



Division of Public School Capital Construction Assistance

BEST PROGRAM & Charter School Capital Construction Grant Program

This presentation can be found at:

<http://www.cde.state.co.us/cdefinance/CapConstCharterScls.htm>

DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE

Ted Hughes

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Visit the BEST website at:

<http://www.cde.state.co.us/cdefinance/CapConstMain.htm>



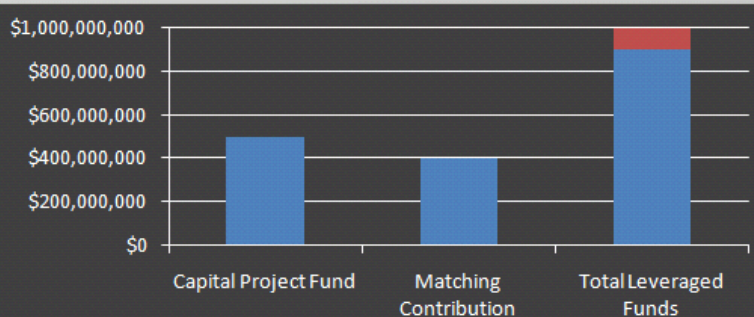
WHAT IS BEST?

- Pursuant to C.R.S. 22-43.7-101 thru 22-43.7-116 a program called Building Excellent Schools Today or BEST is established.



WHAT IS BEST?

- The BEST legislation (C.R.S. 22-43.7) increases the level of financial assistance provided to school districts, charter schools, institute charter schools, BOCES, and the Colorado School for the Deaf and Blind for capital construction projects.
- It is anticipated that BEST legislation will leverages \$30-40 million of revenue annually from the School Trust Lands, and additional State Lottery revenues, to provide \$500 million for capital projects including new schools, major renovations, additions and smaller projects. With local matching contributions, the \$500 million may be leveraged to as much as \$900 million or \$1 billion.
- It includes a nine-member Public School Capital Construction Assistance Board (Assistance Board) oversees what is known as the “BEST” legislation, approved by the 2008 Colorado State Legislature;



WHAT IS BEST?

- BEST is a competitive grant which occurs once a year;
- The BEST legislation addresses health and safety issues by providing funds to rebuild, repair or replace the State's most dangerous and most needy K-12 facilities;
- Part of the BEST plan called for a statewide facility assessment, an expert-guided process for the selection of schools and projects for funding;
- Hazards and issues being addressed include, but aren't limited to: failing roofs, structural problems, inadequate fire safety, faulty and dangerous boilers, asbestos, code issues, inadequate educational suitability, overcrowding, faulty and dangerous electrical service, poor indoor air quality, lack of ADA accessibility, and carbon monoxide contamination.



WHAT IS THE ASSISTANCE BOARD?

- A Public School Capital Construction Assistance Board (Assistance Board) is created in C.R.S. 22-43.7-106;
- The Assistance Board consists of nine appointed members who serve terms of two years and may serve up to three terms.



DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD (CCAB)

CCAB Members:

Mary Wickersham - Chair

Norwood Robb – Vice Chair

Mike Maloney - Secretary

Lyndon Burnett

Pete Jefferson

Greg Randall

Tom Stone

Dave Van Sant

Adele Willson



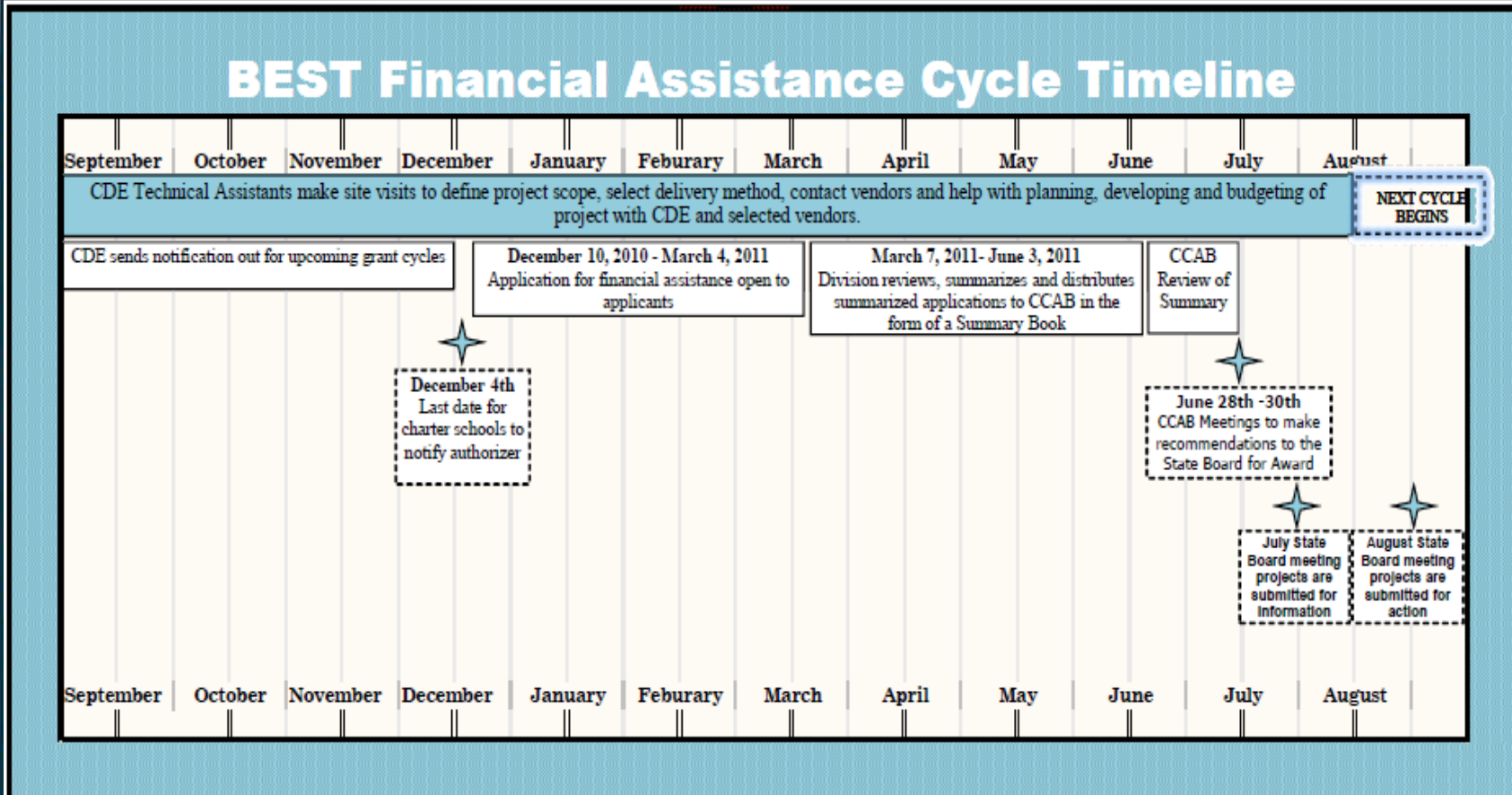
WHAT IS THE ASSISTANCE FUND?

- The public school capital construction assistance fund was created in C.R.S. 22-43.7-104;
- The Assistance fund is comprised of revenues from State Land Trust, Colorado Lottery, Matching Funds, and Interest on Funds.

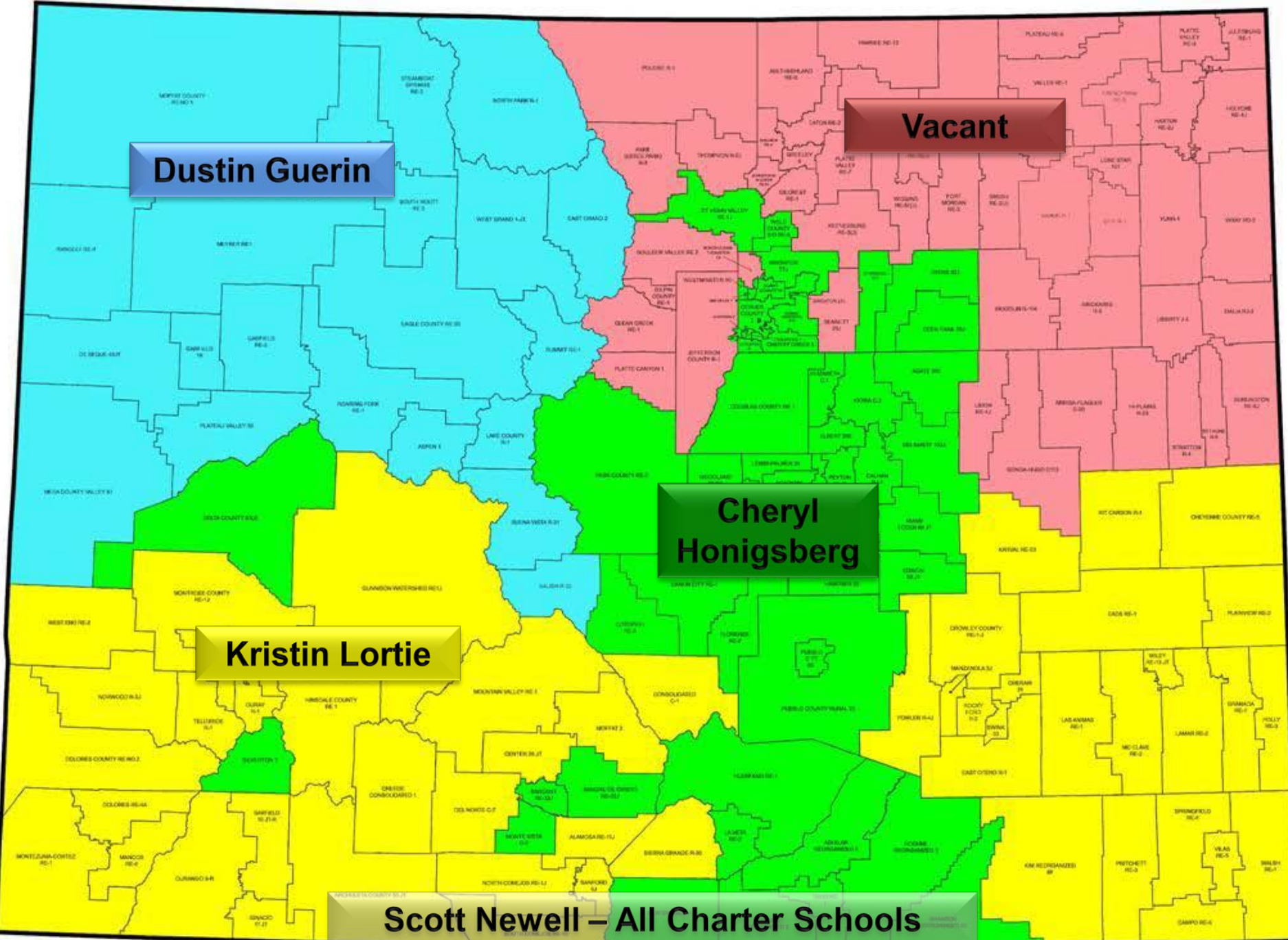


WHAT IS THE PROGRAM TIMELINE?

- Typically applications will be received in the spring and grants will be awarded in August.



BEST Technical Assistance Territory Map



Dustin Guerin

Vacant

Cheryl Honigsberg

Kristin Lortie

Scott Newell - All Charter Schools

WHAT TECHNICAL ASSISTANCE IS OFFERED?

- The Division offers technical assistance during all phases of a project, for example:
 - Pre BEST grant:
 - Site visits, project identification, scope determination, BEST grant application information, establishment of construction committee, assistance with RFQ;
 - During BEST grant:
 - Grant application review, consultant & vendor selection, pay request review;
 - Post BEST grant:
 - Partnered with Owner's Rep: Helpful information with maintenance, project management, construction review, warranty.



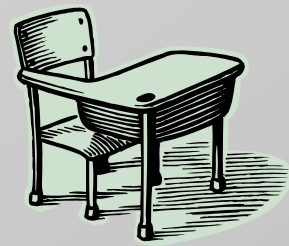
WHAT TYPE OF BEST GRANTS ARE THERE?

- There are two types of BEST grants:
 - BEST Cash Grants which are typically used to fund smaller projects like roofs, boiler replacements, fire alarms, etc;
 - BEST Lease Purchase Grants which are typically used to fund larger projects like new schools, major renovations, and additions. These grants are financed and financing is paid back with future assistance fund revenues.



WHO QUALIFIES AND WHAT TYPES OF PROJECTS QUALIFY?

- School Districts, Charter Schools, Institute Charter Schools, BOCES, and The Colorado School for the Deaf and Blind qualify for BEST;
- Pursuant to C.R.S. 22-43.7-109(5) projects qualify and are prioritized as follows:
 - Address safety hazards or health concerns at existing public school facilities, including public school facility security;
 - Relieve overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities;
 - Incorporate technology into the educational environment;
 - All other projects.



WHAT CRITERIA MUST CHARTER SCHOOLS MEET?

- Charter School and Institute Charter School requirements are as follows:
 - Chartered for at least 5 years on the date authorizer submits application per C.R.S. 22-43.7-103(7);
 - Charter School must have complied with all public school facilities construction guidelines addressing health and safety issues established by the Assistance Board pursuant to section C.R.S. 22-43.7-107(2)(a) at the time the charter school first occupied the facility per C.R.S. 22-43.7-109(1)(b);
 - Charter School to notify authorizer at least 3 months in advance of submitting application per C.R.S. 22-43.7-109(3);
 - Authorizer to submit application and administer funding per C.R.S. 22-43.7-109(3).



WHAT IS A GRANT APPLICATION?

- The grant application is used for a competitive grant process for K-12 Schools, Charter Schools, BOCES, and Colorado Schools for the Deaf and Blind;
- The CC-03 Grant Application form can be found at:
<http://www.cde.state.co.us/cdefinance/CapConstGrantAppProcess.htm>



WHAT IS A GRANT RESERVE?

- A grant reserve is added by the Division to the estimate in the application for conditions that could not have been anticipated at the time of application;
- Grant reserves can only be used if the issue could not have been anticipated by the applicant;
- To apply for a grant reserve you must fill out a grant reserve request form located at:
<http://www.cde.state.co.us/cdefinance/CapConstBEST.htm>
and include why the issue could not have been anticipated.



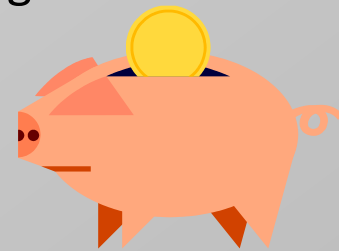
WHAT ARE MATCHING FUNDS?

- Pursuant to C.R.S. 22-43.7-109(9), BEST grants are matching grants and the statute provides criteria for calculating a matching percentage;
 - The calculated match percentages can be viewed at the CDE website.

ADAMS	STRASBURG 31J	44%
ADAMS	WESTMINSTER 50	24%
ALAMOSA	ALAMOSA RE-11J	17%
ALAMOSA	SANGRE DE CRISTO RE-22J	35%
ARAPAHOE	ENGLEWOOD 1	50%
ARAPAHOE	SHERIDAN 2	24%
ARAPAHOE	CHERRY CREEK 5	59%
ARAPAHOE	LITTLETON 6	63%
ARAPAHOE	DEER TRAIL 26J	61%
ARAPAHOE	ADAMS-ARAPAHOE 28-J	24%
ARAPAHOE	BYERS 32J	44%
ARCHULETA	ARCHULETA 50 JT	65%

HOW ARE MATCHING FUNDS CALCULATED FOR CHARTER SCHOOLS?

- The amount of per pupil revenue the charter school has budgeted to expend in order to meet its facilities obligations during the fiscal year for which an application is made relative to other charter schools in the State, measured both in terms of total dollars and as a percentage of the charter school's total per pupil operating revenue;
- Bond election effort and success over the last 10 years;
- The per pupil revenue received by the charter school from the State education fund for Capital Construction pursuant to section C.R.S. 22-30.5-112.3;
- The percentage of pupils enrolled in the school who are eligible for free and/or reduced-cost lunch.



WHAT IS THE STATEWIDE FACILITY ASSESSMENT?

The Assistance Board was required by C.R.S. 22-43.7-108 to conduct an assessment of all public schools in the State of Colorado. The Statewide Facility Assessment assessed public school facility capital construction projects based on:

- The condition of the public school facility;
- Air and water quality in the public school facility;
- Public school facility space requirements;
- The ability to accommodate educational technology, including but not limited to technology from individual student learning and classroom instruction;
- Site requirements for the public school facility;
- Public school facility demographics, including a five-year projection concerning anticipated substantial changes in the pupil count of individual public school facilities.





WHAT IS THE STATEWIDE FACILITY ASSESSMENT?

- The Statewide Facility Assessment includes a database to store the data. The data that was collected will be available to the public in a form that is easily accessible and complies with any federal or state laws or regulations concerning privacy. For more information, please visit: <http://www.cde.state.co.us/cdefinance/CapConstAssessment.htm>
- The Assistance Board used the public school facility construction guidelines pursuant to section C.R.S. 22-43.7-107 in conducting the Statewide Facility Assessment described in this section;
- The Statewide Facility Assessment commenced in February 2009 and was completed in March of 2010;
- For technical assistance regarding the Statewide Facility Assessment , please contact: Dustin Guerin.



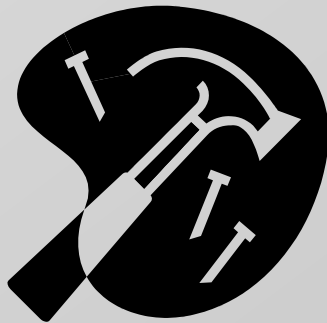
WHAT IS THE “VENDORS LIST”?

- This BEST Vendor List is a list of firms interested in performing public school capital construction work in Colorado.
- *The CDE has not prequalified nor recommended any of the firms listed. It is up to the applicant to go through a competitive RFQ process to determine which firm to select. This list is solely intended for the use of potential BEST Grant applicants and grantees. The listed companies do not give the CDE or any other agency viewing this list permission to market or solicit their company for any reason other than those related to a BEST Grant.*



CONSULTANT VENDOR SELECTION

- Consultants and vendors that may be involved with a BEST funded project are selected based on a fair and competitive process that is open to the public;
- Applicants should contact their Division representative to discuss the competitive selection process. Please provide both a narrative summary statement and supporting documentation to their Division representative once the process has been completed.



MASTER PLANNING

- A Master Plan is a comprehensive long range plan intended to guide growth and development. It includes analysis, recommendations, and proposals incorporating: economy, housing, transportation, community facilities and land use. It is based on applicant input, surveys, planning initiatives, existing development, physical characteristics, and social and economic conditions.



OWNER'S REPRESENTATIVE

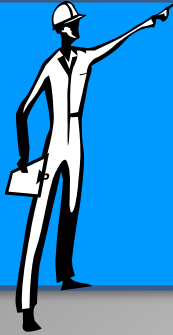
- An Owner's Representative is the person designated as the official representative of the applicant (also known as Construction Manager). They work with the applicant's best interests in mind. Owner's representatives usually have experience in both design and construction, using their experiences to solve problems and offer solutions. The Owner's Rep will control the overall coordination effort between the design team members. During construction they spend significant time on the construction site to recognizing and solving conflicts. When complicated issues arise, the Owner's Rep will explore all of the options, condense the information, and provide the applicant with options, along with a recommended course of action.



WHAT IS AN RFQ AND HOW IS IT SCORED?

- RFQ stands for Request for Qualifications
- It is scored on a number of criteria set forth in the RFQ and is based off of but not limited to the selection criteria set forth is the BEST FAQ;
 - There are a number of locations to advertise your RFQ Including:
 - The BEST list serve;
 - The Dodge Report;
 - The RFQ should be posed or accessible on the applicants website or equivalent;
 - Also consider local news papers.





WHAT IS THE HIGH PERFORMANCE CERTIFICATION PROGRAM (HPCP)?

In 2007 the General Assembly passed legislation with high performance requirements for state assisted buildings. The Office of the State Architect adopts and updates the HPCP.

- State-assisted facility means a facility constructed or a major facility constructed or renovated in whole, or in part, with state funds:
 - **Substantially renovated, designed, or constructed with at least 25% state funds;**
 - **Includes a HVAC system;**
- CDE is to achieve the highest performance certification possible:
 - A certification is defined as obtainable if the increased initial cost of the project, including the value of money, can be recouped for **decreased operational costs within 15 years**;
 - If the increased initial cost cannot be recouped within 15 years, an accredited professional shall assert in writing that as much as possible the substantial renovation has been consistent with the HPCP;
- If CDE estimates that the **increased cost will exceed 5%** of the total cost of the project a review will be required by assistance program staff;
- If the project is less than **5,000 sq.ft.**, it is subject to HPCP but certification may not be required.

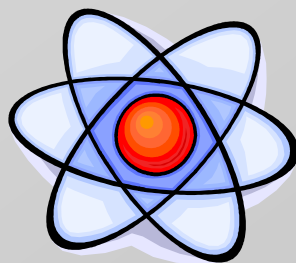


WHAT IS THE HIGH PERFORMANCE CERTIFICATION PROGRAM (HPCP)?

When signing and submitting an application, the applicant certifies understanding and compliance with the Office of the State Architects HPCP.

All projects that are funded with 25% or more state funding are required to conform with the High Performance Certification Program (HPCP) adopted by the Office of the State Architect if (check all that apply):

- The project includes a HVAC system;*
- If increased initial costs resulting from HPCP can be recouped by decreased operational costs within 15 years;*
- If the project is more than 5,000 sq.ft.;*
- The cost of the project is more than 25% of the replacement value of a renovated building;*
- If one or more items are checked the project may be required to target LEED Gold or Colorado Collaborative for High Performing Schools (CO-CHPS) certification as adopted by the Office of the State Architect and a thorough review of the HPCP requirements should be conducted;
- In all cases high performance design, scope, and cost must be considered in all grant applications.



HISTORICAL BUILDINGS

- Colorado Revised Statute 24-80.1-101 thru 108 requires state agencies such as the Colorado Department of Education (CDE) to consult with and take into consideration the comments of the Colorado Historical Society (CHS) on projects involving properties listed on the State Register of Historic Properties or properties having historical significance, to determine if the project would result in an adverse effect to the property;
- For the purposes of the BEST grant program, CDE and CHS are evaluating properties that are over 50 years and older to determine if they are eligible for listing on the State Register, if they are not already listed.



WHAT IS AN EMERGENCY GRANT?

- Pursuant to C.R.S. 22-43.7-104(4) for each fiscal year commencing on or after July 1, 2008, an emergency reserve of at least one million dollars shall be maintained in the assistance fund to be used for a public school facility emergency in accordance with section C.R.S. 22-43.7-109(8)
- “Public school facility emergency” means an unanticipated event that makes all or a significant portion of the building unusable for educational purposes or threatens the health or safety of the people using the facility.



WHAT SIGNAGE IS REQUIRED?

- The building must have a permanent sign that notes where the funds were received from;
- Sign could be incorporated into a project dedication plaque;
- If a temporary jobsite sign with name of project, contractor, architect, etc. is provided it shall include the same language.



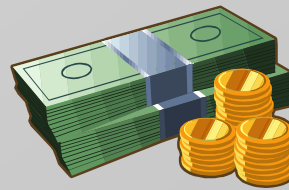
WHAT PERMITTING IS REQUIRED?

- As of January 01, 2010, the Colorado Division of Fire Safety has responsibility for building code compliance, plan review, building permitting, and inspection;
- Contact the Colorado Division of Fire Safety at:
Joe Montoya – School Program Manager
303 239-5862
joseph.montoya@cdps.state.co.us
Or visit their website at:
<http://www.dfs.state.co.us/schools.htm>



WHAT IS A “NON-BEST” CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT?

- Each year the State Education Fund provides an appropriation for Charter School and Institute Charter School Capital Construction. This funding can be used by the Charter School or Institute Charter School to pay for school construction, renovation, financing, purchasing or leasing of facilities.
- The purpose of this funding is to promote a safe and healthy learning environment for all Colorado students.



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

- State money appropriated from the State Education Fund;
- Appropriated annually;
- FY 2010-11 appropriation is \$5.0 million;
- Est. amount per pupil for FY10-11 \$95.00



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

The Charter School Capital Construction Funds Can Be Used For:

- Construction;
- Demolition;
- Remodeling;
- Financing;
- Purchase of land, buildings, or facilities;
- Leasing of land, buildings, or facilities.



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

The Charter School Capital Construction Funds Can *Not* Be Used For:

Routine maintenance such as custodial work, mowing, tree trimming, cleaning, etc;

Purchase of furnishings or equipment, unless the items are FF&E for new space funded with the capital construction funds.

CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

- Eligibility certification forms will be sent to the charter schools *once* a year. They must be filled out and returned every year;
- The forms will be sent out on CDE's Scoop and the CDE Charter School Unit's listserv;
- These forms are also available on our website at :
<http://www.cde.state.co.us/cdefinance/CapConstCharterScls.htm>



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

The forms are used to:

- To determine a charter schools eligibility for the funds;
- Compile data that CDE is required to collect by statute for the General Assembly and the State Auditor.



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

To Be Eligible for Charter School Capital Construction Funds a Charter School Must:

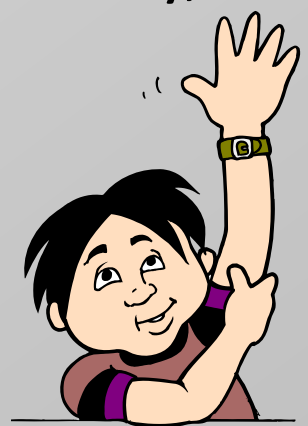
- *HAVE* capital construction needs;
- *IF* located in a district owned facility with construction needs, pupils will counted as .5 FTE;
- *ON-LINE* pupils will not be counted.
- *IF* in a State owned facility must be paying rent and have capital construction needs to be eligible. Not eligible, *IF* in a State owned facility and not paying rent or there are not capital construction needs.

CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

The Form Will Ask:



- Projected FTE count for next year;
- Projected FTE count for online pupils;
- If a new charter school is anticipated, and if so, if it will be in a district owned facility, or state owned facility.



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

Remember!

The form must be signed by:

The charter school or institute charter school

AND

The district or Charter Schools Institute.

Allow enough time!



FY2010-2011 CHARTER SCHOOL CAPITAL CONSTRUCTION FUNDING ELIGIBILITY QUESTIONNAIRE

School Information

Charter School: _____
 County: _____
 District / Institute Charter: _____
 School Code: _____

Contact Information

Name: _____
 School Address: _____
 Phone Number: _____
 Fax Number: _____
 Email Address: _____

IMPORTANT: The email address provided will be used to contact the school for the verification of the pupil count and funding amounts. You will not receive funding until we receive email verification back from you acknowledging the October 1 pupil count and FY2010-2011 payment amount. Please ensure this is a working, monitored email address.

SECTION I: Certification of Charter Schools Eligible for Capital Construction Funding FY2010-2011

- | | | | |
|---|------------------------------|-----------------------------|---|
| 1. Is your charter school located in a district owned facility? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | ? |
| 2. Is your charter school located in a facility that is listed on the state inventory of real property and improvements and other asset maintained by the department of personnel pursuant to section 24-30-1303.5, C.R.S.? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | ? |
| 2.a. If you answered yes to question 2, are you making lease payments? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | ? |
| 3. In order to qualify for funding, you must have capital construction needs in FY2010-2011. Do you have capital construction needs in FY2010-2011? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | ? |

SECTION II – Projection of Pupils in Eligible Charter Schools for FY2011-2012

- | | |
|---|--------------------------|
| 1. What is your projected pupil count (FTE) for all pupils NOT in on-line programs for FY2011-2012? | Pupil Count _____ |
| 2. What is your projected online pupil count (FTE) for FY2011-2012? | Online Pupil Count _____ |

SECTION III: FY2011-2012 New Charter Schools

- | | | | |
|--|------------------------------|-----------------------------|--|
| 1. Do you expect to start a new charter school in FY2011-2012? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 2. Will the new charter school be in a district owned facility? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 3. Will the charter school that will operate in FY2011-2012 be located in a facility that is listed on the state inventory of real property and improvements and other asset maintained by the department of personnel pursuant to section 24-30-1303.5, C.R.S.? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |

SECTION IV – Signatures

_____ District or Charter Institute Representative – Printed Name	_____ District or Charter Institute Representative Title
_____ Signature of District or Charter Institute Representative	_____ Date
_____ Charter School Representative – Printed Name	_____ Charter School Representative Title
_____ Signature of Charter School Representative	_____ Date

DUE DATE: December 2010

RETURN TO: Colorado Department of Education, Division of Capital Construction Assistance
 1525 Sherman St., Suite B17, Denver, CO 80203
 Attn: Scott Newell

For questions or concerns, please contact Scott Newell
 Direct: 303-866-6717 Fax: 303-866-6186 Email: newell_s@cde.state.co.us



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

- The appropriated amount will be divided by the statewide total qualifying FTE to determine a per pupil distribution amount;
- The per pupil amount will be multiplied by the number of qualifying FTE in each charter school to determine the amount to be distributed to each charter school and institute charter school;
- Est. amount per pupil for FY10-11 is \$95.00.



