPENSES. THE OPERATING BUDGET ALSO INCLUDES ONGOING
5 COSTS ASSOCIATED WITH THE MAINTENANCE OF INFORMATION
6 TECHNOLOGY PROJECTS AND MAY INCLUDE FUNDING FOR THE
7 DEVELOPMENT OF SMALLER INFORMATION TECHNOLOGY PROJECTS.
8 CAPITAL OUTLAY IS INCLUDED IN THE OPERATING BUDGET AND
9 MAY BE USED FOR BUILDING AND EQUIPMENT REPAIR AND
10 RENOVATION ASSOCIATED WITH MAINTAINING EXISTING ASSETS
11 AND FOR CONSTRUCTION PROJECTS OF LIMITED SCOPE.

12 (b) THE CAPITAL BUDGET GENERALLY INCLUDES PROJECTS THAT
13 REQUIRE A LARGE AND TEMPORARY OUTLAY OF FUNDS FOR THE
14 ACQUISITION, CONSTRUCTION, RENOVATION, AND MAINTENANCE OF
15 CAPITAL ASSETS, INCLUDING BUT NOT LIMITED TO THE
16 DEVELOPMENT OF INFORMATION TECHNOLOGY SYSTEMS.

17 (c) COMMENCING WITH BUDGET REQUESTS FOR THE 2015-16 STATE
18 FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, IN
19 ORDER TO FACILITATE THE INITIAL REVIEW OF EXECUTIVE BRANCH
20 BUDGET REQUESTS, THE FOLLOWING RULES APPLY IN
21 DIFFERENTIATING AN OPERATING BUDGET REQUEST THAT IS
22 REVIEWED BY THE JOINT BUDGET COMMITTEE FROM A CAPITAL
23 BUDGET REQUEST THAT IS REVIEWED BY THE CAPITAL
24 DEVELOPMENT COMMITTEE:

25 (1) *Capital construction - new construction and major*
26 *renovation.*

27 (A) *State-funded and cash-funded, except cash-funded*
28 *projects for state institutions of higher education:*

29 (I) STATE AGENCIES OR STATE INSTITUTIONS OF
30 HIGHER EDUCATION OCCUPYING **REAL**
31 **PROPERTY WITH 500,000 GROSS SQUARE FEET**
32 **OR LESS:** NEW CONSTRUCTION OR
33 RENOVATION, INCLUDING THE COST OF
34 INITIAL DESIGN, THE TOTAL COST OF WHICH IS
35 MORE THAN \$500,000 IS CLASSIFIED AS A
36 CAPITAL BUDGET REQUEST. MINOR
37 CONSTRUCTION AND ROUTINE MAINTENANCE,

1 BUT NOT CONTROLLED MAINTENANCE, MAY
2 BE REQUESTED THROUGH THE OPERATING
3 BUDGET.

4 <{How do we know if real property has
5 500,000 gross square feet or less? Is this
6 per building or total?}>

7 <{The use of "may" here implies that
8 minor construction may be requested
9 through either the operating budget or the
10 capital budget. Is this the intent?}>

11 (II) STATE AGENCIES OR STATE INSTITUTIONS OF
12 HIGHER EDUCATION OCCUPYING REAL
13 PROPERTY WITH MORE THAN 500,000 GROSS
14 SQUARE FEET: NEW CONSTRUCTION OR
15 RENOVATION, INCLUDING THE COST OF
16 INITIAL DESIGN, THE TOTAL COST OF WHICH IS
17 MORE THAN \$1,000,000 IS CLASSIFIED AS A
18 CAPITAL BUDGET REQUEST. MINOR
19 CONSTRUCTION AND ROUTINE MAINTENANCE,
20 BUT NOT CONTROLLED MAINTENANCE, MAY
21 BE REQUESTED THROUGH THE OPERATING
22 BUDGET.

23 (B) **Cash-funded projects for state institutions of**
24 **higher education:** SUCH REQUESTS ARE MADE
25 PURSUANT TO SECTION 23-1-106, COLORADO
26 REVISED STATUTES.

27 (2) **Capital construction - capital renewal.** CAPITAL RENEWAL
28 PROJECTS ARE CLASSIFIED AND PRIORITIZED AS CAPITAL
29 BUDGET REQUESTS. PROGRAM PLANNING REQUIREMENTS
30 ARE WAIVED FOR CAPITAL RENEWAL PROJECTS. SMALLER
31 PROJECTS ARE REQUESTED AS CONTROLLED MAINTENANCE
32 CAPITAL BUDGET REQUESTS. <{Should "smaller" projects
33 be quantified here?}>

34 (3) **Capital construction - controlled maintenance.**
35 CORRECTIVE REPAIRS OR REPLACEMENT INCLUDING
36 IMPROVEMENTS FOR HEALTH, LIFE SAFETY, AND CODE
37 REQUIREMENTS, USED FOR EXISTING REAL PROPERTY,
38 INCLUDING BUT NOT LIMITED TO HEATING, COOLING, WATER

1 AND SEWER, ROOFS, OR SIDEWALKS, AT OR NEAR THE END
2 OF THEIR USEFUL LIFE THE TOTAL COST OF WHICH IS MORE
3 THAN \$15,000 BUT LESS THAN \$2 MILLION IN STATE FUNDS,
4 ARE CAPITAL BUDGET REQUESTS. SUCH CAPITAL BUDGET
5 REQUESTS ARE PRIORITIZED INTO GROUPS (LEVEL 1, LEVEL
6 2, LEVEL 3) BY THE OFFICE OF THE STATE ARCHITECT.

7 (4) **Capital construction - information technology.** AN
8 INFORMATION TECHNOLOGY PROJECT, THE TOTAL COST OF
9 WHICH EXCEEDS \$500,000, REGARDLESS OF THE SOURCE OF
10 FUNDS, IS CLASSIFIED AS A CAPITAL BUDGET REQUEST.
11 SMALLER INFORMATION TECHNOLOGY PROJECTS AND
12 FUNDING FOR MODIFICATIONS TO EXISTING SYSTEMS MAY
13 BE REQUESTED THROUGH THE OPERATING BUDGET. ALL
14 BUDGET REQUESTS FOR INFORMATION TECHNOLOGY,
15 WHETHER REQUESTED IN THE CAPITAL OR OPERATING
16 BUDGET, ARE ALSO REVIEWED BY THE JOINT TECHNOLOGY
17 COMMITTEE AS SPECIFIED IN SECTION 2-3-1704 (9),
18 COLORADO REVISED STATUTES.

19 <{The CDC would like the threshold for categorization
20 and review of IT projects as capital requests to be raised
21 to \$1 million.}>

22 <{The CDC agrees with the concerns Amanda raised
23 about the review of ALL information technology
24 operating budget requests, but the CDC did confirm that
25 it would like the JTC to review all information technology
26 capital budget requests.}>

27 (5) **Operating budget - capital outlay.** MINOR CONSTRUCTION,
28 RENOVATION, OR ROUTINE MAINTENANCE, AND SMALLER
29 INFORMATION TECHNOLOGY PROJECTS, MAY BE REQUESTED
30 AND PAID FROM THE OPERATING BUDGET. THIS DOES NOT
31 INCLUDE CAPITAL CONSTRUCTION, CONTROLLED
32 MAINTENANCE, OR CAPITAL RENEWAL.

33 (d) NOTWITHSTANDING THIS JOINT RULE, IF THE CAPITAL
34 DEVELOPMENT COMMITTEE OR THE JOINT BUDGET COMMITTEE
35 DETERMINES THAT A REQUEST WOULD BE MORE APPROPRIATELY
36 REVIEWED BY THE OTHER COMMITTEE, IT MAY REFER THE REQUEST
37 TO THE OTHER COMMITTEE AT ITS DISCRETION.

38 (e) NOTWITHSTANDING THIS JOINT RULE, A BUDGET REQUEST,

1 REGARDLESS OF THE SOURCE OF FUNDS OR TOTAL REQUEST
2 AMOUNT, TO MAKE LOCAL GRANT AWARDS FOR CONSTRUCTION
3 PROJECTS IS CLASSIFIED AS AN OPERATING BUDGET REQUEST.

4 (f) **Definitions.** AS USED IN THIS JOINT RULE, UNLESS THE CONTEXT
5 OTHERWISE REQUIRES:

6 (1) "CAPITAL CONSTRUCTION", "CAPITAL RENEWAL",
7 "CONTROLLED MAINTENANCE", "INFORMATION
8 TECHNOLOGY", "REAL PROPERTY", "STATE AGENCY", AND
9 "STATE INSTITUTIONS OF HIGHER EDUCATION" HAVE THE
10 SAME MEANING SET FORTH IN SECTION 24-30-1301,
11 COLORADO REVISED STATUTES.

12 (2) "CAPITAL OUTLAY" HAS THE SAME MEANING SET FORTH IN
13 SECTION 24-75-112 (1), COLORADO REVISED STATUTES.

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT

UNEDITED
UNREVISED
REDRAFT
3.5.14
Double underlining
denotes changes from
prior draft

LLS NO. 14-0100.01 Esther van Mourik x4215

COMMITTEE BILL

Capital Development Committee

SHORT TITLE: "Revision Of All Capital Related Statutes"

A BILL FOR AN ACT

101 CONCERNING REVISIONS OF CAPITAL RELATED STATUTES IN THE
102 COLORADO REVISED STATUTES, AND, IN CONNECTION
103 THEREWITH, AMENDING OR REPEALING OBSOLETE,
104 INCONSISTENT, AND CONFLICTING PROVISIONS OF LAW AND
105 CLARIFYING THE LANGUAGE TO REFLECT LEGISLATIVE INTENT
106 AND CURRENT APPLICATION OF THE LAW.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Capital Development Committee. The bill summary for this measure has been intentionally omitted and will appear on future redrafts of this measure.

Section 29: Current law requires notice to be given in a newspaper of general circulation when a state agency is seeking to contract for the professional services of an architect, engineer, professional land surveyor, landscape architect, or industrial hygienist. The bill would instead allow the notice to be given either electronically or by newspaper.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:
4 (a) The capital related statutes have not been amended as a whole
5 since they were established in 1979;
6 (b) Piecemeal amendments of the capital related statutes have
7 created inconsistencies in practice;
8 (c) The definitions of critical words in the capital related statutes
9 need to be modernized to reflect the current practice that certain items
10 such as information technology are funded through the capital process;
11 (d) The capital development's review of capital related projects
12 needed to be reviewed and updated to conform to current practice;
13 (e) The department of personnel's capital related statutes needed
14 to be reviewed and updated to conform to current practice; and
15 (f) Sometimes a cleanup bill is just a really good idea in concept
16 but then it turns out to be more than ten pages and everyone wonders if
17 it really was a good idea. It's still a good idea. We're not trying to do
18 anything radical.
19 **SECTION 2.** In Colorado Revised Statutes, **amend 24-30-1301**
20 as follows:

1 **24-30-1301. Definitions.** As used in this part 13, unless the
2 context otherwise requires:

- 3 (1) "CAPITAL ASSET" MEANS:
4 (a) REAL PROPERTY;
5 (b) INFORMATION TECHNOLOGY;
6 (c) FIXED EQUIPMENT;
7 (d) MOVABLE EQUIPMENT; OR
8 (e) INSTRUCTIONAL OR SCIENTIFIC EQUIPMENT WITH A COST THAT
9 EXCEEDS FIFTY THOUSAND DOLLARS; EXCEPT THAT "CAPITAL ASSET" DOES
10 NOT INCLUDE INSTRUCTIONAL OR SCIENTIFIC EQUIPMENT PURCHASED BY
11 A STATE INSTITUTION OF HIGHER EDUCATION IF THE INSTITUTION USES
12 MONEYS OTHER THAN THOSE APPROPRIATED PURSUANT TO SECTION
13 24-75-303.

14 ~~(1)~~ (2) "Capital construction" means:

- 15 (a) ~~Purchase of land, regardless of the value thereof~~ ACQUISITION
16 OF A CAPITAL ASSET OR DISPOSITION OF REAL PROPERTY;
17 (b) ~~Purchase, construction, or demolition of buildings or other~~
18 ~~physical facilities, including utilities, or remodeling or renovation of~~
19 ~~existing buildings or other physical facilities, including utilities, to make~~
20 ~~physical changes~~ CONSTRUCTION, DEMOLITION, REMODELING, OR
21 RENOVATION OF REAL PROPERTY necessitated by changes in the program,
22 to meet standards required by applicable codes, to correct other conditions
23 hazardous to the health and safety of persons which are not covered by
24 codes, to effect conservation of energy resources, to effect cost savings
25 for staffing, operations, or maintenance of the facility, or to improve
26 appearance;
27 (c) Site improvement or development OF REAL PROPERTY;

1 (d) ~~Purchase and~~ Installation of the fixed ~~and~~ OR movable
2 equipment necessary for the operation of new, remodeled, or renovated
3 ~~buildings and other physical facilities and for the conduct of programs~~
4 REAL PROPERTY, IF THE FIXED OR MOVABLE EQUIPMENT IS initially housed
5 ~~therein~~ IN OR ON THE REAL PROPERTY upon completion of the new
6 construction, remodeling, or renovation;

7 (e) INSTALLATION OF THE FIXED OR MOVABLE EQUIPMENT
8 NECESSARY FOR THE CONDUCT OF PROGRAMS IN OR ON REAL PROPERTY
9 UPON COMPLETION OF THE NEW CONSTRUCTION, REMODELING, OR
10 RENOVATION;

11 ~~(e)~~ (f) ~~Purchase of~~ CONTRACTING FOR the services of architects,
12 engineers, and other consultants to prepare plans, program documents,
13 life-cycle cost studies, energy analyses, and other studies associated with
14 ~~any~~ capital construction ~~project~~ and to supervise the construction or
15 execution of such capital construction; ~~projects~~; OR

16 ~~(f)~~ Any item of instructional or scientific equipment if the cost
17 will exceed fifty thousand dollars; ~~except that "capital construction"~~
18 ~~includes the purchase of instructional or scientific equipment by a state~~
19 ~~institution of higher education or by the Auraria higher education center~~
20 ~~created in article 70 of title 23, C.R.S., only if the institution or the center~~
21 ~~uses moneys appropriated pursuant to section 24-75-303 to purchase the~~
22 ~~instructional or scientific equipment.~~

23 (g) INSTALLATION, DEVELOPMENT, OR UPGRADE OF INFORMATION
24 TECHNOLOGY, INCLUDING THE PURCHASE OF SERVICES FROM THE OFFICE
25 OF INFORMATION TECHNOLOGY ON THE CONDITION THAT THE USE OF SUCH
26 SERVICES IS THE MOST COST BENEFICIAL OPTION OR FALLS WITHIN THE
27 DUTIES AND RESPONSIBILITIES OF THE OFFICE OF INFORMATION

1 TECHNOLOGY OR THE OFFICE'S CHIEF INFORMATION OFFICER AS DESCRIBED
2 IN SECTIONS 24-37.5-105 AND 24-37.5-106.

3 (3) "CAPITAL RENEWAL" MEANS A CONTROLLED MAINTENANCE
4 PROJECT OF REAL PROPERTY OR MORE THAN ONE INTEGRATED
5 CONTROLLED MAINTENANCE PROJECTS OF REAL PROPERTY WITH COSTS
6 EXCEEDING TWO MILLION DOLLARS IN A FISCAL YEAR AND THAT IS MORE
7 COST EFFECTIVE OR BETTER ADDRESSED BY CORRECTIVE REPAIRS OR
8 REPLACEMENT TO THE REAL PROPERTY RATHER THAN BY LIMITED FIXED
9 EQUIPMENT REPAIR, REPLACEMENT, OR SMALLER INDIVIDUAL CONTROLLED
10 MAINTENANCE PROJECTS.

11 ~~(2)(a)~~ (4) "Controlled maintenance" means:

12 ~~(†)~~ (a) Corrective repairs or replacement, INCLUDING
13 IMPROVEMENTS FOR HEALTH, LIFE SAFETY, AND CODE REQUIREMENTS,
14 used for existing ~~state-owned, general-funded buildings and other~~
15 ~~physical facilities, including, but not limited to, utilities and site~~
16 ~~improvements, which are suitable for retention and use for at least five~~
17 ~~years~~ REAL PROPERTY; and

18 (b) ~~Replacement and repair~~ CORRECTIVE REPAIRS OR
19 REPLACEMENT, INCLUDING IMPROVEMENTS FOR HEALTH, LIFE SAFETY,
20 AND CODE REQUIREMENTS, of the fixed equipment necessary for the
21 operation of ~~such facilities~~ REAL PROPERTY, when such work is not
22 funded in ~~an~~ A STATE agency's OR STATE INSTITUTION OF HIGHER
23 EDUCATION'S operating budget. ~~to be accomplished by the agency's~~
24 ~~physical plant staff;~~

25 ~~(H) That controlled maintenance funds may not be used for:~~

26 ~~(A) Corrective repairs or replacement for buildings and other~~
27 ~~physical facilities and replacement or repair of the fixed and movable~~

1 ~~equipment necessary for the operation of physical facilities, when such~~
2 ~~work is funded in an agency's operating budget to be accomplished by the~~
3 ~~agency's physical plant staff; for the repair and replacement of fixed and~~
4 ~~movable equipment necessary for the conduct of programs (such repair~~
5 ~~and replacement is funded as capital outlay); or for rented or leased~~
6 ~~facilities or facilities constructed and maintained by self-liquidating~~
7 ~~property funds. Minor maintenance items shall not be accumulated to~~
8 ~~create a controlled maintenance project, nor shall minor maintenance~~
9 ~~work be accomplished as a part of a controlled maintenance project~~
10 ~~unless the work is directly related.~~

11 ~~(B) Any work properly categorized as capital construction or~~
12 ~~capital outlay.~~

13 ~~(b) (c) "Controlled maintenance" may include the purchase of~~
14 ~~CONTRACTING FOR the services of architects, engineers, and other~~
15 ~~consultants to investigate conditions and prepare recommendations for the~~
16 ~~correction thereof, to prepare plans and specifications, and to supervise~~
17 ~~the execution of such controlled maintenance projects as provided by~~
18 ~~THROUGH AN appropriation by the general assembly.~~

19 ~~(3) (5) "Department" means the department of personnel.~~

20 ~~(4) (6) "Economic life" means the projected or anticipated useful~~
21 ~~life of a facility REAL PROPERTY.~~

22 ~~(5) "Energy consumption analysis" means the evaluation of all~~
23 ~~energy-consuming systems and components by demand and type of~~
24 ~~energy, including the internal energy load imposed on a facility by its~~
25 ~~occupants, equipment, and components and the external energy load~~
26 ~~imposed on the facility by climatic conditions.~~

27 ~~(6) (7) "Executive director" means the executive director of the~~

1 department of personnel.

2 ~~(7)~~ (8) "Facility" means any public building or facility of the state
3 but does not include highways. "Facility" also includes an academic or
4 auxiliary facility that qualifies for controlled maintenance as specified in
5 section 23-1-106 (10.2), C.R.S. A STATE-OWNED BUILDING OR UTILITY.
6 "FACILITY" DOES NOT INCLUDE HIGHWAYS OR PUBLICLY ASSISTED
7 HOUSING PROJECTS AS DEFINED IN SECTION 24-32-718.

8 (9) "FIXED EQUIPMENT" INCLUDES, BUT IS NOT LIMITED TO,
9 MECHANICAL, ELECTRICAL, OR PLUMBING COMPONENTS BUILT INTO REAL
10 PROPERTY THAT ARE NECESSARY FOR THE OPERATION OF THE REAL
11 PROPERTY.

