

NEW MEXICO
HIGHER EDUCATION
DEPARTMENT



Fostering Student Success from Cradle to Career

CAPITAL OUTLAY ANNUAL TRAINING

APRIL 5, 2023



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- CAPITAL PROJECTS DIRECTOR
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OVERVIEW

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Fostering Student Success from Cradle to Career

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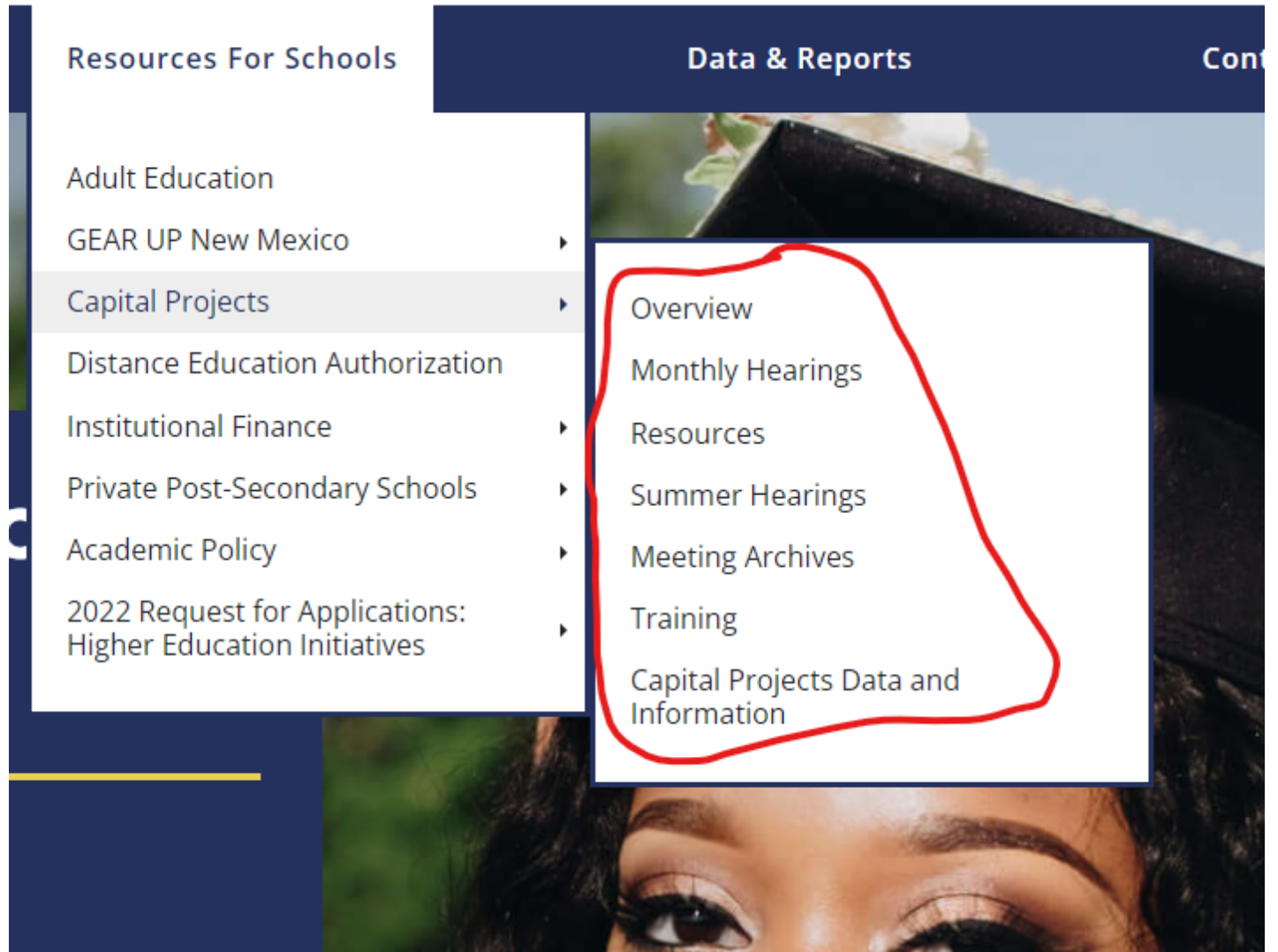
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Overview