CHARTER SCHOOL CAPITAL CONSTRUCTION GRANT PROGRAM

- On July 31 of each year a form must be submitted reporting how much of the funding was spent and what it was spent on;
- If some of the grant funding was not used it must show in financial statements as deferred revenue, using grant code 3113, if the expenditure delay is approved by CDE. Or it may have to be returned;
- Remember, in order to qualify, certification was provided that there were capital construction needs. If the money isn't used, future funding may be withheld.



**USE OF FY 2010-2011 CHARTER SCHOOL CAPITAL CONSTRUCTION FUNDS
 LIST OF EXPENDITURES & PROJECT DESCRIPTION**

Date Due: July 31, 2011

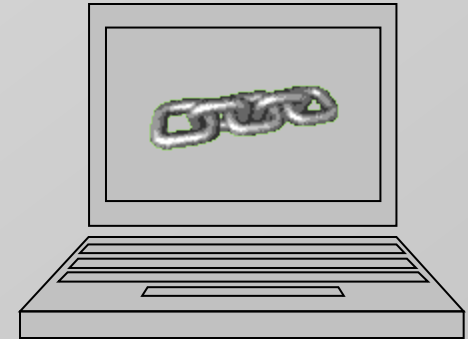
District and Charter School Information	
Charter School Name: _____	
District Name: _____	County: _____
Charter School Address: _____	
City: _____	Zip: _____
Person Preparing Report for Charter School: _____	Title: _____
Charter School Contact Email Address: _____	
Charter School Phone Number: _____	Fax Number: _____
Project Description of Capital Construction Expenditures	
Report of Capital Construction Expenditures as of June 30, 2011	
C.R.S. 22-64-124 (1)(a) "Capital Construction" means construction, demolition, remodeling, financing, purchasing, or leasing of land, buildings, or facilities used to educate pupils enrolled in or to be enrolled in a charter school.	
If more space is required, provide description on separate sheet.	
1 Construction Description: _____	AMOUNT EXPENDED: \$ _____
2 Demolition Description: _____	AMOUNT EXPENDED: \$ _____
3 Remodeling Description: _____	AMOUNT EXPENDED: \$ _____
4 Financing Description: _____	AMOUNT EXPENDED: \$ _____
5 Purchasing of Land, Buildings, or Facilities Description: _____	AMOUNT EXPENDED: \$ _____
6 Leasing of Land, Buildings, or Facilities Description: _____	AMOUNT EXPENDED: \$ _____
TOTAL DOLLAR AMOUNT EXPENDED: \$ 0.00	
If the charter school funds have not been spent in full, the school district (or Charter School Institute) and charter school must indicate why on an attachment to this form. The attachment must explain in detail:	
<ul style="list-style-type: none"> - what the funds are being spent on - when the project started and when it will be completed - and why the funds were not spent in the fiscal year for which they were allocated. 	
If the explanation is not approved by CDE, the unspent funds must be returned immediately.	
Signature of Authorized Representative Certifying Accuracy of This Information:	
Printed Name of Charter School Representative: _____	Title: _____
Signature of Charter School Representative: _____	Date: _____
Printed Name of District or Charter Institute Representative: _____	Title: _____
Signature of District or Charter Institute Representative: _____	Date: _____

Please Return to: Scott Newell; Colorado Department of Education; 1525 Sherman St.; Suite B17; Denver, CO 80203
 newell_s@cde.state.co.us Phone (303) 866-6717 / Fax (303) 866- 6186



HELPFUL LINKS

- Colorado Department of Education
 - http://www.cde.state.co.us/index_home.htm
- Governor's Energy Office (GEO)
 - <http://www.colorado.gov/energy/>
- Colorado Historical Society (CHS)
 - <http://www.coloradohistory.org/>
- Department of Local Affairs (DOLA)
 - <http://www.dola.state.co.us/>
- Greater Outdoors Colorado (GOCO)
 - <http://www.goco.org/>



QUESTIONS & ANSWERS

This presentation can be found at:

- <http://www.cde.state.co.us/cdefinance/CapConstCharterScls.htm>