12 ~~(7.5)~~ "High performance standard certification program" means
13 a building renovation, design, and construction standard that:

14 (a) Is quantifiable, measurable, and verifiable as certified by an
15 independent third party;

16 (b) Reduces the operating costs of state-assisted facilities by
17 reducing the consumption of energy, water, and other resources;

18 (c) Results in the recovery of the increased initial capital costs
19 attributable to compliance with the program over a time period by
20 reducing long-term energy, maintenance, and operating costs;

21 (d) Improves the indoor environmental quality of state-assisted
22 facilities for a healthier work environment;

23 (e) Encourages the use of products harvested, created, or mined
24 within Colorado, regardless of product certification status;

25 (f) Protects Colorado's environment; and

26 (g) Complies with the federal secretary of the interior's standards
27 for the treatment of historic properties when such work will affect

1 ~~properties fifty years of age or older, unless the state historical society,~~
2 ~~designated in section 24-80-201, determines that such property is not of~~
3 ~~historical significance, as that term is defined in section 24-80.1-102 (6).~~

4 (10) "INFORMATION TECHNOLOGY" MEANS INFORMATION
5 TECHNOLOGY AS DEFINED IN SECTION 24-37.5-102 (2), THE MAJORITY OF
6 THE COMPONENTS OF WHICH HAVE A USEFUL LIFE OF AT LEAST FIVE YEARS
7 AND A TOTAL PROJECT COST AS SPECIFIED IN JOINT RULE OF THE SENATE
8 AND THE HOUSE OF REPRESENTATIVES; EXCEPT THAT "INFORMATION
9 TECHNOLOGY" DOES NOT INCLUDE PERSONAL COMPUTER REPLACEMENT
10 OR MAINTENANCE, UNLESS SUCH PERSONAL COMPUTER REPLACEMENT OR
11 MAINTENANCE IS A COMPONENT OF A LARGER COMPUTER SYSTEM
12 UPGRADE, AND EXCEPT THAT "INFORMATION TECHNOLOGY" DOES NOT
13 INCLUDE INFORMATION TECHNOLOGY PURCHASED BY A STATE
14 INSTITUTION OF HIGHER EDUCATION IF THE INSTITUTION USES MONEYS
15 OTHER THAN THOSE APPROPRIATED PURSUANT TO SECTION 24-75-303.

16 (8) (11) "Initial cost" means the required cost necessary to
17 construct OR RENOVATE a facility. ~~or construct or renovate a major~~
18 ~~facility.~~

19 (9) (12) "Life-cycle cost" means the cost alternatives, over the
20 economic life of a facility, including its initial cost, ~~the cost of the energy~~
21 ~~consumed~~, replacement costs, and the cost of operation and maintenance
22 of the facility, SUCH AS ENERGY AND WATER.

23 (10) ~~"Major facility" means any building or facility of twenty~~
24 ~~thousand or more gross square feet and wherein significant energy~~
25 ~~demands will exist.~~

26 (13) "MOVABLE EQUIPMENT" MEANS:

27 (a) ALL EQUIPMENT, THE TOTAL COST OF WHICH EQUALS OR

1 EXCEEDS ONE HUNDRED FIFTY THOUSAND DOLLARS. THAT IS NOT DEFINED
2 AS FIXED EQUIPMENT THAT IS NECESSARY FOR THE CONDUCT OF A
3 PROGRAM IN OR ON REAL PROPERTY;

4 (b) THE ROLLING STOCK AND FIXED STOCK NECESSARY FOR
5 RUNNING A STATE-OWNED RAILWAY; AND

6 (c) AIRCRAFT AS DEFINED IN SECTION 43-10-102 (1), C.R.S., THAT
7 IS USED FOR STATE PURPOSES.

8 ~~(11)~~ (14) "Principal representative" means the governing board of
9 a state ~~department, institution, or~~ agency OR STATE INSTITUTION OF
10 HIGHER EDUCATION, OR THE GOVERNING BOARD'S DESIGNEE, or, if there
11 is no governing board, the executive head of a state ~~department,~~
12 ~~institution, or~~ agency OR STATE INSTITUTION OF HIGHER EDUCATION, as
13 designated by the governor or the general assembly, OR SUCH EXECUTIVE
14 HEAD'S DESIGNEE.

15 (15) (a) "REAL PROPERTY" MEANS A FACILITY, STATE-OWNED
16 GROUNDS AROUND A FACILITY, A CAMPUS OF MORE THAN ONE FACILITY
17 AND THE GROUNDS AROUND SUCH FACILITIES, STATE-OWNED FIXTURES
18 AND IMPROVEMENTS ON LAND, AND EVERY STATE-OWNED ESTATE,
19 INTEREST, PRIVILEGE, TENEMENT, EASEMENT, RIGHT-OF-WAY, AND OTHER
20 RIGHT IN LAND, LEGAL OR EQUITABLE, BUT NOT INCLUDING LEASEHOLD
21 INTERESTS.

22 (b) "REAL PROPERTY" DOES NOT INCLUDE:

23 (I) LAND OR ANY INTEREST THEREIN ACQUIRED BY THE
24 DEPARTMENT OF TRANSPORTATION AND USED, OR INTENDED TO BE USED,
25 FOR RIGHT-OF-WAY PURPOSES;

26 (II) LAND OR ANY INTEREST THEREIN HELD BY THE DIVISION OF
27 PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION IN THE

1 DEPARTMENT OF NATURAL RESOURCES; AND

2 (III) PUBLIC LANDS OF THE STATE OR ANY INTEREST THEREIN THAT
3 ARE SUBJECT TO THE JURISDICTION OF THE STATE BOARD OF LAND
4 COMMISSIONERS.

5 (16) "STATE" MEANS THE GOVERNMENT OF THIS STATE, EVERY
6 STATE AGENCY, AND EVERY STATE INSTITUTION OF HIGHER EDUCATION.
7 "STATE" DOES NOT INCLUDE A COUNTY, MUNICIPALITY, CITY AND COUNTY,
8 SCHOOL DISTRICT, SPECIAL DISTRICT, OR ANY OTHER KIND OF LOCAL
9 GOVERNMENT ORGANIZED PURSUANT TO LAW.

10 ~~(12)~~ (17) "State agency" means ~~this state or any department,~~
11 ~~institution, or other agency of the state, including institutions of higher~~
12 ~~education~~ ANY DEPARTMENT, COMMISSION, COUNCIL, BOARD, BUREAU,
13 COMMITTEE, OFFICE, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE
14 STATE.

15 (18) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
16 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102
17 (10), C.R.S., AND THE AURARIA HIGHER EDUCATION CENTER CREATED IN
18 ARTICLE 70 OF TITLE 23, C.R.S.

19 ~~(13)~~ "State-assisted facility" means ~~a facility constructed, or a~~
20 ~~major facility constructed or renovated, in whole or in part, with state~~
21 ~~funds or with funds guaranteed or insured by a state agency, except that,~~
22 ~~for purposes of section 24-30-1305 (9):~~

23 (a) ~~"State-assisted facility" means a facility that:~~

24 (I) ~~Is substantially renovated, designed, or constructed with state~~
25 ~~funds or with funds guaranteed or insured by a state agency and such~~
26 ~~funds constitute at least twenty-five percent of the project cost;~~

27 (II) ~~Contains five thousand or more gross square feet;~~

1 ~~(III) Includes a heating, ventilation, or air conditioning system;~~
2 and

3 ~~(IV) Has not entered the design phase prior to January 1, 2008.~~

4 ~~(b) "State-assisted facility" does not include:~~

5 ~~(I) A facility specified in section 23-1-106 (9), C.R.S.; or~~

6 ~~(II) A publicly-assisted housing project, as that term is defined in~~
7 ~~section 24-32-718.~~

8 ~~(III) (Deleted by amendment, L. 2008, p. 1307, § 1, effective~~
9 ~~August 5, 2008.)~~

10 ~~(14) "State facility" means a facility constructed, or a major~~
11 ~~facility constructed or renovated, by a state agency.~~

12 ~~(15) "Substantial renovation" means any renovation the cost of~~
13 ~~which exceeds twenty-five percent of the value of the property.~~

14 **SECTION 3.** In Colorado Revised Statutes, 24-30-1303, **amend**
15 (1) (a), (1) (b), (1) (d), (1) (i), (1) (k), (1) (l), (1) (n) (II), (1) (q), (1) (r),
16 (1) (s) (II), (1) (s) (IV), (1) (t) (I), (1) (w), (1) (z), (3) (a), and (5); and
17 **repeal** (1) (p) as follows:

18 **24-30-1303. Department of personnel - responsibilities.**

19 (1) The department shall:

20 (a) With the approval of the governor, negotiate and execute
21 leases on behalf of the state ~~government for land, buildings, and office or~~
22 ~~other space~~ REAL PROPERTY NEEDED FOR STATE USE and, as provided in
23 section 24-82-102 (2), negotiate and execute leases of ~~state-owned~~ REAL
24 property not presently needed for state use;

25 (b) With the approval of the governor, negotiate and approve
26 easements and rights-of-way across nonstate land on behalf of ~~the state~~
27 ~~government~~ and, as provided in section 24-82-202, negotiate and approve

1 easements and rights-of-way across land owned by or under the control
2 of the state; ~~or its institutions, departments, or agencies;~~

3 (d) Supervise and be responsible for the expenditure of funds
4 appropriated by the general assembly for capital construction, ~~projects~~
5 ~~and~~ CAPITAL RENEWAL, AND controlled maintenance projects ~~at the~~
6 ~~institutions and agencies of the~~ FOR state AGENCIES AND STATE
7 INSTITUTIONS OF HIGHER EDUCATION;

8 (i) Develop a construction procedures manual for ~~state facilities~~
9 ~~and state-assisted facilities~~ REAL PROPERTY, with the approval of the
10 governor;

11 (k) Coordinate initiation of budget requests for those capital
12 construction OR CAPITAL RENEWAL projects for which the executive
13 director shall be designated as principal representative by the governor;

14 (l) Develop, or cause to be developed, after consultation with the
15 office of state planning and budgeting pursuant to section 24-37-201,
16 standards for the preparation of current facilities master plans coordinated
17 with operational master plans, and facility program plans coordinated
18 with operational program plans for each state ~~institution and~~ agency,
19 except state ~~schools, colleges, and universities~~ INSTITUTIONS OF HIGHER
20 EDUCATION as provided in section 23-1-106, C.R.S., for review and
21 recommendation by the capital development committee;

22 (n) (II) Develop, or cause to be developed, methods of control on
23 a standardized basis for all state agencies AND STATE INSTITUTIONS OF
24 HIGHER EDUCATION to ensure conformity of physical planning with
25 approved building codes and of construction with approved physical
26 planning.

27 (p) ~~Develop and maintain, or cause to be developed and~~

1 ~~maintained, at state agencies approved lists of qualified architects,~~
2 ~~industrial hygienists, engineers, landscape architects, land surveyors, and~~
3 ~~consultants from which the principal representative shall make a~~
4 ~~selection, including therein such information as may be required by part~~
5 ~~14 of this article;~~

6 (q) Develop and maintain, or cause to be developed and
7 maintained, at state agencies AND STATE INSTITUTIONS OF HIGHER
8 EDUCATION approved lists of qualified contractors to bid on construction
9 projects and promulgate rules and regulations as may be necessary for
10 contractor prequalification processes for bidding on construction projects;

11 (r) Promulgate rules for independent third-party review of facility
12 program plans, schematic design, design development, and construction
13 documents to assure compliance with appropriate building codes,
14 approved construction standards, and the appropriation and to assure the
15 review of cost estimates prior to authorization of the calling of bids for
16 compliance with the appropriation. In the event the executive director or
17 his OR HER designee, after such review, finds that facility program plans,
18 schematic design, design development, or construction documents do not
19 comply with approved construction standards and the appropriation or
20 that cost estimates do not comply with the appropriation, he OR SHE shall
21 immediately notify the principal representative in writing of his OR HER
22 findings and make appropriate recommendations. Upon receipt of such
23 notice, the principal representative shall take action as necessary to
24 implement the recommendations and bring the project into compliance,
25 continuing or modifying plans, designs, construction documents, or cost
26 estimates as the case may be.

27 (s) (II) In cooperation with the project architect, engineer, or

1 consultant, be responsible for the administration of the bid procedure for
2 state agencies AND STATE INSTITUTIONS OF HIGHER EDUCATION without
3 staff capability and perform such additional functions as the department
4 may determine;

5 (IV) Promulgate, with the assistance of the attorney general and
6 the state controller, standardized contract language for agreements
7 between architects, engineers, or consultants and state agencies OR STATE
8 INSTITUTIONS OF HIGHER EDUCATION and language for construction
9 contracts between contractors or construction managers and state agencies
10 OR STATE INSTITUTIONS OF HIGHER EDUCATION;

11 (t) (I) Review and make recommendations on capital construction
12 OR CAPITAL RENEWAL project requests, if requested by the office of state
13 planning and budgeting or the capital development committee;

14 (w) Develop and maintain, or cause to be developed and
15 maintained, life-cycle cost analysis methods for ~~state facilities and~~
16 ~~state-assisted facilities~~ REAL PROPERTY and, prior to beginning
17 construction, assure that such methods are reviewed by an independent
18 third party to ensure compliance with sections 24-30-1304 and
19 24-30-1305. The department shall review and approve specific exceptions
20 to systems selected for construction, which systems are not found to be
21 the best choice on a life-cycle basis.

22 (z) Establish minimum building codes, with the approval of the
23 governor and the general assembly after the recommendations and review
24 of the capital development committee, for all construction by state
25 agencies AND STATE INSTITUTIONS OF HIGHER EDUCATION on ~~state-owned~~
26 REAL PROPERTY or state lease-purchased ~~properties or facilities~~
27 BUILDINGS. At the discretion of the department, said codes may apply to

1 state-leased ~~facilities~~ BUILDINGS where local building codes may not
2 exist.

3 (3) (a) All ~~buildings and facilities~~ REAL PROPERTY, except public
4 roads and highways and projects under the supervision of the division of
5 parks and wildlife, erected for state purposes shall be constructed in
6 conformity with a construction procedures manual for ~~state facilities and~~
7 ~~state-assisted facilities~~ REAL PROPERTY prepared by the department and
8 approved by the governor. Such construction shall be made only upon
9 plans, designs, and construction documents that comply with approved
10 state standards and rules promulgated pursuant to this section.

11 (5) (a) The department may delegate to state agencies OR STATE
12 INSTITUTIONS OF HIGHER EDUCATION any or all of the responsibilities and
13 functions outlined in this part 13 and the department's responsibilities and
14 functions under part 14 of this article, pursuant to rules and regulations
15 promulgated by the department, when the state agency OR STATE
16 INSTITUTION OF HIGHER EDUCATION has the professional or technical
17 capability on staff to perform such functions competently.

18 (b) The department may authorize state agencies OR STATE
19 INSTITUTIONS OF HIGHER EDUCATION to hire private construction
20 managers to supervise the capital construction, CONTROLLED
21 MAINTENANCE, OR CAPITAL RENEWAL projects. The cost of such
22 construction manager shall be paid from moneys appropriated for the
23 specific capital construction, CONTROLLED MAINTENANCE, OR CAPITAL
24 RENEWAL projects. This ~~subsection (5) (b) shall~~ PARAGRAPH (b) DOES not
25 apply to projects under the supervision of the department of
26 transportation.

27 (c) If the executive director determines that the governing board

1 of a state institution of higher education has adopted procedures that
2 adequately meet the safeguards set forth in the requirements of part 14 of
3 this article and article 92 of this title, the executive director may exempt
4 the institution from any of the procedural requirements of part 14 of this
5 article and article 92 of this title in regard to a capital construction project
6 to be constructed pursuant to the provisions of section 23-1-106 (9) or
7 (10), C.R.S.; except that the selection of any contractor to perform
8 professional services as defined in section 24-30-1402 (6) ~~shall~~ MUST be
9 made in accordance with the criteria set forth in section 24-30-1403 (2).

10 (d) Upon application by any state agency OR STATE INSTITUTION
11 OF HIGHER EDUCATION that demonstrates internal expertise related to the
12 leasing and acquisition of commercial real property, the department may
13 delegate an individual employed by the state agency OR STATE
14 INSTITUTION OF HIGHER EDUCATION to act on behalf of the department in
15 the performance of the responsibilities and functions described in
16 paragraph (a) of subsection (1) of this section. The delegation authorized
17 pursuant to this paragraph (d) may include, with the consent of the
18 department, the authority to waive the use of the department-approved
19 real estate lease form or real estate lease amendment form.

20 _____

21 **SECTION 4.** In Colorado Revised Statutes, **amend** 24-30-1303.5
22 as follows:

23 **24-30-1303.5. Department to prepare and maintain inventory**
24 **of state property - vacant facilities.** (1) The department shall obtain and
25 maintain a correct and current inventory of all real property ~~with~~
26 ~~improvements thereon,~~ owned by or held in trust for the state of Colorado
27 or any state ~~department,~~ agency, or ~~institution,~~ including state institutions

1 INSTITUTION of higher education, and, in cooperation with the attorney
2 general, correct any defects in title to said real property necessary to vest
3 marketable title in the state. For purposes of this section, "real property"
4 does not include land or any interest therein acquired by the department
5 of transportation and used, or intended to be used, for right-of-way
6 purposes, nor does "real property" include the public lands of the state
7 which are subject to the jurisdiction of the state board of land
8 commissioners.

9 (2) Such inventory ~~shall be comprised of~~ MUST INCLUDE sufficient
10 information to identify such REAL property with respect to which unit of
11 THE state government has control thereof, where such REAL property is
12 located, and when and from what source the REAL property was acquired,
13 including subsequent improvements. The department shall establish and
14 maintain an accurate index system which will assure that inquiries as to
15 the location and control of all such REAL property will be promptly
16 answered.

17 (3) The department shall establish procedures whereby each state
18 ~~department, agency, or institution, including each~~ AGENCY AND state
19 institution of higher education is required to report all acquisitions of real
20 property, including improvements, and all dispositions thereof to the
21 department to enable the inventory to be promptly and accurately
22 maintained with respect to such changes. The report ~~shall consist of~~ MUST
23 INCLUDE a copy of each purchase or sale agreement pertaining to the
24 acquisition or disposition of real property, including improvements, or,
25 if such agreements are not available, such other documents describing the
26 terms and conditions of the transaction as the department finds to be
27 appropriate in order to maintain the information required by subsection

1 (2) of this section. For each transaction involving the acquisition or
2 disposition of real property, the state ~~department, agency, or institution~~
3 AGENCY OR THE STATE INSTITUTION OF HIGHER EDUCATION shall also
4 provide to the department a copy of the deed pertaining to the real
5 property after the deed has been recorded.

6 (3.5) (a) With respect to all real property owned by or held in trust
7 for the state of Colorado or any state ~~department, agency or institution,~~
8 ~~including state institutions~~ INSTITUTION of higher education, each state
9 ~~department, agency or~~ STATE institution OF HIGHER EDUCATION shall
10 identify any vacant facility under its control. As used in this section,
11 "vacant" means:

- 12 (I) Unoccupied;
- 13 (II) Unused in whole or in part for the purposes for which the
14 improvement was designed, intended, or remodeled; or
- 15 (III) Without current defined plans by the state ~~department,~~
16 ~~agency or institution~~ STATE INSTITUTION OF HIGHER EDUCATION for the
17 next fiscal year.

18 (b) ~~For any facility that becomes vacant after July 1, 2003, the A~~
19 ~~state department, agency or institution shall be required to~~ STATE
20 INSTITUTION OF HIGHER EDUCATION MUST submit for the approval of the
21 department a facility management plan FOR ANY VACANT FACILITY
22 consistent with the procedures established by the department. The state
23 ~~department, agency or institution shall~~ STATE INSTITUTION OF HIGHER
24 EDUCATION MUST submit the facility management plan to the department
25 within thirty days after the facility becomes vacant. In addition to any
26 other information required by the department, the facility management
27 plan ~~shall~~ MUST include the following:

- 1 (I) A financial analysis of the possible uses of the facility;
- 2 (II) Any plans for the disposal of the facility through sale, lease,
3 demolition, or otherwise;
- 4 (III) If the state ~~department~~, agency or ~~institution~~ STATE
5 INSTITUTION OF HIGHER EDUCATION does not intend to dispose of the
6 facility during the next fiscal year, a plan for the proposed controlled
7 maintenance, if any, necessary to avoid the deterioration of the vacant
8 facility; and
- 9 (IV) Whether the facility has or is eligible to receive a national,
10 state, or local historic designation or listing.
- 11 (c) (I) For each year after the department approves a facility
12 management plan, the state ~~department~~, agency or ~~institution~~ STATE
13 INSTITUTION OF HIGHER EDUCATION shall submit an annual facility
14 management plan update consistent with the procedures established by
15 the department. The update ~~shall~~ MUST be submitted on or before
16 November 1 of the year following the approval of a facility management
17 plan and each November 1 thereafter until such time that the facility is no
18 longer vacant. In addition to any other information required by the
19 department, the update ~~shall~~ MUST identify all actions taken by the state
20 ~~department~~, agency or ~~institution~~ STATE INSTITUTION OF HIGHER
21 EDUCATION within the last year consistent with the facility management
22 plan. If based on the update or on any other information known by the
23 department, the department determines that the state ~~department~~, agency
24 or ~~institution~~ STATE INSTITUTION OF HIGHER EDUCATION has failed to
25 comply with the provisions of an approved facility management plan, the
26 department may revoke the approval of the facility management plan. If
27 the department revokes approval of the facility management plan, a state

1 ~~department, agency or institution shall be~~ STATE INSTITUTION OF HIGHER
2 EDUCATION IS required to submit a new facility management plan for the
3 vacant facility subject to the provisions of this subsection (3.5).

4 (II) In addition to any other requirements of subparagraph (I) of
5 this paragraph (c), the facility management plan update ~~shall~~ MUST
6 describe any changes proposed by the state ~~department, agency or~~
7 ~~institution~~ STATE INSTITUTION OF HIGHER EDUCATION to the facility
8 management plan. Any proposed changes to the facility management plan
9 ~~shall be~~ ARE subject to the approval of the department, and any approved
10 changes ~~shall~~ become part of the facility management plan for purposes
11 of future updates.

12 (d) Any facility management plan or update required to be
13 submitted by a state institution of higher education pursuant to this
14 subsection (3.5) ~~shall~~ MUST be submitted to the Colorado commission on
15 higher education instead of the department. The commission shall submit
16 a copy of the facility management plan or update and the commission's
17 recommendations regarding it to the department.

18 (e) Repealed.

19 (f) No state ~~department, agency or institution shall be~~ STATE
20 INSTITUTION OF HIGHER EDUCATION IS eligible for any capital construction
21 appropriations until the department approves a facility management plan
22 for all vacant facilities controlled by the state ~~department, agency or~~
23 ~~institution~~ STATE INSTITUTION OF HIGHER EDUCATION; except that the
24 capital development committee may exempt a state ~~department, agency~~
25 or ~~institution~~ STATE INSTITUTION OF HIGHER EDUCATION from the
26 provisions of this paragraph (f).

27 (4) For purposes of maintaining a current inventory, no acquisition

1 or disposition of real property may be made and no funds or other
2 valuable consideration may be given by a state ~~department~~, agency or
3 ~~institution~~ STATE INSTITUTION OF HIGHER EDUCATION for such acquisition,
4 nor may any final document of conveyance of ~~state~~ REAL property be
5 transmitted to a purchaser, until a complete report on such transaction as
6 required pursuant to subsection (3) of this section has been filed with the
7 department and the department has issued a written acknowledgment of
8 the receipt of such report to the STATE agency OR STATE INSTITUTION OF
9 HIGHER EDUCATION. Such written acknowledgment ~~shall~~ MUST be issued
10 without delay, and nothing in this section ~~shall~~ SHOULD be construed to
11 give the department any power to approve or disapprove any acquisition
12 or disposition of real property, improvements thereon, or other capital
13 assets.

14 (5) ~~In addition to obtaining and maintaining a correct and current~~
15 ~~inventory of all real property, with improvements thereon, the department~~
16 ~~shall also establish a separate inventory of computer equipment and all~~
17 ~~other capital assets valued in excess of one hundred thousand dollars,~~
18 ~~owned by or held in trust for the state of Colorado or any state~~
19 ~~department, agency, or institution, including state institutions of higher~~
20 ~~education. Such capital assets inventory shall be maintained and kept~~
21 ~~current in the same manner as specified by subsections (3) and (4) of this~~
22 ~~section for real property and improvements thereon. <{Is this~~
23 ~~responsibility moving to OIT?>~~>

24 (5.5) The department shall cause to be developed performance
25 criteria for ~~state~~ real property. An analysis ~~shall~~ MUST be made upon
26 selected real property against ~~such~~ THE performance criteria to assess
27 whether ~~such~~ THE SELECTED real property should be considered for sale

1 or other disposition if such real property is not performing and is
2 determined not to be of sound investment value, or should be held for an
3 identified future state need. The department may contract to maintain
4 such inventories, develop such performance criteria, and perform such
5 analysis and may enter exclusive brokerage agreements on behalf of state
6 ~~executive~~ agencies AND STATE INSTITUTIONS OF HIGHER EDUCATION to the
7 extent necessary to accomplish the maintenance of such inventory and
8 such analysis. The department shall make recommendations to the capital
9 development committee regarding various real property management
10 strategies resulting from such analysis. This subsection (5.5) ~~shall~~ DOES
11 not apply to property ~~which~~ THAT is subject to the provisions of section
12 43-1-106 (8) (n), C.R.S.

13 (6) The department shall prepare an annual report of the
14 acquisitions and dispositions of REAL property subject to this section and
15 make the report available to the members of the capital development
16 committee. Such report ~~shall~~ MUST include a description of ~~such~~ THE
17 REAL property and its present use and value.

18 **SECTION 5.** In Colorado Revised Statutes, 24-30-1303.9,
19 **amend** (1); and **add** (6), (7), (8), (9), and (10) as follows:

20 **24-30-1303.9. Eligibility for state controlled maintenance**
21 **funding - legislative declaration.** (1) The office of the state architect
22 shall develop guidelines in order to establish when a ~~state-owned,~~
23 ~~general-funded building or other physical facility~~ REAL PROPERTY is
24 eligible for controlled maintenance funding, SUBJECT TO THE LIMITATIONS
25 SET FORTH IN THIS SECTION. The guidelines ~~shall~~ MUST address the timing
26 of such eligibility with respect to the dates on which acquisition,
27 construction, additions, renovations, or corrective repairs of a

1 ~~state-owned, general-funded building or other physical facility~~ REAL
2 PROPERTY occurred.

3 (6) ANY CORRECTIVE REPAIRS OR REPLACEMENT AS PART OF A
4 CONTROLLED MAINTENANCE PROJECT MUST BE SUITABLE FOR RETENTION
5 OR USE FOR AT LEAST FIVE YEARS.

6 (7) (a) CONTROLLED MAINTENANCE FUNDS MAY NOT BE USED FOR:

7 (I) CORRECTIVE REPAIRS OR REPLACEMENT OF REAL PROPERTY
8 AND REPLACEMENT OR REPAIR OF THE FIXED OR MOVABLE EQUIPMENT
9 NECESSARY FOR THE OPERATION OF REAL PROPERTY, WHEN SUCH WORK IS
10 FUNDED IN A STATE AGENCY'S OR STATE INSTITUTION OF HIGHER
11 EDUCATION'S OPERATING BUDGET;

12 (II) AUXILIARY FACILITIES AS DEFINED IN SECTION 23-1-106
13 (10.3), C.R.S.;

14 (III) LEASEHOLD INTERESTS IN REAL PROPERTY; OR

15 (IV) ANY WORK PROPERLY CATEGORIZED AS CAPITAL
16 CONSTRUCTION.

17 (b) MINOR MAINTENANCE ITEMS SHALL NOT BE ACCUMULATED TO
18 CREATE A CONTROLLED MAINTENANCE PROJECT, NOR SHALL MINOR
19 MAINTENANCE WORK BE ACCOMPLISHED AS A PART OF A CONTROLLED
20 MAINTENANCE PROJECT UNLESS THE WORK IS DIRECTLY RELATED TO THE
21 PROJECT.

22 (8) NOTWITHSTANDING THIS SECTION, CONTROLLED MAINTENANCE
23 FUNDS MAY BE USED FOR SECURE REAL PROPERTY AND RELATED
24 AUXILIARY REAL PROPERTY LEASED AND OPERATED BY THE DEPARTMENT
25 OF HUMAN SERVICES OR THE DEPARTMENT OF CORRECTIONS. <{*Is*
26 *"auxiliary real property" necessary? Seems redundant. And why is the*
27 *word "secure" in there?*>

1 (9) NOTWITHSTANDING THIS SECTION, CONTROLLED MAINTENANCE
2 FUNDS MAY BE USED FOR REAL PROPERTY THAT IS TRANSFERRED FROM
3 THE SAN JUAN BASIN AREA VOCATIONAL SCHOOL TO PUEBLO COMMUNITY
4 COLLEGE AS PART OF A MERGER TRANSACTION BETWEEN THE SAN JUAN
5 BASIN AREA VOCATIONAL SCHOOL AND PUEBLO COMMUNITY COLLEGE.

6 (10) NOTWITHSTANDING THIS SECTION, CONTROLLED
7 MAINTENANCE FUNDS MAY BE USED FOR ACADEMIC REAL PROPERTY AS
8 DEFINED IN SECTION 23-1-106 (10.3), C.R.S.

9 **SECTION 6.** In Colorado Revised Statutes, **amend** 24-30-1304
10 as follows:

11 **24-30-1304. Life-cycle cost - legislative findings and**
12 **declaration.** (1) The general assembly hereby finds:

13 (a) That state-owned ~~and state-assisted facilities have~~ REAL
14 PROPERTY HAS a significant impact on the state's consumption of energy;

15 (b) That energy conservation practices adopted for the design,
16 construction, and utilization of ~~these facilities~~ THIS REAL PROPERTY will
17 have a beneficial effect on the state's overall supply of energy;

18 (c) That the cost of the energy consumed by ~~these facilities~~ THIS
19 REAL PROPERTY over the life of the ~~facilities~~ REAL PROPERTY must be
20 considered, in addition to the initial cost of constructing such ~~facilities~~
21 REAL PROPERTY; and

22 (d) That the cost of energy is significant, and facility designs must
23 take into consideration the total life-cycle cost, including the initial
24 construction cost, the cost, over the economic life of the ~~facility~~ REAL
25 PROPERTY, of the energy consumed, replacement costs, and the cost of
26 operation and maintenance of the ~~facility~~ REAL PROPERTY, including
27 energy consumption.

1 (2) The general assembly declares that it is the policy of this state
2 to insure that energy conservation practices are employed in the design of
3 state-owned ~~and state-assisted facilities~~ REAL PROPERTY. To this end the
4 general assembly requires all state agencies AND STATE INSTITUTIONS OF
5 HIGHER EDUCATION to analyze the life-cycle cost of ~~each facility~~ ALL
6 REAL PROPERTY constructed ~~or each major facility constructed~~ or
7 renovated, over its economic life, in addition to the initial construction or
8 renovation cost.

9 **SECTION 7.** In Colorado Revised Statutes, 24-30-1305, **amend**
10 (1), (2), (3), (5), (6), and (7); and **add** (10) as follows:

11 **24-30-1305. Life-cycle cost - application - definitions.** (1) The
12 general assembly authorizes and directs that state agencies AND STATE
13 INSTITUTIONS OF HIGHER EDUCATION shall employ design and
14 construction methods for ~~state facilities and design and construction~~
15 ~~methods for state-assisted facilities~~ REAL PROPERTY under their
16 jurisdiction, in such a manner as to further the policy declared in section
17 24-30-1304, insuring that life-cycle cost analyses and energy conservation
18 practices are employed in new ~~state-owned and state-assisted facilities~~
19 ~~and in new or renovated major state-owned and state-assisted facilities~~
20 REAL PROPERTY.

21 (2) The life-cycle cost analysis ~~shall~~ MUST include but not be
22 limited to such elements as:

- 23 (a) The coordination, orientation, and positioning of the facility
24 on its physical site;
- 25 (b) The amount and type of fenestration employed in the facility;
- 26 (c) Thermal performance and efficiency characteristics of
27 materials incorporated into the facility design;

1 (d) The variable occupancy and operating conditions of the
2 facility, including illumination levels; AND

3 (e) Architectural features which affect energy consumption; and
4 CONSUMPTION.

5 (f) ~~An energy consumption analysis of a major facility's heating,~~
6 ~~ventilating, and air conditioning system, lighting system, and all other~~
7 ~~energy-consuming systems. The energy consumption analysis of the~~
8 ~~operation of energy-consuming systems in the major facility should~~
9 ~~include but not be limited to:~~

10 (I) ~~The comparison of two or more system alternatives;~~

11 (II) ~~The simulation or engineering evaluation of each system over~~
12 ~~the entire range of operation of the major facility for a year's operating~~
13 ~~period; and~~

14 (III) ~~The engineering evaluation of the energy consumption of~~
15 ~~component equipment in each system considering the operation of such~~
16 ~~components at other than full or rated outputs.~~

17 (3) The life-cycle cost analysis performed for each major facility
18 shall REAL PROPERTY WITH A FACILITY OF TWENTY THOUSAND OR MORE
19 GROSS SQUARE FEET WITH SIGNIFICANT ENERGY DEMANDS MUST provide
20 but not be limited to the following information:

21 (a) The initial estimated cost of each energy-consuming system
22 being compared and evaluated;

23 (b) The estimated annual operating cost of all utility requirements,
24 including consideration of possible escalating costs of energy. The
25 department may rely on any national or locally appropriate fuel escalating
26 methodology approved by the department in performing life-cycle cost
27 analyses.

1 (c) The estimated annual cost of maintaining each
2 energy-consuming system;

3 (d) The average estimated replacement cost for each system
4 expressed in annual terms for the economic life of the ~~major~~ facility; ~~and~~

5 (e) ~~(f)~~ The use of biofuel to provide supplemental or exclusive
6 heating, power, or both for the ~~major~~ facility. For a renovation of a ~~major~~
7 SUCH A facility, the cost analysis regarding the use of biofuel ~~shall~~ MUST
8 consider any stranded utility costs; AND

9 (f) AN ENERGY CONSUMPTION ANALYSIS OF SUCH REAL
10 PROPERTY'S HEATING, VENTILATING, AND AIR CONDITIONING SYSTEM,
11 LIGHTING SYSTEM, AND ALL OTHER ENERGY-CONSUMING SYSTEMS. THE
12 ENERGY CONSUMPTION ANALYSIS OF THE OPERATION OF
13 ENERGY-CONSUMING SYSTEMS IN THE REAL PROPERTY SHOULD INCLUDE
14 BUT NOT BE LIMITED TO:

15 (I) THE COMPARISON OF TWO OR MORE SYSTEM ALTERNATIVES;

16 (II) THE SIMULATION OR ENGINEERING EVALUATION OF EACH
17 SYSTEM OVER THE ENTIRE RANGE OF OPERATION OF THE REAL PROPERTY
18 FOR A YEAR'S OPERATING PERIOD; AND

19 (III) THE ENGINEERING EVALUATION OF THE ENERGY
20 CONSUMPTION OF COMPONENT EQUIPMENT IN EACH SYSTEM CONSIDERING
21 THE OPERATION OF SUCH COMPONENTS AT OTHER THAN FULL OR RATED
22 OUTPUTS.

23 ~~(H) As used in this paragraph (e), "biofuel" means nontoxic plant~~
24 ~~matter consisting of agricultural or silvicultural crops or their byproducts,~~
25 ~~urban wood waste, mill residue, slash, or brush.~~

26 (5) In order to protect the integrity of historic buildings, no
27 provision of section 24-30-1304 or this section ~~shall~~ SHOULD be

1 interpreted to require such analysis with respect to any REAL property
2 eligible for, nominated to, or entered in the national register of historic
3 places, designated by statute, or included in an established list of places
4 compiled by the state historical society.

5 (6) Selection of the optimum system or combination of systems to
6 be incorporated into the design of ~~state facilities and state-assisted~~
7 ~~facilities shall~~ REAL PROPERTY MUST be based on the life-cycle cost
8 analysis over the economic life of the ~~facility~~ REAL PROPERTY, unless a
9 request for an alternative system is made and approved by the department
10 prior to beginning construction.

11 (7) The principal representatives of all state agencies ~~shall be~~ AND
12 STATE INSTITUTIONS OF HIGHER EDUCATION ARE responsible for
13 implementing the provisions of this section and the policy established in
14 section 24-30-1304.

15 (10) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "BIOFUEL" MEANS NONTOXIC PLANT MATTER CONSISTING OF
18 AGRICULTURAL OR SILVICULTURAL CROPS OR THEIR BYPRODUCTS, URBAN
19 WOOD WASTE, MILL RESIDUE, SLASH, OR BRUSH.

20 (b) "ENERGY CONSUMPTION ANALYSIS" MEANS THE EVALUATION
21 OF ALL ENERGY-CONSUMING SYSTEMS AND COMPONENTS BY DEMAND AND
22 TYPE OF ENERGY, INCLUDING THE INTERNAL ENERGY LOAD IMPOSED ON
23 REAL PROPERTY BY ITS OCCUPANTS, EQUIPMENT, AND COMPONENTS AND
24 THE EXTERNAL ENERGY LOAD IMPOSED ON THE REAL PROPERTY BY
25 CLIMATIC CONDITIONS.

26 **SECTION 8.** In Colorado Revised Statutes, **add** 24-30-1305.5 as
27 follows:

1 **24-30-1305.5. High performance standards - report -**
2 **legislative declaration - definition.** (1) THE OFFICE OF THE STATE
3 ARCHITECT, OR AN ANALOGOUS SUCCESSOR OFFICE IN THE DEPARTMENT,
4 SHALL, IN CONSULTATION WITH THE COLORADO COMMISSION ON HIGHER
5 EDUCATION, ADOPT AND UPDATE FROM TIME TO TIME A HIGH
6 PERFORMANCE STANDARD CERTIFICATION PROGRAM.

7 (2) A STATE AGENCY OR STATE INSTITUTION OF HIGHER
8 EDUCATION CONTROLLING THE SUBSTANTIAL RENOVATION, DESIGN, OR
9 NEW CONSTRUCTION OF A BUILDING SHALL, PURSUANT TO THE PROGRAM
10 ADOPTED IN SUBSECTION (1) OF THIS SECTION, PERFORM THE SUBSTANTIAL
11 RENOVATION, DESIGN, OR NEW CONSTRUCTION TO ACHIEVE THE HIGHEST
12 PERFORMANCE CERTIFICATION ATTAINABLE AS CERTIFIED BY AN
13 INDEPENDENT THIRD PARTY PURSUANT TO THE HIGH PERFORMANCE
14 STANDARD CERTIFICATION PROGRAM. A CERTIFICATION IS ATTAINABLE IF
15 THE INCREASED INITIAL COSTS OF THE SUBSTANTIAL RENOVATION, DESIGN,
16 OR NEW CONSTRUCTION, INCLUDING THE TIME VALUE OF MONEY, TO
17 ACHIEVE THE HIGHEST PERFORMANCE CERTIFICATION ATTAINABLE CAN BE
18 RECOUPED FROM DECREASED OPERATIONAL COSTS WITHIN FIFTEEN YEARS.

19 (3)(a) FOR ALL BUILDINGS THAT STARTED THE DESIGN PROCESS ON
20 OR AFTER JANUARY 1, 2010, EACH STATE AGENCY OR STATE INSTITUTION
21 OF HIGHER EDUCATION SHALL MONITOR, TRACK, AND VERIFY UTILITY
22 VENDOR BILL DATA PERTAINING TO THE BUILDING AND MUST ANNUALLY
23 REPORT TO THE OFFICE OF THE STATE ARCHITECT, OR AN ANALOGOUS
24 SUCCESSOR OFFICE IN THE DEPARTMENT. THE ANNUAL REPORT MUST ALSO
25 INCLUDE INFORMATION RELATED TO BUILDING PERFORMANCE BASED ON
26 THE BUILDING'S UTILITY CONSUMPTION.

27 (b) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND

1 DECLARES THAT BUILDINGS THAT HAVE ACHIEVED THE HIGHEST
2 PERFORMANCE CERTIFICATION ATTAINABLE AND STARTED THE DESIGN
3 PROCESS PRIOR TO JANUARY 1, 2010, ARE STRONGLY ENCOURAGED TO
4 MONITOR, TRACK, AND VERIFY UTILITY VENDOR BILL DATA PERTAINING TO
5 SUCH BUILDING IN ORDER TO ENSURE THAT THE INCREASED INITIAL COSTS
6 TO ACHIEVE THE HIGHEST PERFORMANCE CERTIFICATION ATTAINABLE ARE
7 IN FACT RECOUPED. IF SUCH DATA IS MONITORED, TRACKED, AND
8 VERIFIED, THEN THE STATE AGENCY OR STATE INSTITUTION OF HIGHER
9 EDUCATION MUST ANNUALLY REPORT TO THE OFFICE OF THE STATE
10 ARCHITECT, OR AN ANALOGOUS SUCCESSOR OFFICE IN THE DEPARTMENT.
11 IF SUCH DATA IS NOT MONITORED, TRACKED, AND VERIFIED, THEN THE
12 STATE AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION MUST
13 PROVIDE THE STATE ARCHITECT, IN WRITING, A REASONABLE
14 EXPLANATION AND ALSO MUST WORK WITH THE STATE ARCHITECT TO FIND
15 A WAY TO START MONITORING, TRACKING, VERIFYING, AND REPORTING
16 SUCH DATA.

17 (c) THE STATE AGENCY OR STATE INSTITUTION OF HIGHER
18 EDUCATION, NOT A UTILITY COMPANY, SHALL COMPILE THE UTILITY
19 VENDOR BILL DATA.

20 (4) IF THE STATE AGENCY OR STATE INSTITUTION OF HIGHER
21 EDUCATION ESTIMATES THAT THE INCREASED INITIAL COSTS OF THE
22 SUBSTANTIAL RENOVATION, DESIGN, OR NEW CONSTRUCTION, INCLUDING
23 THE TIME VALUE OF MONEY, TO ACHIEVE THE HIGHEST PERFORMANCE
24 CERTIFICATION ATTAINABLE WILL EXCEED FIVE PERCENT OF THE TOTAL
25 COST OF THE SUBSTANTIAL RENOVATION, DESIGN, OR NEW CONSTRUCTION,
26 THE CAPITAL DEVELOPMENT COMMITTEE SHALL SPECIFICALLY EXAMINE
27 SUCH ESTIMATE BEFORE APPROVING ANY APPROPRIATION FOR THE

1 SUBSTANTIAL RENOVATION, DESIGN, OR NEW CONSTRUCTION.

2 (5) IF A BUILDING UNDERGOING SUBSTANTIAL RENOVATION
3 CANNOT ACHIEVE HIGH PERFORMANCE DUE TO EITHER THE HISTORICAL
4 NATURE OF THE BUILDING OR BECAUSE THE INCREASED COSTS OF
5 RENOVATING THE BUILDING CANNOT BE RECOUPED FROM DECREASED
6 OPERATIONAL COSTS WITHIN FIFTEEN YEARS, AN ACCREDITED
7 PROFESSIONAL SHALL ASSERT IN WRITING THAT, AS MUCH AS POSSIBLE,
8 THE SUBSTANTIAL RENOVATION HAS BEEN CONSISTENT WITH THE HIGH
9 PERFORMANCE STANDARD CERTIFICATION PROGRAM.

10 (6) ANY DESIGN OR NEW CONSTRUCTION OF A BUILDING OF LESS
11 THAN FIVE THOUSAND SQUARE FEET THAT IS, BUT FOR ITS SIZE, OTHERWISE
12 SUBJECT TO THIS SECTION AND ANY MINOR RENOVATION AND CONTROLLED
13 MAINTENANCE OF A BUILDING THAT IS SUBJECT TO THIS SECTION MUST BE
14 EXECUTED TO THE HIGH PERFORMANCE STANDARDS ADOPTED IN THE HIGH
15 PERFORMANCE STANDARD CERTIFICATION PROGRAM EVEN IF HIGH
16 PERFORMANCE CERTIFICATION IS NOT SOUGHT AT THAT TIME.

17 (7) THE DEPARTMENT SHALL REPORT ANNUALLY TO THE CAPITAL
18 DEVELOPMENT COMMITTEE REGARDING CONTRACTING DOCUMENTS,
19 PROJECT GUIDELINES, AND REPORTING AND TRACKING PROCEDURES
20 RELATED TO THE IMPLEMENTATION OF THIS SECTION.

21 (8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) (I) "BUILDING" MEANS A FACILITY THAT:

24 (A) IS SUBSTANTIALLY RENOVATED, DESIGNED, OR CONSTRUCTED
25 WITH STATE MONEYS OR WITH MONEYS GUARANTEED OR INSURED BY A
26 STATE AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION AND SUCH
27 MONEYS CONSTITUTE AT LEAST TWENTY-FIVE PERCENT OF THE PROJECT

1 COST;

2 (B) CONTAINS FIVE THOUSAND OR MORE GROSS SQUARE FEET;

3 (C) INCLUDES A HEATING, VENTILATION, OR AIR CONDITIONING

4 SYSTEM; AND

5 (D) DID NOT ENTER THE DESIGN PHASE PRIOR TO JANUARY 1, 2008.

6 (II) "BUILDING" INCLUDES AN ACADEMIC FACILITY AS DEFINED IN

7 SECTION 23-1-106 (10.3) (a), C.R.S., INCLUDING AN ACADEMIC FACILITY

8 AS DEFINED IN THE GUIDELINES DESCRIBED IN SECTION 23-1-106 (10.2) (b)

9 (I), C.R.S.

10 (III) "BUILDING" DOES NOT INCLUDE:

11 (A) AN AUXILIARY FACILITY AS DEFINED IN SECTION 23-1-106

12 (10.3) (b), C.R.S., INCLUDING AN AUXILIARY FACILITY AS DEFINED IN THE

13 GUIDELINES DESCRIBED IN SECTION 23-1-106 (10.2) (b) (I), C.R.S.; OR

14 (B) A PUBLICLY ASSISTED HOUSING PROJECT AS DEFINED IN

15 SECTION 24-32-718.

16 (b) "HIGH PERFORMANCE STANDARD CERTIFICATION PROGRAM"

17 MEANS A REAL PROPERTY RENOVATION, DESIGN, AND CONSTRUCTION

18 STANDARD THAT:

19 (I) IS QUANTIFIABLE, MEASURABLE, AND VERIFIABLE AS CERTIFIED

20 BY AN INDEPENDENT THIRD PARTY;

21 (II) REDUCES THE OPERATING COSTS OF REAL PROPERTY BY

22 REDUCING THE CONSUMPTION OF ENERGY, WATER, AND OTHER

23 RESOURCES;

24 (III) RESULTS IN THE RECOVERY OF THE INCREASED INITIAL

25 CAPITAL COSTS ATTRIBUTABLE TO COMPLIANCE WITH THE PROGRAM OVER

26 TIME BY REDUCING LONG-TERM ENERGY, MAINTENANCE, AND OPERATING

27 COSTS;

1 (IV) IMPROVES THE INDOOR ENVIRONMENTAL QUALITY OF REAL
2 PROPERTY FOR A HEALTHIER WORK ENVIRONMENT;

3 (V) ENCOURAGES THE USE OF PRODUCTS HARVESTED, CREATED,
4 OR MINED WITHIN COLORADO, REGARDLESS OF PRODUCT CERTIFICATION
5 STATUS;

6 (VI) PROTECTS COLORADO'S ENVIRONMENT; AND

7 (VII) COMPLIES WITH THE FEDERAL SECRETARY OF THE INTERIOR'S
8 STANDARDS FOR THE TREATMENT OF HISTORIC REAL PROPERTY WHEN
9 SUCH WORK WILL AFFECT REAL PROPERTY FIFTY YEARS OF AGE OR OLDER,
10 UNLESS THE STATE HISTORICAL SOCIETY, DESIGNATED IN SECTION
11 24-80-201, DETERMINES THAT SUCH REAL PROPERTY IS NOT OF
12 HISTORICAL SIGNIFICANCE AS DEFINED IN SECTION 24-80.1-102 (6).

13 (c) "SUBSTANTIAL RENOVATION" MEANS ANY RENOVATION WITH
14 A COST THAT EXCEEDS TWENTY-FIVE PERCENT OF THE VALUE OF THE
15 BUILDING.

16 (d) "UTILITY VENDOR BILL DATA" MEANS INFORMATION OR DATA
17 LIMITED TO THE USAGE DATA MEASURED BY THE STATE AGENCY, STATE
18 INSTITUTION OF HIGHER EDUCATION, OR DEPARTMENT OR THE
19 INFORMATION OR DATA REQUIRED TO MEET MINIMUM PROGRAM
20 STANDARDS BY AN INDEPENDENT THIRD PARTY PURSUANT TO THE HIGH
21 PERFORMANCE STANDARD CERTIFICATION PROGRAM.

22 **SECTION 9.** In Colorado Revised Statutes, **amend** 24-30-1307
23 as follows:

24 **24-30-1307. Legislative declaration.** The purpose of this part 13
25 is to allow the department of personnel to develop the policies and
26 standards for state agencies AND STATE INSTITUTIONS OF HIGHER
27 EDUCATION to follow for the major renovation or new construction of

1 ~~state facilities~~ REAL PROPERTY and to allow the department of personnel
2 to delegate the authority to implement such policies and standards to the
3 individual state agencies OR STATE INSTITUTIONS OF HIGHER EDUCATION.
4 It is not the purpose of this part 13 to require state agencies OR STATE
5 INSTITUTIONS OF HIGHER EDUCATION to add FTEs or incur additional
6 expenditures to implement the provisions of this part 13.

7 **SECTION 10.** In Colorado Revised Statutes, **repeal** 24-30-1308
8 as follows:

9 **24-30-1308. Controlled maintenance funds - leased or rented**
10 **facilities - secure facilities.** Notwithstanding section ~~24-30-1301 (2) (a)~~
11 ~~(H) (A), controlled maintenance funds may be used for secure facilities~~
12 ~~and related auxiliary facilities leased and operated by the department of~~
13 ~~human services or the department of corrections.~~

14 **SECTION 11.** In Colorado Revised Statutes, **repeal** 24-30-1309
15 as follows:

16 **24-30-1309. Eligibility of certain buildings for controlled**
17 **maintenance.** Notwithstanding the provisions of section ~~24-30-1301 (2)~~
18 ~~(a) (H) (A), on and after July 1, 2009, controlled maintenance funds may~~
19 ~~be used for facilities that are transferred from the San Juan basin area~~
20 ~~vocational school to Pueblo community college as part of a merger~~
21 ~~transaction between the San Juan basin area vocational school and Pueblo~~
22 ~~community college.~~

23 **SECTION 12.** In Colorado Revised Statutes, **amend** 2-3-1301 as
24 follows:

25 **2-3-1301. Definitions.** As used in this part 13, unless the context
26 otherwise requires:

27 (1) "Capital asset" ~~means any building, structure, facility, or~~

1 ~~physical betterment or improvement or any land or rights in land~~ HAS THE
2 SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (1), C.R.S.

3 (2) ~~"Institution" includes institutions of higher education.~~ "STATE"
4 HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (16),
5 C.R.S.

6 (3) "STATE AGENCY" HAS THE SAME MEANING AS SET FORTH IN
7 SECTION 24-30-1301 (17), C.R.S.

8 (4) "STATE INSTITUTION OF HIGHER EDUCATION" HAS THE SAME
9 MEANING AS SET FORTH IN SECTION 24-30-1301 (18), C.R.S.

10 **SECTION 13.** In Colorado Revised Statutes, 2-3-1304, **amend**
11 (1) as follows:

12 **2-3-1304. Powers and duties of capital development**
13 **committee.** (1) The capital development committee has the following
14 powers and duties:

15 (a) To study ~~the~~ capital construction, ~~and~~ controlled maintenance,
16 AND CAPITAL RENEWAL requests and proposals ~~for the acquisition, sale,~~
17 ~~demolition, or disposal of capital assets~~ of each state ~~department,~~
18 ~~institution, and~~ agency AND STATE INSTITUTION OF HIGHER EDUCATION
19 PURSUANT TO THE THRESHOLDS SPECIFIED IN JOINT RULE OF THE SENATE
20 AND THE HOUSE OF REPRESENTATIVES;

21 (a.3) To review and make required recommendations on reports
22 from state agencies AND STATE INSTITUTIONS OF HIGHER EDUCATION,
23 including reports from:

24 (I) The department of personnel on the approved and unapproved
25 facility management plans and facility management plan updates pursuant
26 to section 24-30-1303.5 (3.5), C.R.S., and acquisitions and dispositions
27 pursuant to ~~section~~ SECTIONS 24-30-1303.5 (6) AND 24-82-102, C.R.S.;

1 (II) The adjutant general in the department of military and
2 veterans affairs on the ACQUISITION OR disposition of property pursuant
3 to section 28-3-106 (1) (s) (I), C.R.S.;

4 (III) The parks and wildlife commission in the department of
5 natural resources on the acquisition OR DISPOSITION of certain real
6 property interests pursuant to section ~~33-1-105 (3) (a)~~ 33-1-105 (3),
7 C.R.S., and the acquisition of certain interest in real property or water
8 pursuant to section 33-1-105.5 (9), C.R.S.; and

9 (IV) The parks and wildlife commission in the department of
10 natural resources on the acquisition OR DISPOSITION of certain interests in
11 real property pursuant to section 33-10-107 (2), C.R.S.;

12 (a.5) To study the ~~capital construction~~ request from the
13 transportation commission for state highway reconstruction, repair, and
14 maintenance projects to be funded from money transferred to the capital
15 construction fund pursuant to section 24-75-302 (2), C.R.S., specifically
16 for such purpose. On or before October 1 of each year, the transportation
17 commission shall submit its ~~capital construction~~ request, based on the
18 statewide transportation improvement programs, with a prioritized list of
19 recommended state highway reconstruction, repair, and maintenance
20 projects with the priority of projects on the list determined on the basis of
21 greatest need without regard to location in the state. ~~except that, for the~~
22 ~~1998-99 fiscal year, the prioritized list of projects to be funded by the~~
23 ~~revenues appropriated for such year by House Bill 98-1202, as enacted at~~
24 ~~the second regular session of the sixty-first general assembly, shall consist~~
25 ~~only of state highway reconstruction, repair, maintenance, and capacity~~
26 ~~expansion projects.~~ The capital development committee shall determine
27 the number of projects on the list that may be funded from money

1 available in the capital construction fund for state highway reconstruction,
2 repair, or maintenance projects. Only projects on the list may be funded
3 from money available in the capital construction fund for state highway
4 reconstruction, repair, or maintenance projects, and the projects must be
5 funded in the priority determined by the transportation commission;
6 except that, if a project on the list cannot be funded because an alternative
7 source of funding for the project has become available, a court order has
8 enjoined the project, or an act of God has made the project construction
9 unfeasible, the transportation commission shall submit the next phase of
10 that project or the next project on that regional priority list to the capital
11 development committee for approval as an addition to the list in lieu of
12 the project that cannot be funded. No substitute project submitted by the
13 transportation commission from the regional priority list shall be
14 approved by the capital development committee if funding said project
15 would result in the delay of any other project on the list. Upon approval
16 of an amended list, the department of transportation shall provide a copy
17 of the amended list to the members of the joint budget committee, the
18 transportation and energy committee in the house of representatives, and
19 the transportation committee in the senate. Projects on the list submitted
20 by the transportation commission by October 1 or on an amended list
21 submitted as provided in this paragraph (a.5) may be funded from money
22 transferred to the capital construction fund and available in the current
23 fiscal year or money to be transferred to the capital construction fund for
24 the fiscal year beginning the following July 1.

25 (a.6) (Deleted by amendment, L. 2008, p. 1064, § 8, effective July
26 1, 2008.)

27 (b) To hold such hearings as may be necessary to consider reports

1 from each STATE ~~department, institution, or agency~~ OR STATE INSTITUTION
2 OF HIGHER EDUCATION ~~itself~~ with respect to ~~any such~~ capital construction,
3 controlled maintenance, ~~or acquisition of capital assets~~ OR CAPITAL
4 RENEWAL;

5 (c) To make determinations of the priority to be accorded to the
6 proposals made by the various STATE ~~departments, institutions, and~~
7 ~~agencies~~ AND STATE INSTITUTIONS OF HIGHER EDUCATION with respect to
8 capital construction, ~~and~~ controlled maintenance, AND CAPITAL RENEWAL
9 proposals, ~~and capital asset acquisitions, including any proposals or~~
10 ~~recommendations submitted as priorities for institutions of higher~~
11 ~~education,~~ based upon information made available to the capital
12 development committee from any sources with respect to estimates of
13 revenues available for such purposes;

14 (d) To forecast the state's requirements for capital construction,
15 controlled maintenance, and ~~acquisition of capital assets~~ CAPITAL
16 RENEWAL as may be necessary or desirable for adequate presentation of
17 the planning and implementation or construction of such projects ~~for the~~
18 ~~next fiscal year and for the following four fiscal years~~ AND TO FORECAST
19 THE PROJECTED AVAILABLE REVENUE TO MEET THE STATE'S
20 REQUIREMENTS FOR CAPITAL CONSTRUCTION, CONTROLLED
21 MAINTENANCE, AND CAPITAL RENEWAL. SUCH REVENUE FORECAST MUST
22 CONFORM WITH THE ECONOMIC FORECAST PERIOD USED IN THE
23 QUARTERLY REVENUE ESTIMATES PREPARED BY THE STAFF OF THE
24 LEGISLATIVE COUNCIL.

25 (e) To review facilities program plans of the department of
26 corrections for correctional facilities pursuant to section 17-1-104.8,
27 C.R.S., and facilities program plans of the department of human services

1 for juvenile facilities pursuant to section 27-90-106, C.R.S., and make
2 recommendations regarding those plans to the joint budget committee;

3 (f) To review the annual capital construction and maintenance
4 requests from the chief information officer of the office of information
5 technology regarding the public safety communications trust fund created
6 pursuant to section 24-37.5-506, C.R.S.;

7 (g) Prior to January 1, 2016, to develop and make
8 recommendations concerning new methods of financing the state's
9 ongoing capital construction, ~~needs and~~ controlled maintenance, AND
10 CAPITAL RENEWAL NEEDS. No later than February 1, 2016, the committee
11 shall recommend legislation to implement the recommendations.

12 (h) TO REVIEW ALL ACQUISITIONS OF REAL PROPERTY BY A STATE
13 AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION; EXCEPT THAT, FOR
14 ANY STATE AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION THAT
15 HAS STATUTORY AUTHORITY AS OF THE EFFECTIVE DATE OF THIS SECTION
16 AS AMENDED TO ACQUIRE REAL PROPERTY AND SUCH STATUTORY
17 AUTHORITY SPECIFIES A PROCESS WHEREBY THE CAPITAL DEVELOPMENT
18 COMMITTEE EITHER REVIEWS, REVIEWS AND APPROVES, OR APPROVES
19 SUCH AN ACQUISITION THEN SUCH STATUTORY AUTHORITY CONTROLS. IF
20 A STATE AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION HAS
21 STATUTORY AUTHORITY AS OF THE EFFECTIVE DATE OF THIS SECTION AS
22 AMENDED TO ACQUIRE REAL PROPERTY AND SUCH STATUTORY AUTHORITY
23 DOES NOT INCLUDE A PROCESS WHERE BY THE CAPITAL DEVELOPMENT
24 COMMITTEE EITHER REVIEWS, REVIEWS AND APPROVES, OR APPROVES
25 SUCH ACQUISITION, THEN THIS PARAGRAPH (h) CONTROLS.

26 **SECTION 14.** In Colorado Revised Statutes, 2-3-1304.5, **amend**
27 (2) as follows:

1 **2-3-1304.5. Reports from departments, institutions, and**
2 **agencies in connection with capital construction requests - repeal.**

3 (2) This section is repealed, effective ~~July 1, 2016~~ JULY 1, 2015.

4 **SECTION 15.** In Colorado Revised Statutes, **amend** 2-3-1304.6
5 as follows:

6 **2-3-1304.6. Capital construction and long-range planning by**
7 **state agencies and state institutions of higher education - policy.** It is
8 declared to be the policy of the general assembly not to acquire sites A
9 CAPITAL ASSET or authorize or initiate any program or activity requiring
10 capital construction, ~~or acquisition of a capital asset,~~ except programs or
11 activities for controlled maintenance OR CAPITAL RENEWAL, for any state
12 ~~department or subdivision thereof~~ AGENCY OR STATE INSTITUTION OF
13 HIGHER EDUCATION unless the program or activity is an element of the
14 facilities program plan for the ~~department~~ AGENCY OR INSTITUTION.

15 **SECTION 16.** In Colorado Revised Statutes, **repeal** 2-3-1305.5
16 as follows:

17 **2-3-1305.5. Continuation projects - future appropriations.**

18 ~~(1) For the purpose of making funding recommendations, capital~~
19 ~~construction projects which are related to the projects for which an~~
20 ~~appropriation was made by section 2 (4) of Senate Bill 94-207, enacted~~
21 ~~at the Second Regular Session of the Fifty-ninth General Assembly, shall~~
22 ~~be considered continuation projects in the same manner as other capital~~
23 ~~construction projects in Senate Bill 94-207 with out-year expenses.~~

24 ~~(2) Nothing in this section shall be construed to require that such~~
25 ~~continuation projects be accorded a higher funding priority than health~~
26 ~~and life safety projects and controlled maintenance projects.~~

27 **SECTION 17.** In Colorado Revised Statutes, **amend** 2-3-1306 as

1 follows:

2 **2-3-1306. Staff assistance.** In carrying out its duties under this
3 part 13, the capital development committee may request staff assistance
4 from the offices providing other legislative services or from the
5 department of personnel and the office of state planning and budgeting in
6 the governor's office. The legislative council shall provide any necessary
7 ~~secretarial and clerical~~ assistance.

8 **SECTION 18.** In Colorado Revised Statutes, **repeal** 2-3-1308 as
9 follows:

10 **2-3-1308. Repeal of part.** ~~(1) This part 13 is repealed, effective~~
11 ~~July 1, 2014.~~

12 ~~(2) If this part 13 is repealed pursuant to the provisions of~~
13 ~~subsection (1) of this section, pursuant to section 2-3-203 (1) (b.1) (I) (A)~~
14 ~~the joint budget committee shall have the authority to make~~
15 ~~determinations of priority.~~

16 _____

17 _____

18 **SECTION 19.** In Colorado Revised Statutes, **2-3-203, amend (1)**
19 **(b.1) as follows:**

20 **2-3-203. Powers and duties of the joint budget committee -**
21 **repeal.** (1) The committee has the following power and duties:

22 (b.1) (I) (A) Effective July 1, 2004, to hold hearings as required
23 and to review the executive budget and the budget requests of each state
24 agency and institution, including proposals for construction of capital
25 improvements, and to make appropriation recommendations to the
26 appropriations committees, or any successor committees, of each house.

27 (B) If the joint budget committee's recommendations to the

1 appropriations committees in the general appropriations bill alter the
2 determinations of priority established by the capital development
3 committee, prior to making the recommendations, the joint budget
4 committee shall notify the capital development committee and allow for
5 a joint meeting of the two committees. If part 13 of this article is repealed,
6 this sub-subparagraph (B) is repealed, effective July 1, 2014. <{This
7 needs to be amended to cross reference the joint rules. Not sure how to
8 do this yet.}>

9 **SECTION 20.** In Colorado Revised Statutes, 22-43.7-103,
10 **amend** (6) as follows:

11 **22-43.7-103. Definitions.** As used in this article, unless the
12 context otherwise requires:

13 (6) "Capital construction" ~~shall have~~ HAS the same meaning as set
14 forth in ~~section 24-75-301 (1)~~ SECTION 24-30-1301 (2), C.R.S.

15 **SECTION 21.** In Colorado Revised Statutes, 22-43.7-109,
16 **amend** (7) (a) as follows:

17 **22-43.7-109. Financial assistance for public school capital**
18 **construction - application requirements - evaluation criteria - local**
19 **match requirements.** (7) (a) Pursuant to the timelines established
20 pursuant to subsection (2) of this section for any fiscal year for which
21 financial assistance is to be awarded, and after prioritizing public school
22 facility capital construction projects as specified in subsection (5) of this
23 section, the board shall submit to the state board a prioritized list of
24 projects for which the board recommends the provision of financial
25 assistance. The prioritized list must include the board's recommendation
26 as to the amount and type of financial assistance to be provided and a
27 statement of the source and amount of applicant matching moneys for

1 each recommended project based upon information provided by the
2 applicant. The board may recommend that any specific project only
3 receive financial assistance if another higher priority project or group of
4 projects becomes ineligible for financial assistance due to the inability of
5 an applicant to raise required matching moneys by a deadline prescribed
6 by the board as a condition of a financial assistance award for the higher
7 priority project or group of projects. IF AN APPLICANT IS APPROVED FOR
8 AN AWARD OF FINANCIAL ASSISTANCE AS AN ALTERNATE AWARD
9 RECIPIENT AND THE APPLICANT SUCCESSFULLY RAISES REQUIRED
10 MATCHING MONEYS THROUGH VOTER-APPROVAL OF A BALLOT QUESTION
11 FOR CONTRACTING BONDED INDEBTEDNESS BUT DOES NOT ACTUALLY
12 RECEIVE FINANCIAL ASSISTANCE BECAUSE ALL PRIMARY AWARD
13 RECIPIENTS OR HIGHER PRIORITY ALTERNATE AWARD RECIPIENTS ALSO
14 SUCCESSFULLY RAISED REQUIRED MATCHING MONEYS, THE ALTERNATE
15 AWARD RECIPIENT MAY RESUBMIT ITS APPLICATION FOR FINANCIAL
16 ASSISTANCE AS PREVIOUSLY APPROVED DURING THE NEXT APPLICATION
17 CYCLE. IF THE BOARD, IN CONSULTATION WITH THE STATE TREASURER,
18 DETERMINES THAT THE COMBINATION OF MATCHING MONEYS RAISED BY
19 THE ALTERNATE AWARD RECIPIENT, PLUS EITHER UNSPENT PROCEEDS
20 FROM COMPLETED LEASE-PURCHASE AGREEMENTS OR MONEYS TO BE
21 RAISED THROUGH ENTRY INTO AN ADDITIONAL LEASE-PURCHASE
22 AGREEMENT THAT THE STATE HAS THE CAPACITY TO EXECUTE, OR BOTH,
23 ARE SUFFICIENT TO FUND THE APPLICANT'S PROJECT, THE BOARD MAY
24 AWARD FINANCIAL ASSISTANCE TO THE APPLICANT AND, IF NECESSARY,
25 ORDER THE STATE TREASURER TO ENTER INTO A LEASE-PURCHASE
26 AGREEMENT ON BEHALF OF THE STATE. The state board shall review and
27 make decisions regarding the prioritized list no later than June 20 of each

1 year and may approve, disapprove, or modify the provision of financial
2 assistance for any project recommended by the board if the state board
3 concludes that the board misinterpreted the results of the prioritization
4 assessment conducted pursuant to section 22-43.7-108 or misapplied the
5 prioritization criteria specified in subsection (5) of this section. The state
6 board shall specifically explain in writing its reasons for finding that the
7 board misinterpreted the results of the priority assessment or misapplied
8 the prioritization criteria when disapproving or modifying any financial
9 assistance award recommended by the board.

10 **SECTION 22.** In Colorado Revised Statutes, **amend** 23-1-106 as
11 follows:

12 **23-1-106. Duties and powers of the commission with respect**
13 **to capital construction and long-range planning - legislative**
14 **declaration - definitions.** (1) Except as permitted by subsections (9) and
15 (10) of this section, it is declared to be the policy of the general assembly
16 not to authorize ~~or to acquire sites or initiate any program or~~ ANY activity
17 requiring capital construction OR CAPITAL RENEWAL for ~~state-supported~~
18 STATE institutions of higher education ~~which, for the purposes of this~~
19 ~~section, shall include the Auraria higher education center established in~~
20 ~~article 70 of this title,~~ unless approved by the commission.

21 (2) The commission shall, after consultation with the appropriate
22 governing boards of the ~~state-supported~~ STATE institutions of higher
23 education and the appropriate state ~~administrative~~ agencies, have
24 authority to prescribe uniform policies, procedures, and standards of
25 space utilization for the development and approval of capital construction
26 OR CAPITAL RENEWAL programs by institutions.

27 (3) The commission shall review and approve facility master plans

1 for all state institutions of higher education on land owned or controlled
2 by the state or an institution and capital construction OR CAPITAL
3 RENEWAL program plans for projects other than those projects described
4 in subsection (9) or (10) of this section. Except for those projects
5 described in subsection (9) or (10) of this section, no capital construction
6 OR CAPITAL RENEWAL shall commence except in accordance with an
7 approved facility master plan and program plan.

8 (4) The commission shall ensure conformity of facilities master
9 planning with approved educational master plans and facility program
10 plans with approved facilities master plans.

11 (5) (a) The commission shall approve plans for any capital
12 construction OR CAPITAL RENEWAL project at any STATE institution
13 ~~including a community college~~, OF HIGHER EDUCATION regardless of the
14 source of funds; except that the commission need not approve plans for
15 any capital construction OR CAPITAL RENEWAL project at a local district
16 college or area vocational school or for any capital construction or
17 ~~acquisition~~ CAPITAL RENEWAL project described in subsection (9) or (10)
18 of this section.

19 (b) The commission may except from the requirements for
20 program and physical planning any project that ~~shall require~~ REQUIRES
21 less than two million dollars of state moneys.

22 (6) (a) The commission shall request annually from each
23 governing board of each state institution of higher education a five-year
24 projection of ~~capital development~~ CAPITAL CONSTRUCTION OR CAPITAL
25 RENEWAL projects to be constructed but not including those projects
26 described in subsection (9) or (10) of this section. The projection ~~shall~~
27 MUST include the estimated cost, the method of funding, a schedule for

1 project completion, and the governing board-approved priority for each
2 project. The commission shall determine whether a proposed project is
3 consistent with the role and mission and master planning of the institution
4 and conforms to standards recommended by the commission.

5 (b) The commission shall request annually from the governing
6 board of each state institution of higher education a two-year projection
7 of capital construction ~~or acquisition~~ projects to be undertaken pursuant
8 to subsection (9) or (10) of this section and estimated to require total
9 project expenditures exceeding two million dollars. The projection ~~shall~~
10 MUST include the estimated cost, the method of funding, and a schedule
11 for project completion for each project. ~~An~~ A STATE INSTITUTION OF HIGHER
12 EDUCATION shall amend the projection prior to commencing a project that
13 is not included in the institution's most recent projection.

14 (7) (a) The commission annually shall prepare a unified, five-year
15 capital improvements report of projects to be constructed, but not
16 including those CAPITAL CONSTRUCTION OR CAPITAL RENEWAL projects
17 ~~constructed or acquired~~ TO BE UNDERTAKEN pursuant to subsection (9) or
18 (10) of this section, coordinated with education plans. The commission
19 shall transmit the report to the office of state planning and budgeting, the
20 governor, ~~and the general assembly~~ THE CAPITAL DEVELOPMENT
21 COMMITTEE, AND THE JOINT BUDGET COMMITTEE, consistent with the
22 executive budget timetable, together with a recommended priority of
23 funding of capital construction OR CAPITAL RENEWAL projects for the
24 system of public higher education. The commission shall annually
25 transmit the recommended priority of funding of capital construction OR
26 CAPITAL RENEWAL projects to the capital development committee no later
27 than November 1 of each year.

1 (b) Except as provided in subsection (5) of this section, it is the
2 policy of the general assembly to appropriate funds only for CAPITAL
3 CONSTRUCTION OR CAPITAL RENEWAL projects approved by the
4 commission.

5 (c) (I) The commission annually shall prepare a unified, two-year
6 ~~capital improvements~~ report for CAPITAL CONSTRUCTION OR CAPITAL
7 RENEWAL projects ~~to be constructed or acquired pursuant to~~ DESCRIBED
8 IN subsection (9) or (10) of this section and estimated to require total
9 project expenditures exceeding two million dollars, coordinated with
10 education plans. The commission shall transmit the report to the office of
11 state planning and budgeting, the governor, ~~and the general assembly~~ THE
12 CAPITAL DEVELOPMENT COMMITTEE, AND THE JOINT BUDGET COMMITTEE,
13 consistent with the executive budget timetable.

14 (II) (A) ~~Commencing in the 2010 regular legislative session, and~~
15 ~~in each regular legislative session thereafter,~~ The commission shall
16 submit the two-year projections prepared by each state institution of
17 higher education ~~for the 2010-11 and 2011-12 fiscal years, and for each~~
18 ~~two-year period thereafter as applicable,~~ to the office of state planning
19 and budgeting and the capital development committee. ~~Beginning in the~~
20 ~~2010 regular legislative session and in each regular legislative session~~
21 ~~thereafter,~~ The capital development committee shall conduct a hearing IN
22 EACH REGULAR LEGISLATIVE SESSION on the projections and either
23 approve the projections or return the projections to the STATE institution
24 OF HIGHER EDUCATION for modification. The commission and the office
25 of state planning and budgeting shall provide the capital development
26 committee with comments concerning each projection.

27 (B) A state institution of higher education may submit to the staff

1 of the capital development committee, the commission, and the office of
2 state planning and budgeting an amendment to its approved two-year
3 projection. The capital development committee shall conduct a hearing
4 on the amendment within thirty days after submission during a regular
5 legislative session of the general assembly or within forty-five days after
6 submission during any period that the general assembly is not in regular
7 legislative session. The capital development committee shall either
8 approve the projections or return the projections to the STATE institution
9 OF HIGHER EDUCATION for modification. The commission and the office
10 of state planning and budgeting shall provide the capital development
11 committee with comments concerning each amendment.

12 (8) Repealed.

13 (9) (a) Except as provided in paragraph (d) of this subsection (9),
14 a capital construction or ~~acquisition~~ CAPITAL RENEWAL project for an
15 auxiliary facility initiated by the governing board of a ~~state-supported~~
16 STATE institution of higher education that is contained in the most recent
17 ~~unified~~, two-year ~~capital improvements project~~ projection approved
18 pursuant to subparagraph (II) of paragraph (c) of subsection (7) of this
19 section, as the projection may be amended from time to time, and that is
20 to be acquired or constructed and operated and maintained solely from
21 cash funds held by the institution ~~shall~~ IS not ~~be~~ subject to additional
22 review or approval by the commission, the office of state planning and
23 budgeting, the capital development committee, or the joint budget
24 committee.

25 (b) Except as provided in paragraph (d) of this subsection (9), a
26 capital construction or ~~acquisition~~ CAPITAL RENEWAL project for an
27 academic facility initiated by the governing board of a ~~state-supported~~

1 STATE institution of higher education that is contained in the most recent
2 ~~unified~~, two-year ~~capital improvements project~~ projection approved
3 pursuant to subparagraph (II) of paragraph (c) of subsection (7) of this
4 section, as the projection may be amended from time to time, and that is
5 to be acquired or constructed solely from cash funds held by the
6 institution and operated and maintained from such funds or from state
7 moneys appropriated for such purpose, or both, ~~shall~~ IS not ~~be~~ subject to
8 additional review or approval by the commission, the office of state
9 planning and budgeting, the capital development committee, or the joint
10 budget committee. Any capital construction OR CAPITAL RENEWAL project
11 subject to this paragraph (b) ~~shall~~ MUST comply with the high
12 performance standard certification program established pursuant to
13 section ~~24-30-1305~~ 24-30-1305.5, C.R.S.

14 (c) Each governing board shall ensure, consistent with its
15 responsibilities as set forth in section 5 (2) of article VIII of the state
16 constitution, that a capital construction or ~~acquisition~~ CAPITAL RENEWAL
17 project initiated pursuant to this subsection (9) ~~shall be~~ IS in accordance
18 with its institution's mission, be of a size and scope to provide for the
19 defined program needs, and be designed in accordance with all applicable
20 building codes and accessibility standards.

21 (d) (I) The provisions of this subsection (9) ~~shall~~ DO not apply to
22 a CAPITAL CONSTRUCTION OR CAPITAL RENEWAL project that is to be
23 acquired or constructed in whole or in part using moneys subject to the
24 higher education revenue bond intercept program established pursuant to
25 section 23-5-139.

26 (II) Any plan for any such capital construction or ~~acquisition~~
27 CAPITAL RENEWAL project that is estimated to require total expenditures

1 of two million dollars or less ~~shall~~ IS not be subject to review or approval
2 by the commission.

3 (e) A capital construction or acquisition project approved and
4 appropriated prior to January 1, 2010, may be contained in the most
5 recent unified two-year capital improvements project projection approved
6 pursuant to subparagraph (II) of paragraph (c) of subsection (7) of this
7 section. The projection may be amended from time to time and ~~shall~~ IS
8 not be subject to additional review or approval by the commission, the
9 office of state planning and budgeting, the capital development
10 committee, or the joint budget committee.

11 (10) (a) (I) The commission shall review and approve any plan for
12 a capital construction or ~~acquisition~~ CAPITAL RENEWAL project for an
13 auxiliary facility that is estimated to require total expenditures exceeding
14 two million dollars and that is to be acquired or constructed and operated
15 and maintained solely from cash funds held by the STATE institution OF
16 HIGHER EDUCATION that, in whole or in part, are subject to the higher
17 education revenue bond intercept program established pursuant to section
18 23-5-139. <{*The higher ed revenue bond program uses a broader*
19 *definition of the term institution - see 23-5-139 (cross ref to 23-1-102*
20 *(2). Is this problematic?*>

21 (II) The commission shall review and approve any plan for a
22 capital construction or ~~acquisition~~ CAPITAL RENEWAL project for an
23 academic facility that is estimated to require total expenditures exceeding
24 two million dollars, that is to be acquired or constructed solely from cash
25 funds held by the STATE institution OF HIGHER EDUCATION that, in whole
26 or in part, are subject to the higher education revenue bond intercept
27 program established pursuant to section 23-5-139, and that is operated

1 and maintained from such cash funds or from state moneys appropriated
2 for such purpose, or both. Any capital construction OR CAPITAL RENEWAL
3 project subject to this subparagraph (II) ~~shall~~ MUST comply with the high
4 performance standard certification program established pursuant to
5 ~~section 24-30-1305~~ SECTION 24-30-1305.5, C.R.S. <{*The higher ed*
6 *revenue bond program uses a broader definition of the term institution*
7 *- see 23-5-139 (cross ref to 23-1-102 (2). Is this problematic?}*>

8 (III) Any plan for any such capital construction or ~~acquisition~~
9 CAPITAL RENEWAL project that is estimated to require total expenditures
10 of two million dollars or less ~~shall~~ IS not be subject to review or approval
11 by the commission.

12 (b) Upon approval of a plan for a capital construction or
13 ~~acquisition~~ CAPITAL RENEWAL project pursuant to paragraph (a) of this
14 subsection (10), the commission shall submit the plan to the capital
15 development committee. The capital development committee shall make
16 a recommendation regarding the project to the joint budget committee.
17 Following the receipt of the recommendation, the joint budget committee
18 shall refer its recommendations regarding the project, with written
19 comments, to the commission.

20 (c) A capital construction or ~~acquisition~~ project approved and
21 appropriated prior to January 1, 2010, may be contained in the most
22 recent ~~unified~~ two-year ~~capital improvements project~~ projection approved
23 pursuant to subparagraph (II) of paragraph (c) of subsection (7) of this
24 section, and the projection may be amended from time to time.

25 (10.2) (a) (I) Notwithstanding any law to the contrary, all
26 academic facilities acquired or constructed, or an auxiliary facility
27 repurposed for use as an academic facility, solely from cash funds held by

1 the STATE institution OF HIGHER EDUCATION and operated and maintained
2 from such cash funds or from state moneys appropriated for such purpose,
3 or both, including, but not limited to, those facilities described in
4 paragraph (b) of subsection (9) of this section and subparagraph (II) of
5 paragraph (a) of subsection (10) of this section, that did not previously
6 qualify for state controlled maintenance funding will qualify for state
7 controlled maintenance funding, subject to funding approval by the
8 capital development committee and the eligibility guidelines described in
9 section 24-30-1303.9, C.R.S. ~~as enacted by House Bill 12-1318, enacted~~
10 ~~in 2012.~~

11 (II) For purposes of this paragraph (a), the eligibility for state
12 controlled maintenance funding commences on the date of the acceptance
13 of the construction or repurposing of the facility or the closing date of any
14 acquisition. The date of the acceptance of construction or repurposing
15 shall be determined by the office of the state architect.

16 (b) (I) The general assembly hereby finds, determines, and
17 declares that the classification of facilities as academic facilities or
18 auxiliary facilities can be difficult, and such classifications often change
19 as academic needs, student needs, and new construction and design
20 practices emerge. Therefore, the office of the state architect, in
21 collaboration with the department of higher education and the office of
22 state planning and budgeting, shall develop guidelines in order to assist
23 such classification. The guidelines shall be annually reviewed and
24 approved by the capital development committee. The guidelines ~~shall~~
25 MUST address the following two factors that have historically been
26 considered when classifying academic facilities and auxiliary facilities:

27 (A) The funding source for the facility; and

1 (B) The nature and use of the facility.

2 (II) The guidelines established pursuant to this paragraph (b) ~~shall~~
3 MUST use the definitions set forth in subsection (10.3) of this section.

4 (10.3) As used in this section, unless the context otherwise
5 requires:

6 (a) "Academic facility" means any ~~building or other physical~~
7 facility, including any supporting utility infrastructure AND SITE
8 IMPROVEMENTS, that is central to the role and mission of each STATE
9 institution OF HIGHER EDUCATION as set forth in this title. Examples
10 include, but are not limited to, classrooms, libraries, and administrative
11 buildings.

12 (b) "Auxiliary facility" means any ~~building or other physical~~
13 facility, including any supporting utility infrastructure AND SITE
14 IMPROVEMENTS, funded from an auxiliary source such as housing or
15 parking revenue or any ~~building or other physical~~ facility that has been
16 historically managed as an auxiliary facility and is accounted for in
17 ~~institutional~~ financial statements OF STATE INSTITUTIONS OF HIGHER
18 EDUCATION as a self-supporting facility. Examples include, but are not
19 limited to, housing facilities, dining facilities, recreational facilities, and
20 student activities facilities.

21 (c) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS SET
22 FORTH IN SECTION 24-30-1301 (2), C.R.S.; EXCEPT THAT IT DOES NOT
23 INCLUDE THE INSTALLATION, DEVELOPMENT, OR UPGRADE OF
24 INFORMATION TECHNOLOGY AS SPECIFIED IN SECTION 24-30-1301 (2) (g),
25 C.R.S.

26 (d) "CAPITAL RENEWAL" HAS THE SAME MEANING AS SET FORTH IN
27 SECTION 24-30-1301 (3), C.R.S.

1 (e) "FACILITY" HAS THE SAME MEANING AS SET FORTH IN SECTION
2 24-30-1301 (8), C.R.S.

3 (f) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
4 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102
5 (10), AND THE AURARIA HIGHER EDUCATION CENTER CREATED IN ARTICLE
6 70 OF THIS TITLE.

7 (10.5) (a) For any project subject to subsection (9) or (10) of this
8 section, if, after commencement of ~~acquisition~~ or construction, the
9 governing board of the STATE institution OF HIGHER EDUCATION receives
10 an additional gift, grant, or donation for the project, the governing board
11 may amend the project without the approval of the commission, the office
12 of state planning and budgeting, the capital development committee, or
13 the joint budget committee so long as the governing board notifies the
14 commission, the office of state planning and budgeting, the capital
15 development committee, and the joint budget committee in writing,
16 explaining how the project has been amended and verifying the receipt of
17 the additional gift, grant, or donation.

18 (b) For any project subject to subsection (9) or (10) of this section,
19 the governing board may enhance the project in an amount not to exceed
20 fifteen percent of the original estimate of the cost of the project without
21 the approval of the commission, the office of state planning and
22 budgeting, the capital development committee, or the joint budget
23 committee so long as the governing board notifies the commission, the
24 office of state planning and budgeting, the capital development
25 committee, and the joint budget committee in writing, explaining how the
26 project has been enhanced and the source of the moneys for the
27 enhancement.

1 (c) For any project subject to subsection (9) or (10) of this section,
2 the governing board of the STATE institution OF HIGHER EDUCATION
3 implementing the project is not required to submit for the project
4 quarterly expenditure reports as described in section 24-30-204 (2),
5 C.R.S. The governing board shall submit for the project annual
6 expenditure reports as required in section 24-30-204 (1), C.R.S.

7 (11) (a) Each state institution of higher education shall submit to
8 the commission on or before September 1 of each year a list and
9 description of each project for which an expenditure was made during the
10 immediately preceding fiscal year that:

11 (I) Was not subject to review by the commission pursuant to
12 subsection (9) of this section;

13 (II) Was approved pursuant to subsection (10) of this section;

14 (III) Was estimated to require total expenditures of two million
15 dollars or less; or

16 (IV) Was amended or enhanced after commencement of
17 ~~acquisition or~~ construction pursuant to subsection (10.5) of this section.

18 (b) The commission shall submit a compilation of the projects to
19 the capital development committee on or before December 1 of each year.

20 (12) Each STATE institution OF HIGHER EDUCATION shall submit
21 to the commission a facility management plan or update required by
22 section 24-30-1303.5 (3.5), C.R.S. The commission shall review the
23 facility management plan or update and make recommendations regarding
24 it to the department of personnel.

25 ~~(13) The provisions of this section shall not apply to any local~~
26 ~~junior college district that is not a part of the state system and not eligible~~
27 ~~to receive any state funds for capital construction pursuant to section~~

1 23-71-202 (3). <{*This is no longer necessary since "state institution of*
2 *higher education" is defined to not include local junior college*
3 *districts.*>

4 SECTION 23. In Colorado Revised Statutes, 23-31-504, **amend**
5 (3) as follows:

6 **23-31-504. Control, investment, and expending of funds.**

7 (3) The general assembly of the state of Colorado engages that the
8 principal of such fund ~~shall~~ forever ~~remain~~ REMAINS unimpaired and the
9 income thereof ~~shall be~~ IS applied without diminution to the uses and
10 purposes prescribed in said act of congress; except that, as prescribed in
11 said act of congress, a sum not exceeding ten percent of the principal of
12 such fund may be expended by the board of governors of the Colorado
13 state university system for the purchase or exchange of lands for sites or
14 experimental stations, subject to the PROVISIONS OF SECTIONS 24-75-301
15 TO 24-75-303, C.R.S., AND THE approval of the governor. ~~and the~~
16 ~~provisions of sections 24-75-301 to 24-75-303, C.R.S.~~

17 SECTION 24. In Colorado Revised Statutes, **amend** 24-1-136.5
18 as follows:

19 **24-1-136.5. Long-range planning for capital construction,**
20 **controlled maintenance, capital renewal - policy - heads of principal**

21 **departments.** (1) The executive director of each department, after
22 consultation with the directors of the subordinate agencies, divisions, or
23 offices within the department, ~~shall have~~ HAS THE authority to prescribe
24 uniform policies, procedures, and standards of space utilization in
25 department facilities, except for office space, for the development and
26 approval of capital construction, CONTROLLED MAINTENANCE, AND
27 CAPITAL RENEWAL projects for the department. Nothing in this subsection

1 (1) ~~shall~~ SHOULD be construed to alter the authority of the department of
2 personnel to prescribe uniform standards for office space pursuant to
3 section 24-30-1303 (1) (h).

4 (2) The executive director shall review and, with the approval of
5 the governor, approve facilities master planning and facilities program
6 planning for all capital construction, CONTROLLED MAINTENANCE, AND
7 CAPITAL RENEWAL projects ~~of the ON department on state-owned or~~
8 ~~state-controlled land~~ REAL PROPERTY, regardless of the source of funds,
9 and no capital construction, CONTROLLED MAINTENANCE, OR CAPITAL
10 RENEWAL shall commence except in accordance with an approved
11 facilities master plan, facilities program plan, and physical plan.

12 (3) The executive director shall ensure conformity of facilities
13 master planning with approved department operational master plans,
14 facilities program plans with approved facilities master plans, and
15 physical plans with approved facilities program plans.

16 (4) Plans for any capital construction, CONTROLLED
17 MAINTENANCE, OR CAPITAL RENEWAL project for the department ~~shall be~~
18 ARE subject to the approval of the executive director, regardless of the
19 source of funds. The executive director may exempt any project which
20 requires less than five hundred thousand dollars of state moneys from the
21 requirements for master planning and program planning.

22 (5) The executive director shall annually request from the director
23 of each subordinate agency, division, or office within the department a
24 five-year projection of ANY capital ~~development~~ CONSTRUCTION,
25 CONTROLLED MAINTENANCE, AND CAPITAL RENEWAL projects. The
26 projection ~~shall~~ MUST include the estimated cost, the method of funding,
27 a schedule for project completion, and the director's priority for each

1 project. The executive director shall determine whether a proposed
2 project is consistent with operational master planning and facilities master
3 planning of the department and conforms to space utilization standards
4 established pursuant to subsection (1) of this section and section
5 24-30-1303 (1) (h).

6 (6) (a) The executive director shall annually establish a
7 department five-year capital ~~improvements~~ CONSTRUCTION, CONTROLLED
8 MAINTENANCE, AND CAPITAL RENEWAL plan coordinated with department
9 operational master plans and facilities master plans and shall transmit to
10 the office of state planning and budgeting, the governor, and the general
11 assembly, consistent with the executive budget timetable, a recommended
12 priority of funding of capital construction, CONTROLLED MAINTENANCE,
13 AND CAPITAL RENEWAL projects for the department.

14 (b) Except as provided in subsection (4) of this section, it is the
15 policy of the general assembly to appropriate funds only for projects
16 approved by the executive director.

17 (7) Any acquisition or utilization of real property by a department
18 which is conditional upon or requires expenditures of ~~state-controlled~~
19 STATE funds or federal funds ~~shall be~~ IS subject to the approval of the
20 executive director, regardless of whether the acquisition is by lease,
21 lease-purchase, purchase, gift, or otherwise.

22 (8) Prior to approving the facilities master plan and facilities
23 program plan for any capital construction, CONTROLLED MAINTENANCE,
24 OR CAPITAL RENEWAL project to be constructed, operated, and maintained
25 solely from fees, gifts and bequests, grants, revolving funds, or a
26 combination of such sources, the executive director shall request and
27 consider recommendations from the capital development committee and

1 the joint budget committee. The executive director, the capital
2 development committee, and the joint budget committee shall by
3 agreement adopt procedures for the review of such projects by the capital
4 development committee and joint budget committee. The agreement ~~shall~~
5 MUST provide that, whenever possible, the capital development committee
6 and joint budget committee will submit their recommendations to the
7 executive director within thirty days after each committee receives the
8 information prescribed in the agreement as necessary for its review.

9 (9) This section ~~shall~~ DOES not apply to the department of higher
10 education, nor ~~shall~~ SHOULD it be construed to alter the duties of the
11 Colorado commission on higher education set forth in section 23-1-106,
12 C.R.S.

13 (10) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS SET
16 FORTH IN SECTION 24-30-1301 (2).

17 (b) "CAPITAL RENEWAL" HAS THE SAME MEANING AS SET FORTH IN
18 SECTION 24-30-1301 (3).

19 (c) "CONTROLLED MAINTENANCE" HAS THE SAME MEANING AS SET
20 FORTH IN SECTION 24-30-1301 (4).

21 (d) "FACILITY" HAS THE SAME MEANING AS SET FORTH IN SECTION
22 24-30-1301 (8).

23 (e) "REAL PROPERTY" HAS THE SAME MEANING AS SET FORTH IN
24 SECTION 24-30-1301 (15).

25 **SECTION 25.** In Colorado Revised Statutes, 24-30-1402, **amend**
26 (1.5), (5), and (7); and **add** (8) as follows:

1 **24-30-1402. Definitions.** As used in this part 14, unless the
2 context otherwise requires:

3 (1.5) "Continuing contract" means a contract for professional
4 services entered into pursuant to this part 14 between a state agency OR
5 STATE INSTITUTION OF HIGHER EDUCATION and a person, whereby the
6 person provides professional services to the state agency OR STATE
7 INSTITUTION OF HIGHER EDUCATION for work of a specified nature as
8 outlined in the contract required by the state agency OR STATE
9 INSTITUTION OF HIGHER EDUCATION with no specific time limitation. Any
10 such contract shall provide a termination clause.

11 (5) "Principal representative" means the governing board of a state
12 ~~department, institution, or~~ agency OR STATE INSTITUTION OF HIGHER
13 EDUCATION or, if there is no governing board, the executive head of a
14 state ~~department, institution, or~~ agency OR STATE INSTITUTION OF HIGHER
15 EDUCATION, as designated by the governor or the general assembly.

16 (7) "State agency" ~~means this state or any department, board,~~
17 ~~bureau, commission, institution, or other agency of this state~~ HAS THE
18 SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (17).

19 (8) "STATE INSTITUTION OF HIGHER EDUCATION" HAS THE SAME
20 MEANING AS SET FORTH IN SECTION 24-30-1301 (18).

21 **SECTION 26.** In Colorado Revised Statutes, 24-30-1403, **amend**
22 (1) and (2) (a) as follows:

23 **24-30-1403. Professional services - listings - preliminary**
24 **selections.** (1) Any person desiring to provide professional services to a
25 state agency OR A STATE INSTITUTION OF HIGHER EDUCATION shall
26 annually submit to the department a statement of qualifications and
27 performance data and such other information as may be required by the

1 department. The department may request such person to update such
2 statement before the anniversary date in order to reflect changed
3 conditions in the status of such person.

4 (2) (a) For each proposed project for which professional services
5 are required AND WHERE THE FEE FOR SUCH PROFESSIONAL SERVICES IS
6 ESTIMATED TO EQUAL OR EXCEED TWENTY-FIVE THOUSAND DOLLARS, the
7 principal representative of the state agency OR STATE INSTITUTION OF
8 HIGHER EDUCATION for which the project is to be done shall evaluate
9 current statements of qualifications and performance data on file with the
10 department and shall conduct discussions with no less than three persons
11 regarding their qualifications, approaches to the project, abilities to
12 furnish the required professional services, anticipated design concepts,
13 and use of alternative methods of approach for furnishing the required
14 professional services. The principal representative shall then select, in
15 order of preference, no less than three persons ranked in order and
16 deemed to be most highly qualified to perform the required professional
17 services after considering, and based upon, such factors as the ability of
18 professional personnel, past performance, willingness to meet time and
19 budget requirements, location, current and projected work loads, the
20 volume of work previously awarded to the person by the state agency OR
21 STATE INSTITUTION OF HIGHER EDUCATION, and the extent to which said
22 persons have and will involve minority subcontractors, with the object of
23 effecting an equitable distribution of contracts among qualified persons
24 as long as such distribution does not violate the principle of selection of
25 the most highly qualified person. In selection pursuant to this section,
26 Colorado firms shall be given preference when qualifications appear to
27 be equal. All selections are subject to approval by the principal

1 representative, and all contracts between the principal representative and
2 such selected professionals shall be consistent with appropriation and
3 legislative intent.

4 **SECTION 27.** In Colorado Revised Statutes, 24-30-1404, **amend**
5 (1), (6), (7) (a), (7) (d), (7) (f), and (7) (g) (I) as follows:

6 **24-30-1404. Contracts.** (1) The principal representative shall
7 negotiate a contract with the highest qualified person providing
8 professional services for such services at compensation which the
9 principal representative determines in writing to be fair and reasonable.
10 In making such decision, the principal representative shall take into
11 account the estimated value of the services to be rendered and the scope,
12 complexity, and professional nature thereof. For all lump-sum or
13 cost-plus-a-fixed-fee professional service contracts, the principal
14 representative shall require the firm receiving the award to execute a
15 certificate stating that wage rates and other factual unit costs supporting
16 the compensation to be paid by the state agency OR STATE INSTITUTION OF
17 HIGHER EDUCATION for the professional services are accurate, complete,
18 and current at the time of contracting. Any professional service contract
19 under which such a certificate is required shall contain a provision that
20 the original contract price and any additions thereto shall be adjusted to
21 exclude any significant sums by which the principal representative
22 determines the contract price had been increased due to inaccurate,
23 incomplete, or noncurrent wage rates and other factual unit costs. All
24 such contract adjustments shall be made within one year following the
25 end of the contract.

26 (6) Nothing in this part 14 shall be construed to prohibit
27 continuing contracts between STATE AGENCIES OR STATE INSTITUTIONS OF

1 HIGHER EDUCATION AND persons providing professional services. ~~and~~
2 ~~state agencies~~. All selections, contracts, and negotiations undertaken
3 pursuant to this part 14 and all processes and procedures in connection
4 with such matters shall be in conformity with this part 14.

5 (7) (a) Except as provided in paragraphs (b), (c), (e), (f), and (g)
6 of this subsection (7), any professional services contract entered into
7 pursuant to the provisions of this part 14 shall be executed and
8 encumbered within six months after the date on which the appropriation
9 that includes the project for which the professional services are required
10 becomes law. If no professional services contract is required for a
11 particular project, the contract with the contractor for the project shall be
12 entered into within six months after the appropriation. If a state agency
13 OR STATE INSTITUTION OF HIGHER EDUCATION determines that the nature
14 of a particular project is such that the deadlines imposed by this section
15 cannot be met, the state agency OR STATE INSTITUTION OF HIGHER
16 EDUCATION may request the capital development committee to
17 recommend to the controller that the deadline be waived for that project.
18 The controller, in consultation with the capital development committee,
19 may grant a waiver from such deadlines. This subsection (7) shall not
20 apply to projects under the supervision of the department of
21 transportation. This subsection (7) shall not affect any priority established
22 pursuant to section 24-35-210 (11) in the general appropriation act for
23 expenditures for projects to be financed from net lottery proceeds
24 appropriated for capital construction.

25 (d) The provisions of this subsection (7) shall not be construed to
26 limit the authority of any state agency OR STATE INSTITUTION OF HIGHER
27 EDUCATION to amend a contract in order to provide for technical

1 corrections, provision of unanticipated work, extensions of performance
2 periods, or other modifications which are necessary to secure satisfactory
3 completion of the work and provision of goods and services within the
4 scope of the original contract.

5 (f) In the event that an appropriation is made to a state agency OR
6 STATE INSTITUTION OF HIGHER EDUCATION for allocation to other state
7 agencies OR STATE INSTITUTIONS OF HIGHER EDUCATION, the six-month
8 period ~~shall apply~~ APPLIES to the execution and encumbrance of a contract
9 by the agency OR INSTITUTION receiving the allocation and ~~shall begin~~
10 BEGINS to run from the date of the allocation by the agency OR
11 INSTITUTION that received the original appropriation. Nothing in this
12 paragraph (f) shall be construed to extend the duration of any
13 appropriation.

14 (g) This subsection (7) shall not apply to:

15 (I) A capital construction project at ~~an~~ A STATE institution of
16 higher education ~~including the Auraria higher education center~~
17 ~~established in article 70 of title 23, C.R.S.~~; that is to be constructed solely
18 from cash funds held by the institution or federal funds made available for
19 the project or a combination of the cash funds and the federal funds; or

20 **SECTION 28.** In Colorado Revised Statutes, **amend** 24-30-1405
21 as follows:

22 **24-30-1405. Public notice.** When professional services are
23 required to be contracted for, public notice shall be given by the state
24 agency OR STATE INSTITUTION OF HIGHER EDUCATION if the basic
25 construction cost of the project is estimated by the state agency OR STATE
26 INSTITUTION OF HIGHER EDUCATION to be more than one million dollars
27 or if the fee for professional services is estimated to exceed one hundred

1 thousand dollars. The public notice shall be given at least fifteen days
2 prior to the selection of the three or more most highly qualified persons
3 by the principal representative pursuant to section 24-30-1403 (2), and,
4 except for projects under the supervision of the department of
5 transportation, the public notice shall be given no later than eight weeks
6 after the date on which the appropriation for the project becomes law. The
7 public notice ~~shall~~ MAY be given by publication at least once in one or
8 more daily newspapers of general circulation in this state OR IN AN
9 ELECTRONIC MEDIUM APPROVED BY THE EXECUTIVE DIRECTOR OF THE
10 DEPARTMENT OF PERSONNEL. The public notice shall contain a general
11 description of the proposed project and shall indicate the procedure by
12 which interested persons may apply for consideration for the contract.

13 **SECTION 29.** In Colorado Revised Statutes, **amend** 24-30-1406
14 as follows:

15 **24-30-1406. Criminal liability.** (1) Any person, other than a
16 bona fide employee working solely for a person providing professional
17 services, who offers, agrees, or contracts to solicit or secure for any other
18 person ~~state agency~~ contracts for professional services WITH A STATE
19 AGENCY OR STATE INSTITUTION OF HIGHER EDUCATION and who, in so
20 doing, receives any fee, commission, gift, or other consideration
21 contingent upon or resulting from the making of the contract commits a
22 class 3 felony and shall be punished as provided in section 18-1.3-401,
23 C.R.S.

24 (2) Any person providing professional services who offers to pay
25 or does pay any fee, commission, gift, or other consideration contingent
26 upon or resulting from the making of a contract for professional services
27 with a state agency OR STATE INSTITUTION OF HIGHER EDUCATION

1 commits a class 1 misdemeanor and shall be punished as provided in
2 section 18-1.3-501, C.R.S.

3 (3) Any state agency OR STATE INSTITUTION OF HIGHER
4 EDUCATION official or employee who solicits or secures or offers to solicit
5 or secure a contract for professional services with a state agency OR
6 STATE INSTITUTION OF HIGHER EDUCATION and who is paid any fee,
7 commission, gift, or other consideration contingent upon the making of
8 such contract commits a class 1 misdemeanor and shall be punished as
9 provided in section 18-1.3-501, C.R.S.

10 **SECTION 30.** In Colorado Revised Statutes, **amend** 24-30-1407
11 as follows:

12 **24-30-1407. Prior existing design plans.** Notwithstanding any
13 other provision of this part 14 or of part 13 of this article, there shall be
14 no public notice requirement or utilization of the selection process as
15 provided for in this part 14 or in part 13 of this article for projects in
16 which the state agency OR STATE INSTITUTION OF HIGHER EDUCATION is
17 able to reuse existing drawings, specifications, designs, or other
18 documents from a prior project.

19 **SECTION 31.** In Colorado Revised Statutes, 24-37-304, **amend**
20 (1) (b), (1) (b.5), and (1) (c.3) as follows:

21 **24-37-304. Additional budgeting responsibilities.** (1) In
22 addition to the responsibilities enumerated in section 24-37-302, the
23 office of state planning and budgeting shall:

24 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c.3) OF THIS SUBSECTION
25 (1), ensure submission to the joint budget committee of the general
26 assembly by the deadlines set forth in section 2-3-208, C.R.S., of all
27 STATE agency requests for the upcoming year;

1 (b.5) EXCEPT AS PROVIDED IN PARAGRAPH (c.3) OF THIS
2 SUBSECTION (1), ensure submission to the joint budget committee of the
3 general assembly by the deadlines set forth in section 2-3-208, C.R.S., of
4 all STATE agency requests for supplemental appropriations for the current
5 fiscal year;

6 (c.3) (I) Except for projects authorized pursuant to section
7 23-1-106 (9) or (10), C.R.S., ensure submission of all capital construction
8 and controlled maintenance requests and proposals for the acquisition of
9 capital assets by each state department, institution, and agency to the
10 capital development committee no later than September 1 of each year;

11 (II) Submit the recommended priority of funding of capital
12 construction projects of all state departments, institutions, and agencies
13 to the capital development committee no later than November 1 of each
14 year;

15 (III) Ensure submission of all requests for supplemental
16 appropriations for capital construction and controlled maintenance
17 requests and proposals for the acquisition of capital assets by each state
18 department, institution, and agency to the capital development committee
19 no later than December 10 of each year.

20 <{ *This language needs to be amended so that the submission deadline*
21 *for state-funded requests is moved from September 1 of each year to*
22 *October 1. The language also needs to be amended so that the deadline*
23 *for cash-funded requests is September 15 of each year. Something*
24 *needs to be added to permit the submission of late budget requests due*
25 *to unforeseen or unknowable contingencies on December 10 of each*
26 *year (the existing deadline for regular supplemental requests).*
27 *Something also needs to be added that says these are the deadlines and*

1 *all projects are due by that deadline. There will then be an agreement*
2 *that OSPB (by letter?) will submit a full list of projects for the*
3 *upcoming budget cycle on September 1 of each year to CDC staff to use*
4 *for planning purposes only.*>

5 SECTION 32. In Colorado Revised Statutes, 24-48.5-312,
6 amend (3) (a) (I), (3) (a) (II), (3) (a) (III), and (4); and add (2) (b.5) as
7 follows:

8 **24-48.5-312. Art in public places program - allocations from**
9 **capital construction costs - guidelines - fund created - definitions.**

10 (2) (b.5) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS IN
11 SECTION 24-30-1301 (2).

12 (3) (a) (I) (A) Except as provided in subparagraph (III) of this
13 paragraph (a), each ~~capital construction~~ appropriation for a public
14 CAPITAL construction project ~~shall~~ MUST include as a nondeductible item
15 an allocation of not less than one percent of the state funded portion of
16 the total ~~capital~~ construction costs to be used for the acquisition of works
17 of art.

18 (B) AN APPROPRIATION FOR PROFESSIONAL SERVICES MAY
19 INCLUDE PLANNING FOR ACQUISITION OF WORKS OF ART AS REQUIRED
20 UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I). SUCH
21 APPROPRIATION MAY BE APPLIED TO THE FUNDING SPECIFIED IN
22 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I).

23 (II) (A) Except as provided in subparagraph (III) of this paragraph
24 (a), commencing after August 11, 2010, any capital construction project
25 that is the subject of a lease-purchase agreement, as defined in section
26 24-82-801 (4), that provides for lease payments from moneys that have
27 been appropriated in full or in part by the state ~~shall~~ MUST include as a

1 nondeductible item in the project budget an allocation of not less than one
2 percent of the total construction costs to be used for the acquisition of
3 works of art.

4 (B) AN APPROPRIATION FOR PROFESSIONAL SERVICES MAY
5 INCLUDE PLANNING FOR ACQUISITION OF WORKS OF ART AS REQUIRED
6 UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II). SUCH
7 APPROPRIATION MAY BE APPLIED TO THE FUNDING SPECIFIED IN
8 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II).

9 (III) The requirements specified in this paragraph (a) ~~shall~~ DO not
10 apply to:

11 (A) Capital construction appropriations covered by section
12 24-48.5-313;

13 (B) Agricultural facilities where livestock are housed or
14 agricultural products are grown;

15 (C) Capital construction appropriations for controlled
16 maintenance as defined in ~~section 24-30-1301 (2)~~ SECTION 24-30-1301
17 (4);

18 (D) Any lease-purchase agreements entered into by the state
19 treasurer on behalf of the state pursuant to article 43.7 of title 22, C.R.S.;

20 (E) Any construction by the Colorado department of public health
21 and environment for cleanup and redevelopment of contaminated sites;
22 ~~and~~

23 (F) Any state appropriation for charter school capital construction
24 pursuant to part 4 of article 30.5 of title 22, C.R.S.; AND

25 (G) CAPITAL CONSTRUCTION APPROPRIATIONS FOR CAPITAL
26 RENEWAL AS DEFINED IN SECTION 24-30-1301 (3).

27 (4) The office of state planning and budgeting ~~in both the~~

1 ~~planning and review stages in the construction of state buildings and other~~
2 ~~public facilities, shall be~~ IS responsible for insuring compliance with the
3 provisions of subsection (3) of this section.

4 **SECTION 33.** In Colorado Revised Statutes, 24-75-112, **amend**
5 (1) (a) (II) as follows:

6 **24-75-112. Annual general appropriation act - headnote**
7 **definitions - general provisions - footnotes.** (1) As used in the annual
8 general appropriation act, the following definitions and general provisions
9 shall apply for the headnote terms preceding and specifying the purpose
10 of certain line items of appropriation:

11 (a) (II) "Capital outlay" does not include those things defined as
12 capital construction, ~~by section 24-75-301 (1),~~ CONTROLLED
13 MAINTENANCE, OR CAPITAL RENEWAL IN SECTION 24-30-1301 (2), (3), AND
14 (4). <{*Does the definition of capital outlay make sense? JBC/CDC*
15 *discussion.*>

16 **SECTION 34.** In Colorado Revised Statutes, 24-75-201.1,
17 **amend** (1) (b) as follows:

18 **24-75-201.1. Restriction on state appropriations - legislative**
19 **declaration - definitions - repeal.** (1) (b) For the fiscal year 1984-85,
20 any amount of general fund revenues in excess of seven percent plus such
21 moneys as are necessary for reappraisals of any class or classes of taxable
22 property for property tax purposes as required by section 39-1-105.5,
23 C.R.S., and after retention of unrestricted general fund year-end balances
24 of one hundred million dollars, shall be placed in a special reserve fund
25 to be utilized for tax relief, for capital construction as defined in ~~section~~
26 ~~24-30-1301 (1)~~ SECTION 24-30-1301 (2), for construction, maintenance,
27 and repair of highways, for water projects, and for the cost of bringing

1 civil actions pursuant to the federal "Comprehensive Environmental
2 Response, Compensation, and Liability Act of 1980".

3 **SECTION 35.** In Colorado Revised Statutes, **amend** 24-75-301
4 as follows:

5 **24-75-301. Definitions.** As used in this part 3, unless the context
6 otherwise requires:

7 (1) "Capital construction" ~~means:~~ HAS THE SAME MEANING AS SET
8 FORTH IN SECTION 24-30-1301 (2).

9 (a) ~~Purchase of land, regardless of the value thereof;~~

10 (b) ~~Purchase, construction, or demolition of buildings or other
11 physical facilities, including utilities and state highways or remodeling or
12 renovation of existing buildings or other physical facilities, including
13 utilities and state highways to make physical changes necessitated by
14 changes in the program, to meet standards required by applicable codes,
15 to correct other conditions hazardous to the health and safety of persons
16 which are not covered by codes, to effect conservation of energy
17 resources, to effect cost savings for staffing, operations, or maintenance
18 of the facility, or to improve appearance;~~

19 (c) ~~Site improvement or development;~~

20 (d) ~~Purchase and installation of the fixed and movable equipment
21 necessary for the operation of new, remodeled, or renovated buildings and
22 other physical facilities and for the conduct of programs initially housed
23 therein upon completion of the new construction, remodeling, or
24 renovation;~~

25 (e) ~~Purchase of the services of architects, engineers, and other
26 consultants to prepare plans, program documents, life-cycle cost studies,
27 energy analyses, and other studies associated with any capital~~

1 ~~construction project and to supervise construction or execution of such~~
2 ~~capital construction projects;~~

3 ~~(f) Any item of instructional or scientific equipment if the cost~~
4 ~~will exceed fifty thousand dollars.~~

5 ~~(g) The purchase of services from the office of information~~
6 ~~technology on the condition that the use of such services is the most cost~~
7 ~~beneficial option or falls within the duties and responsibilities of the~~
8 ~~office or the office's chief information officer as described in sections~~
9 ~~24-37.5-105 and 24-37.5-106.~~

10 ~~(2) "Prepreliminary planning" means the initial review of a~~
11 ~~proposed project, as defined in subsection (1) of this section, by the~~
12 ~~division of planning for any of the following items:~~

- 13 ~~(a) Conformance with long-range development plans;~~
- 14 ~~(b) Technical and economic feasibility of the project;~~
- 15 ~~(c) Preparation of outline plans and specifications; and~~
- 16 ~~(d) Preparation of prepreliminary cost estimates.~~

17 ~~(2) "CAPITAL CONSTRUCTION APPROPRIATION" MEANS AN~~
18 ~~APPROPRIATION IN THE CAPITAL CONSTRUCTION SECTION OF THE ANNUAL~~
19 ~~GENERAL APPROPRIATIONS ACT AND MAY BE FOR CAPITAL CONSTRUCTION,~~
20 ~~CONTROLLED MAINTENANCE, OR CAPITAL RENEWAL.~~

21 ~~(3) "CAPITAL RENEWAL" HAS THE SAME MEANING AS SET FORTH IN~~
22 ~~SECTION 24-30-1301 (3).~~

23 ~~(4) "CONTROLLED MAINTENANCE" HAS THE SAME MEANING AS SET~~
24 ~~FORTH IN SECTION 24-30-1301 (4).~~

25 ~~(5) "STATE AGENCY" HAS THE SAME MEANING AS SET FORTH IN~~
26 ~~SECTION 24-30-1301 (17).~~

27 ~~(6) "STATE INSTITUTION OF HIGHER EDUCATION" HAS THE SAME~~

1 MEANING AS SET FORTH IN SECTION 24-30-1301 (18).

2 **SECTION 36.** In Colorado Revised Statutes, 24-75-302, **amend**
3 (1), (3.2), and (3.5); and **repeal** (3) as follows:

4 **24-75-302. Capital construction fund - capital assessment fees**
5 **- calculation.** (1) (a) There is hereby created the capital construction
6 fund. ~~to which shall be allocated such revenues as~~ THE FUND CONSISTS OF
7 MONEYS TRANSFERRED TO THE FUND BY the general assembly. ~~may from~~
8 ~~time to time determine.~~ Moneys in the capital construction fund may be
9 appropriated for capital construction, ~~as defined in section 24-75-301 (1),~~
10 ~~including the remodeling or renovation of existing buildings or other~~
11 ~~physical facilities designated as~~ CAPITAL RENEWAL, controlled
12 maintenance, ~~projects in the general appropriation act~~ OR STATE HIGHWAY
13 RECONSTRUCTION, REPAIR, AND MAINTENANCE PROJECTS AS REQUESTED
14 PURSUANT TO SECTION 43-1-113 (2.5), C.R.S.; except that any moneys
15 transferred to the capital construction fund for state highway
16 reconstruction, repair, and maintenance projects may only be appropriated
17 for such projects. The appropriation for such projects ~~shall~~ MUST be set
18 forth in a single line item as a total sum. All unappropriated balances in
19 ~~said~~ THE fund at the close of any fiscal year ~~shall~~ MUST remain ~~therein~~ IN
20 THE FUND and MAY not revert to the general fund. All ~~moneys~~ unexpended
21 or ~~not encumbered~~ UNENCUMBERED MONEYS from ~~the~~ A capital
22 construction fund appropriation to ~~each department~~ A STATE AGENCY OR
23 STATE INSTITUTION OF HIGHER EDUCATION for any fiscal year ~~shall revert~~
24 REVERTS to the capital construction fund at the end of the period for
25 which ~~such~~ THE moneys are appropriated. Except as provided in sections
26 2-3-1304 (1) (a.5) and 24-30-1303.7 (1), C.R.S., no portion of the
27 unexpended balance of a ~~department's~~ STATE AGENCY'S OR STATE

1 INSTITUTION OF HIGHER EDUCATION'S capital construction fund
2 appropriation may be used by ~~such department~~ THE STATE AGENCY OR
3 THE STATE INSTITUTION OF HIGHER EDUCATION for any additional projects
4 ~~which~~ THAT are beyond the scope or design of the original project without
5 further approval by the ~~general assembly~~ CAPITAL DEVELOPMENT
6 COMMITTEE of such additional project. Anticipation warrants may be
7 issued against the revenues of the fund as provided by law. Except as
8 provided in subsection (7) of this section, all interest earned from the
9 investment of moneys in ~~said~~ THE CAPITAL CONSTRUCTION fund ~~shall~~
10 MUST remain in ~~said~~ THE fund and become a part thereof.

11 (b) The unrestricted year-end balance of the capital construction
12 fund ~~created pursuant to paragraph (a) of this subsection (1)~~, for the
13 1991-92 fiscal year ~~shall constitute~~ CONSTITUTES a reserve, as defined in
14 section 24-77-102 (12), and, for purposes of section 24-77-103:

15 (I) Any moneys credited to the capital construction fund in any
16 subsequent fiscal year ~~shall~~ MUST be included in state fiscal year
17 spending, as defined in section 24-77-102 (17), for such fiscal year; and

18 (II) Any transfers or expenditures from the capital construction
19 fund in any subsequent fiscal year ~~shall~~ MAY not be included in state
20 fiscal year spending, as defined in section 24-77-102 (17), for such fiscal
21 year.

22 (3) ~~There is hereby created a special account within the capital~~
23 ~~construction fund established pursuant to subsection (1) of this section to~~
24 ~~be known as the "debt service repayment account". All net lottery~~
25 ~~proceeds distributed pursuant to section 33-60-103 (1) (c), C.R.S., by the~~
26 ~~state treasurer beginning with the fourth quarter of the 1992-93 fiscal year~~
27 ~~through the fourth quarter of the 1997-98 fiscal year shall be deposited in~~

1 ~~such account and expended in accordance with the terms specified in the~~
2 ~~documents originating the obligations set forth in section 33-60-103,~~
3 ~~C.R.S., or, if refunded, according to the terms of the documents~~
4 ~~originating such refunded obligations. All moneys unexpended or~~
5 ~~unencumbered in any fiscal year shall remain in the account. All interest~~
6 ~~earned from the investment of moneys in said account shall revert to the~~
7 ~~general fund.~~

8 (3.2) There is hereby created a special account within the capital
9 construction fund established pursuant to subsection (1) of this section to
10 be known as the emergency controlled maintenance account. The account
11 ~~shall consist~~ CONSISTS of any moneys appropriated to the account by the
12 general assembly. The moneys in the account ~~shall be~~ ARE subject to
13 annual appropriation and ~~shall~~ MAY be used only to fund any unplanned
14 and immediate controlled maintenance needs pursuant to section
15 24-30-1303.9 (5). All moneys unexpended or unencumbered in any fiscal
16 year ~~shall~~ MUST remain in the account.

17 (3.5) There is hereby created a special account within the capital
18 construction fund established pursuant to subsection (1) of this section to
19 be known as the "lease-purchase servicing account" for the benefit of the
20 department of personnel. The state treasurer shall deposit into the
21 lease-purchase servicing account all moneys transferred or received
22 pursuant to section 24-82-802 (9). Moneys in the lease-purchase servicing
23 account ~~shall be~~ ARE subject to annual appropriation and ~~shall~~ MAY only
24 be used to pay annual lease-purchase payments, as defined in section
25 24-82-802 (1) (a), for lease-purchase agreements authorized pursuant to
26 section 24-82-802 or for operating, maintenance, and controlled
27 maintenance costs and to establish a reserve for controlled maintenance

1 costs for the buildings subject to the lease-purchase agreements. All
2 interest and income derived from the investment and deposit of moneys
3 in the account shall be credited to the account. All moneys remaining in
4 the account at the end of a fiscal year that are unexpended or
5 unencumbered ~~shall~~ MUST remain in the account.

6 **SECTION 37.** In Colorado Revised Statutes, 24-75-302.5,
7 **amend** (1), (2) (c), and (2) (d) as follows:

8 **24-75-302.5. Controlled maintenance - trust fund - legislative**
9 **declaration.** (1) In light of the fluctuating amounts of state revenues
10 ~~which~~ THAT have been available for controlled maintenance purposes in
11 the past, the general assembly hereby finds and declares that a stable,
12 predictable, and consistent source of revenues for controlled maintenance
13 projects will better allow the state to fund such projects on a timely basis
14 and avoid higher replacement costs. In order to provide a consistent
15 source of revenues, the general assembly hereby further finds and
16 declares that it is appropriate to create a trust fund which will generate an
17 annual amount of interest which will be dedicated to controlled
18 maintenance.

19 (2) (c) Beginning with the 1996-97 fiscal year, the interest earned
20 on the principal of the trust fund balance may be appropriated for
21 controlled maintenance, as defined in section ~~24-30-1301(2)~~ 24-30-1301
22 (4), as follows: Up to fifty percent of the amount of interest expected to
23 be earned on the principal of the trust fund during the current fiscal year
24 as estimated by the state treasurer and the amount of interest actually
25 earned on the principal of the trust fund during the previous fiscal year as
26 certified by the state treasurer, not to exceed a maximum of thirty-five
27 million dollars in any fiscal year.

1 (d) The principal of the trust fund and any unappropriated interest
2 earned on the principal of the trust fund at the close of any fiscal year
3 ~~shall~~ MUST remain ~~therein~~ IN THE TRUST FUND and ~~shall~~ MAY not revert to
4 the general fund.

5 **SECTION 38.** In Colorado Revised Statutes, **amend** 24-75-303
6 as follows:

7 **24-75-303. Appropriation for capital construction.** (1) The
8 general assembly shall ~~appropriate for capital construction~~ MAKE A
9 CAPITAL CONSTRUCTION APPROPRIATION in such form, in such amounts,
10 and from such funds as it deems necessary and may appropriate either for
11 construction or for planning of any project.

12 (2) No CAPITAL CONSTRUCTION appropriation ~~for capital~~
13 ~~construction shall~~ MAY be made to or expended by any ~~department,~~
14 ~~agency, or institution of the state which~~ AGENCY OR STATE INSTITUTION
15 OF HIGHER EDUCATION THAT has not complied with the requirements of
16 section 24-30-1303.5, with respect to preparation and maintenance of a
17 state inventory of real property. ~~and improvements and other capital~~
18 ~~assets.~~

19 (2.5) No CAPITAL CONSTRUCTION appropriation ~~for capital~~
20 ~~construction shall~~ MAY be made to or expended by any ~~department,~~
21 ~~agency, or institution of the state~~ AGENCY OR STATE INSTITUTION OF
22 HIGHER EDUCATION that has not received approval of a facility
23 management plan for a vacant facility controlled by the state ~~department,~~
24 ~~agency or STATE institution OF HIGHER EDUCATION~~ pursuant to section
25 24-30-1303.5, unless the capital development committee exempts the
26 state ~~department,~~ agency or STATE institution OF HIGHER EDUCATION from
27 the provisions of section 24-30-1303.5 (3.5) (f). <{*What about section*

1 24-1-136.5?}>

2 (3) (a) A capital construction project for a ~~state-supported~~ STATE
3 institution of higher education that is estimated to require total
4 expenditures exceeding two million dollars ~~may not be~~ PAID FROM CASH
5 FUNDS OR OTHER NONSTATE MONEYS HELD BY THE INSTITUTION MUST BE
6 commenced ~~unless~~: PURSUANT TO SECTION 23-1-106, C.R.S.

7 ~~(I) The project:~~

8 ~~(A) Is to be constructed solely from cash funds held by the~~
9 ~~institution;~~

10 ~~(B) Is to be constructed in whole or in part using moneys subject~~
11 ~~to the higher education revenue bond intercept program established~~
12 ~~pursuant to section 23-5-139, C.R.S.; and~~

13 ~~(C) Has been approved by the Colorado commission on higher~~
14 ~~education pursuant to section 23-1-106 (10), C.R.S.; or~~

15 ~~(H) (A) The plan for the project was contained in the most recent~~
16 ~~unified, two-year capital improvements projection provided pursuant to~~
17 ~~section 23-1-106 (6) (b), C.R.S., as the projection may be amended from~~
18 ~~time to time;~~

19 ~~(B) The project has been approved by the governing board of the~~
20 ~~institution; and~~

21 ~~(C) The project is to be constructed, operated, and maintained~~
22 ~~solely from cash funds held by the institution, or the project is an~~
23 ~~academic building and is to be constructed solely from cash funds held by~~
24 ~~the institution, but may be operated or maintained using cash funds or~~
25 ~~state moneys appropriated for such purposes, or both.~~

26 (b) This subsection (3) shall not apply to any capital construction
27 project of a state-supported institution of higher education that requires

1 ~~an appropriation of state moneys from the capital construction fund~~
2 ~~created in section 24-75-302 (1).~~

3 (3.5) If a capital construction project for a ~~state-supported~~ STATE
4 institution of higher education is to be completed using a combination of
5 capital construction appropriations pursuant to this section and cash funds
6 or other nonstate moneys held by the institution, the institution may, at
7 any time prior to or after receiving the cash funds or other nonstate
8 moneys, earn the moneys appropriated from the state capital construction
9 fund. For any project funded in part by capital construction appropriations
10 pursuant to this section, if there are cash funds or other nonstate moneys
11 remaining after the project is completed, the institution shall refund
12 moneys to the state capital construction fund in proportion to the amount
13 of state capital construction moneys appropriated for the project.

14 (4) All contracts required as the result of a capital construction
15 appropriation shall be entered into in accordance with section 24-30-1404
16 (7).

17 **SECTION 39. In Colorado Revised Statutes, amend 24-75-304**
18 **as follows:**

19 **24-75-304. Legislative declaration.** It is declared to be the intent
20 of the general assembly in the passage of sections 24-75-304 to
21 24-75-306 AND 24-75-305, to provide for orderly management of state
22 funds and, as fiscal procedures may require, to temporarily augment the
23 general revenue funds of the state in order to insure prompt payment of
24 all warrants drawn against said general revenue funds pursuant to law.

25 **SECTION 40. In Colorado Revised Statutes, repeal 24-75-306**
26 **as follows:**

27 **24-75-306. Federal revenue sharing trust fund. (1) There is**

1 ~~hereby created in the office of the state treasurer the federal revenue~~
2 ~~sharing trust fund. All moneys received by this state from the general and~~
3 ~~special revenue programs of the federal government and the interest~~
4 ~~thereon shall be deposited to said fund. All funds and the interest thereon~~
5 ~~presently held by the state treasurer in the account known as the "federal~~
6 ~~revenue sharing trust fund" shall be transferred to the federal revenue~~
7 ~~sharing trust fund.~~

8 ~~(2) The general assembly may make appropriations out of said~~
9 ~~fund. Any amounts so appropriated shall be transferred by the state~~
10 ~~treasurer and the controller to the expending agency. All unappropriated~~
11 ~~balances in said fund at the close of any fiscal year shall remain therein~~
12 ~~and shall not revert to the general fund.~~

13 **SECTION 41.** In Colorado Revised Statutes, 24-82-101, **amend**
14 (3) (f) (XVII) as follows:

15 **24-82-101. Control of legislative space in the capitol, the**
16 **legislative services building, and the state office building at 1525**
17 **Sherman street - responsibility of department of personnel for**
18 **supervision of maintenance in capitol buildings group - exception -**
19 **capitol complex master plan.** (3) (f) For purposes of this subsection (3),
20 the "capitol complex" includes the following buildings, facilities, and
21 surface parking lots:

22 (XVII) Any other buildings, facilities, and surface parking lots
23 BELONGING TO THE CAPITOL COMPLEX acquired after May 28, 2013.

24 **SECTION 42.** In Colorado Revised Statutes, 24-82-102, **amend**
25 (2) (a) as follows:

26 **24-82-102. State authorized to acquire property -**
27 **disposition.** (2) (a) ~~Said~~ THE executive director OF THE DEPARTMENT OF

1 PERSONNEL, with the approval of the governor, may rent or lease any such
2 REAL property not presently needed for state use and, under any such
3 lease, with specific legislative authorization, may authorize the
4 construction by the lessee on such property of any improvement which
5 may be suitable for state use upon the termination of the lease, which
6 improvement ~~shall become~~ BECOMES the property of the state upon such
7 termination at no additional cost to the state unless such costs are paid
8 from funds appropriated by the general assembly or donated to the state
9 for the purpose.

10 <{*There will probably be sections added here from parts 8 and 12 of*
11 *article 82, title 24 to address inconsistencies related to management of*
12 *capital vs. operating leases.*>

13 SECTION 43. In Colorado Revised Statutes, 24-91-102, **add**
14 (1.5) as follows:

15 **24-91-102. Definitions.** As used in this article, unless the context
16 otherwise requires:

17 (1.5) "CONSTRUCTION" INCLUDES THE TERMS CAPITAL
18 CONSTRUCTION, CAPITAL RENEWAL, AND CONTROLLED MAINTENANCE AS
19 DEFINED IN SECTION 24-30-1301.

20 SECTION 44. In Colorado Revised Statutes, 24-91-103, **amend**
21 (1) (a) as follows:

22 **24-91-103. Public entity - contracts - partial payments.**

23 (1) (a) A public entity awarding a contract exceeding one hundred fifty
24 thousand dollars for the construction, alteration, or repair of any highway,
25 public building, public work, or public improvement, structure, or system,
26 INCLUDING REAL PROPERTY AS DEFINED IN SECTION 24-30-1301 (16), shall
27 authorize partial payments of the amount due under such contract at the

1 end of each calendar month, or as soon thereafter as practicable, to the
2 contractor, if the contractor is satisfactorily performing the contract. The
3 public entity shall pay at least ninety-five percent of the calculated value
4 of completed work. The withheld percentage of the contract price of any
5 contracted work, improvement, or construction may be retained until the
6 contract is completed satisfactorily and finally accepted by the public
7 entity.

8 **SECTION 45.** In Colorado Revised Statutes, 24-91-103.5,
9 **amend** (1) (b) as follows:

10 **24-91-103.5. Public entity - contracts - delay clauses -**
11 **definition.** (1) (b) As used in this subsection (1), "public works contract"
12 means a contract of the state, county, city and county, city, town, school
13 district, special district, or any other political subdivision of the state for
14 the construction, alteration, repair, or maintenance of any building,
15 structure, highway, bridge, viaduct, pipeline, public works, REAL
16 PROPERTY AS DEFINED IN SECTION 24-30-1301 (16), or any other work
17 dealing with construction, which ~~shall include~~ INCLUDES, but need not be
18 limited to, moving, demolition, or excavation performed in conjunction
19 with such work.

20 **SECTION 46.** In Colorado Revised Statutes, 24-92-102, **amend**
21 (2) as follows:

22 **24-92-102. Definitions.** As used in this article, unless the context
23 otherwise requires:

24 (2) "Construction contract" or "contract" means any agreement for
25 building, altering, repairing, improving, or demolishing any public project
26 of any kind. For the purposes of this article, the terms include capital
27 construction, CAPITAL RENEWAL, and controlled maintenance, as defined

1 in section 24-30-1301.

2 **SECTION 47.** In Colorado Revised Statutes, 24-92-104, **amend**
3 (1) introductory portion as follows:

4 **24-92-104. Exemptions - applicability.** (1) The provisions of
5 ~~section 24-92-103 shall~~ SECTIONS 24-92-103 AND 24-92-103.5 DO not
6 apply to:

7 **SECTION 48.** In Colorado Revised Statutes, 24-93-103, **amend**
8 (2) as follows:

9 **24-93-103. Definitions.** As used in this article, unless the context
10 otherwise requires:

11 (2) "Contract" means any agreement for designing, building,
12 altering, repairing, improving, demolishing, operating, maintaining, or
13 financing a public project. For purposes of this article, "contract" includes
14 capital construction as defined in ~~section 24-30-1301 (1)~~ SECTION
15 24-30-1301 (2).

16 **SECTION 49.** In Colorado Revised Statutes, 24-103-210, **amend**
17 (1) as follows:

18 **24-103-210. Use of foreign-produced goods - iron, steel, and**
19 **related manufactured products - disclosure - report - definitions.**

20 (1) The contractor for any public works project that is funded by a state
21 agency as defined in ~~section 24-30-1301 (12)~~ SECTION 24-30-1301 (18),
22 that does not receive any federal moneys, and that costs more than five
23 hundred thousand dollars shall, upon completion of the project, make a
24 good faith effort to disclose to the department of personnel the five most
25 costly goods incorporated into the project, including iron, steel, or related
26 manufactured goods; except that, for public projects under the
27 supervision of the department of transportation, the contractor shall

1 disclose such information to the department of transportation.

2 **SECTION 50.** In Colorado Revised Statutes, 24-105-202, **amend**

3 (1) introductory portion as follows:

4 **24-105-202. Contract performance and payment bonds.**

5 (1) When a construction contract is awarded in excess of one hundred
6 FIFTY thousand dollars, the following bonds or security shall be delivered
7 to the state and shall become binding on the parties upon the execution of
8 the contract:

9 **SECTION 51.** In Colorado Revised Statutes, 38-26-106, **amend**

10 (1) as follows:

11 **38-26-106. Contractor executes bond.** (1) A contractor who is
12 awarded a contract for more than fifty thousand dollars for the
13 construction, erection, repair, maintenance, or improvement of any
14 building, road, bridge, viaduct, tunnel, excavation, or other public works
15 for any county, city and county, municipality, school district, or other
16 political subdivision of the state, and a contractor who is awarded a
17 contract for more than one hundred FIFTY thousand dollars for the
18 construction, erection, repair, maintenance, or improvement of any
19 building, road, bridge, viaduct, tunnel, excavation, or other public works
20 for this state, before entering upon the performance of any such work
21 included in the contract, shall duly execute, deliver to, and file with the
22 board, officer, body, or person by whom the contract was awarded a good
23 and sufficient bond or other acceptable surety approved by the contracting
24 board, officer, body, or person, in a penal sum not less than one-half of
25 the total amount payable under the terms of the contract; except that, for
26 a public works contract having a total value of five hundred million
27 dollars or more, a bond or other acceptable surety, including but not

1 limited to a letter of credit, may be issued in a penal sum not less than
2 one-half of the maximum amount payable under the terms of the contract
3 in any calendar year in which the contract is performed. The contracting
4 board, office, body, or person shall ensure that the contract requires that
5 a bond or other acceptable surety, including but not limited to a letter of
6 credit, be filed and current for the duration of the contract.

7 **SECTION 52.** In Colorado Revised Statutes, 38-26-107, **amend**
8 (1) as follows:

9 **38-26-107. Supplier may file statement - notice - withholding**
10 **funds.** (1) Any person, as defined in section 2-4-401 (8), C.R.S., that has
11 furnished labor, materials, sustenance, or other supplies used or consumed
12 by a contractor or his or her subcontractor in or about the performance of
13 the work contracted to be done or that supplies laborers, rental machinery,
14 tools, or equipment to the extent used in the prosecution of the work
15 whose claim therefor has not been paid by the contractor or the
16 subcontractor may, at any time up to and including the time of final
17 settlement for the work contracted to be done, file with the board, officer,
18 person, or other contracting body by whom the contract was awarded a
19 verified statement of the amount due and unpaid on account of the claim.
20 If the amount of the contract awarded to the contractor exceeds ONE
21 HUNDRED fifty thousand dollars, the board, officer, person, or other
22 contracting body by whom the contract was awarded shall, no later than
23 ten days before the final settlement is made, publish a notice of the final
24 settlement at least twice in a newspaper of general circulation in any
25 county where the work was contracted for or performed or in an
26 electronic medium approved by the executive director of the department
27 of personnel. It is unlawful for any person to divide a public works

1 contract into two or more separate contracts for the sole purpose of
2 evading or attempting to evade the requirements of this subsection (1).

3 **SECTION 53.** In Colorado Revised Statutes, 43-1-113, **amend**
4 (2.5) as follows:

5 **43-1-113. Funds - budgets - fiscal year - reports and**
6 **publications.** (2.5) Annually on or before October 1, the commission
7 shall submit a ~~capital construction~~ request for state highway
8 reconstruction, repair, or maintenance projects to the capital development
9 committee to be funded from money transferred to the capital
10 construction fund pursuant to section 24-75-302 (2), C.R.S. Such request
11 ~~shall~~ MUST be made in accordance with section 2-3-1304 (1) (a.5), C.R.S.

12 **SECTION 54.** In Colorado Revised Statutes, **repeal** 24-30-
13 1303.1 and 24-30-1305 (9).

14 **SECTION 55. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.

Rep. Max Tyler, Chair
Rep. Bob Rankin
Rep. Jonathan Singer

Sen. Linda Newell, Vice-Chair
Sen. Owen Hill
Sen. Gail Schwartz



Joint Technology Committee

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



February 17, 2014

Senator Gail Schwartz
Chair, Capital Development Committee
State Capitol Building, Room 029
Denver, Colorado 80203

Representative Crisanta Duran
Chair, Joint Budget Committee
200 E. 14th Avenue, Third Floor
Denver, Colorado 80203

Dear Senator Schwartz and Representative Duran:

On February 14, 2014, the Joint Technology Committee (JTC) met and considered nine information technology (IT) capital budget requests for FY 2014-15. The committee voted to make the recommendations outlined in Table 1 to the Capital Development Committee and the Joint Budget Committee. For each IT project, the table lists the department or agency requesting funds, the project name, the FY 2014-15 costs of the project, whether there are state costs for the out years, and the status of the JTC's recommendation.

Following the table is a narrative explanation of the reservations or concerns the JTC raised about two of the recommendations. The committee chose not to discuss the Governor's Office of Information Technology request for funding for the modernization of the Colorado Financial Reporting System (COFRS). As a result, it does not appear in Table 1 or in the narrative that follows.

Table 1
FY 2014-15 IT Capital Budget Request Recommendations

Department	Project Name	FY 2014-15 Costs	Outyear State Costs?	Recommendation
Agriculture	eLicense Implementation	\$700,000 CF	No	Recommended
Corrections	Offender Management Information System	5,796,000 CCF	Yes	Recommended with reservations
Human Services	Electronic Health Record and Pharmacy System Replacement	9,849,610 CCF	Yes	Recommended
Labor and Employment	Workers' Compensation Mainframe Migration and Modernization	5,932,500 CF	No	Recommended
Office of Information Technology	Digital Trunked Radio System Software Upgrade	3,636,760 CCF	Yes	Recommended
Office of Information Technology	Statewide Leave, Time Tracking, and Human Resources Management System Modernization	16,070,000 CCF	No	Recommended
Public Health and Environment	Electronic Health Record System	3,274,079 CCF	Yes	Recommended
Public Health and Environment	Medical Marijuana Registration System	1,064,080 CF	No	Recommended
Revenue	Division of Motor Vehicles IT Systems Replacement	41,021,167 CCF	Yes	Recommended with reservations
	Total	\$79,647,616 CCF 7,696,580 CF \$87,344,196		

CCF - Capital Construction Fund
CF - Cash Funds
Source: Legislative Council Staff

Senator Gail Schwartz
Representative Crisanta Duran
February 17, 2014
Page 3

In discussing the request from the Department of Corrections for an offender management information system, the JTC raised concerns about whether the project is truly ready to proceed at this time and whether this is something that needs to happen in the FY 2014-15 budget cycle or whether it can wait. The committee suggested the possibility of using a phased-in approach and the department was unclear about whether such an approach would allow the department to take advantage of financial incentives available through the federal Affordable Care Act. Additionally, the committee was hoping to get more information from the department about the long-term cost benefits of implementing a new system; it encouraged the use of a customized off-the-shelf approach; and it asked what business process improvement evaluation has been initiated by the department.

In multiple discussions about the Department of Revenue's request for a new Division of Motor Vehicles IT systems replacement, the committee expressed concerns about the high cost of the project. The concerns are related to the procurement process used to secure the bid for this project and the fact that it seemingly did not include potential vendors for informational discussions that potentially could have resulted in lower anticipated costs.

If you have any questions or concerns about the JTC's recommendations, please call Jessika Shipley, Legislative Council Staff, at 303-866-3528.

Sincerely,



Representative Max Tyler
Chair, Joint Technology Committee

- c: Joint Technology Committee Members
- Capital Development Committee Members
- Joint Budget Committee Members
- Kori Donaldson, Capital Development Committee Staff
- John Ziegler, Joint Budget Committee Staff
- Amanda Bickel, Joint Budget Committee Staff
- Jessika Shipley, Joint Technology Committee Staff