The New Mexico Higher Education Department (NMHED), through its Capital Projects Division, has a statutory responsibility to provide an equitable recommending capital outlay funding for public post-secondary institutions each year. The NMHED Capital Outlay Committee, chaired by Dr. Gerald representatives from the NMHED, Department of Finance and Administrations Capital Outlay Bureau, Legislative Finance Committee, and Energy an Resources Energy Conservation and Management Division, holds annual hearings throughout the state. Higher education institutions present their t their five-year capital plan to the committee. The committee reviews and prioritizes all project requests, using the criteria established within NMAC ! and Funding Recommendations, and presents funding recommendations to the NMHED Cabinet Secretary for approval.

The Capital Projects Division also manages the day-to-day aspects of the higher education capital outlay program, which includes compliance with E Establishing Uniform Funding Criteria and Grant Management and Oversight Requirements for Grants of State Capital Outlay Appropriations by Stat and NMAC 5.3.10 Capital Projects Approval by the New Mexico Higher Education Department. In compliance with these requirements, NMHED estat between the Department and its grantees, monitors the grant agreement requirements, processes financial draws through the State Board of Finan Education Capital Outlay Committee hearings where projects are reviewed and approved prior to construction.

STAFF

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NMHED CAPITAL OUTLAY COMMITTEE

- Dr. Gerald Burke, Committee Chair
- Gerald Hoehne, New Mexico Higher Education Department, Capital Projects Director, Member
- Dr. Harrison Rommel, New Mexico Higher Education Department, Director of Academic Finance, Member
- Wesley Billingsley, Department of Finance and Administration Capital Outlay Bureau, Member
- Harold Trujillo, Energy, Minerals and Natural Resources Department, Member
- Nina Chavez, Legislative Finance Committee, Member

OVERVIEW

MONTHLY HEARINGS

2023 Calendar of Events

[2023 Capital Outlay Committee Open Meetings Act Policy Resolution](#)

2023 Capital Outlay Committee Monthly Hearings

<u>REQUEST DEADLINE</u>	<u>HEARING DATE</u>	<u>AGENDA</u>	<u>ACTIONS</u>	<u>MINUTES</u>
December 12, 2022	January 11, 2023	PDF	PDF	
NO HEARING	February - Legislative Session			
NO HEARING	March - Legislative Session			
March 13, 2023	April 12, 2023			
April 10, 2023	May 10, 2023			
May 15, 2023	June 14, 2023			
June 12, 2023	July 12, 2023			
NO HEARING	August - Summer Hearings			
August 14, 2023	September 13, 2023			
September 11, 2023	October 11, 2023			
October 9, 2023	November 8, 2023			
November 13, 2023	December 13, 2023			

If you are looking for meeting archives please click here to be redirected to the Archives Webpage

[MEETING ARCHIVES](#)

Monthly Project Approval Information

[NMAC 5.3.10 Capital Projects Approval by the New Mexico Higher Education Department](#)

[Capital Outlay Monthly Project Approval Forms](#)

[Capital Outlay Monthly Project Presenter Form](#)

[Certification of Adequate Parking](#)

CPTSS Project Upload Link: <https://cptss.nmhed.us>

CPTSS Webinar Training Link: <https://youtu.be/OdSTit7t1EO>



RESOURCES



Draw Request Information

[NMAC 2.61.6 Bond Project Disbursements](#)

[Draw Request Procedure](#)

[NMHED Draw Request and Certification Form](#)

[NMHED Project Approval Verification Form](#)

[Notice of Obligation Procedure](#)

[Notice of Obligation Form - Fillable](#)

[Itemized List for Draw Requests](#)

RESOURCES

Draw Request Information - FY23 BR&R Funding

[NMHED BR&R Draw Request Procedures](#)

[NMHED BR&R Certification Form](#)

[NMHED Draw Request and Certification](#)

[NMHED - BR&R Final Report of Expenditures](#)



Academic Library Information

[2022 Approved NMCAL Expenditures Guidelines](#)

[2018 General Obligation Bond Distribution Schedule](#)

[2020 General Obligation Bond Distribution Schedule](#)

Summer Hearings

The NMHED Capital Outlay Summer Hearings are held annually in different regions throughout the state. These hearings provide Higher Education Institutions, Special Schools, and Tribal Colleges and Universities the opportunity to present capital outlay project funding requests that are considered to be of greatest need to both the state and the institution. These projects are reviewed by the NMHED capital outlay committee, scored, and prioritized. The committee creates a capital outlay funding recommendation for approval by the NMHED Cabinet Secretary. Once approved, the recommendation is submitted to the Department of Finance and Administration as part of the statewide state agency capital outlay request process.

[The deadline to submit projects to the NMHED is June 1, 2023](#)

Capital Funding Request and Management System (CFRMS)

The CFRMS serves as the web portal for Higher Education Institutions, Special Schools, and Tribal Colleges and Universities to submit their annual capital outlay funding requests as well as updates to their five year capital plans, fall end-of-term student enrollment, and space inventory to the NMHED. The information is stored within the CFRMS and serves as the NMHED's statewide database on higher education funding and facilities. To access click on link below:

[CFRMS](#)

[NMHED Manual](#) New Mexico Higher Education Department Instruction Manual for Annual Capital Outlay Funding Requests

The primary purpose of these instructions is to outline the process for requesting State funds for higher education capital construction and capital renewal projects. The New Mexico Higher Education Department is responsible for establishing a process by which the higher education department will evaluate and prioritize each capital construction/capital renewal project request developed by institutions and to make funding recommendations to the New Mexico Department of Finance and Legislature annually.

[NMHED Manual](#)

SUMMER HEARINGS

SUMMER HEARINGS

2023 Capital Outlay Summer Hearing Information

[Agenda \(PDF\)](#)

South Region

Tuesday, July 25, 2023
Southeast New Mexico College -
Carlsbad, New Mexico

East Region

Wednesday, July 26, 2023
Eastern New Mexico University -
Portales, New Mexico

Central Region

Thursday, July 27, 2023
University of New Mexico - Valencia -
Los Lunas, New Mexico

North Region

Tuesday, August 1, 2023
Santa Fe Community College - Santa
Fe, New Mexico

Tribal Colleges and Universities

Wednesday, August 2, 2023
Institute of American Indian Arts -
Santa Fe, New Mexico

Forms

[01 - 01 - 2023 Submittal Certification \(PDF\)](#)

[02 - 02 - 2023 Status of All Active Projects \(XLSX\)](#)

[03 - 03 - 2023 Status of All Closed Projects \(XLSX\)](#)



Institutions Annual I&G Inform

[2022 I&G Spreadsheet - All Institutions](#)

[2021 I&G Spreadsheet - All Institutions](#)

[2020 I&G Spreadsheet - All Institutions](#)

[2019 I&G Spreadsheet - All Institutions](#)

[2018 I&G Spreadsheet - All Institutions](#)

[2017 I&G Spreadsheet - All Institutions](#)

CAPITAL PROJECTS DATA AND INFORMATION

NMHED Funding Recommendations

[2022 - FY24 - Capital Outlay Funding Recommendations](#)

[2021 - FY23 - Capital Outlay Funding Recommendations](#)

[2020 - FY22 - Severance Tax Bond Recommendations](#)

[2019 - FY21 - General Obligation Bond Recommendations](#)

[2018 - FY20 - