



POLICIES

Subject:	Capital Facilities Requests and Development
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304.1 Purpose

To ensure that capital development projects originate and proceed with collaboration, transparency, integrity, and operational clarity.

304.2 References

UCA 53B-2a-104, Utah System of Technical Colleges Board of Trustees – Powers and Duties
UCA 53B-2a-112, Technical Colleges – Relationships with Other Public and Higher Education Institutions – Agreements – Priorities – New Capital Facilities
UCA 63A-5-104, Definitions – Capital Development and Capital Improvement Process – Approval Requirements – Limitations on New Projects – Emergencies

304.3 Approval

UTech Board of Trustees approval: March 23, 2017. Revised: September 13, 2017; May 9, 2019.

304.4 Definitions

- 4.1 **Capital Facilities:** Land, land improvements, and any property attached to land including, but not limited to, buildings, other structures, parking lots, landscaping, etc.
- 4.2 **Capital Development and Capital Improvement:** The same as defined under UCA 63A-5-104.
- 4.3 **DFCM:** The Utah Division of Facilities Construction and Management.
- 4.4 **Building Board:** The Utah State Building Board.
- 4.5 **Technical Colleges Capital Facilities Fund:** A fund created by the legislature that may be used for a dedicated project or to pay debt service for a capital development project in accordance with UCA 63B, Chapter 1a, Master General Obligation Bond Act (debt service payments require a two-thirds majority vote of all legislators elected to each house).
- 4.6 **Dedicated Project:** A capital development project for which funds from the Technical Colleges Capital Facilities Fund are requested or used.
- 4.7 **Nondedicated Project:** A capital development project for which state funds from a source other than the Technical Colleges Capital Facilities Fund are requested or used.

304.5 Capital Development Projects

- 5.1 **Board of Trustees Responsibility:** Per UCA 53B-2a-104, the Board of Trustees shall receive funding requests pertaining to capital facilities and land purchases from each technical college for all dedicated and nondedicated projects, ensure that the requests comply with UCA 53B-2a-112, prioritize the requests, and submit the prioritized requests



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to the Governor, the Infrastructure and General Government Appropriations Subcommittee, the Higher Education Appropriations Subcommittee, and the Building Board for the Building Board's recommendation (for all projects) and prioritization (for nondedicated projects only).

5.2 Office of the Commissioner: The Office of the Commissioner shall be directly involved in all capital development projects within the UTech system, from ascertaining need through substantial completion.

5.2.1 Request Phase: The Office of the Commissioner shall facilitate the process by which the Board of Trustees hears, prioritizes, and submits capital development projects.

(a) *Request Development:* The Office of the Commissioner shall receive any official documents pertaining to the official process for requesting funding required by DFCM, the Building Board, or the legislature at the time such documents are submitted.

(b) *Board of Trustees Prioritization:* The Office of the Commissioner shall facilitate the presentation of capital development priorities to the Board of Trustees. The Board of Trustees shall prioritize funding requests for capital development projects based on:

- (i) Growth and capacity;
- (ii) Effectiveness and support of critical programs;
- (iii) Cost effectiveness;
- (iv) Building deficiencies and life safety concerns; and
- (v) Alternative funding sources.

(c) *Project Changes:* Once the Board of Trustees has officially prioritized projects for the upcoming fiscal year, any changes proposed by a college to size, scope, or projected cost shall be provided to the Office of the Commissioner immediately to determine whether Board of Trustees or other action is necessary.

(d) *Request Presentations:* The Office of the Commissioner shall be represented whenever practical at capital development presentations to the Building Board and legislative committees, participating where appropriate.

(e) *Alternative Funding Sources:* The Office of the Commissioner shall verify the existence and source of any funding outside of requested State-appropriated funds prior to the use of any such funding to promote a capital



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development project. Non-appropriated funding shall not create a future liability for the state or a technical college, and must be given to a college with no expectation of repayment.

- 5.2.2 Construction Phase:** Once funding is obtained for a capital development project, the Office of the Commissioner shall continue to provide support by periodically attending construction meetings, visiting the capital development sites, and reporting progress and any issues to the Board of Trustees.

304.6 Capital Improvements

The Office of the Commissioner shall be apprised of all capital improvement projects presented to DFCM or the Building Board at the time any required documents are supplied to DFCM or the Building Board.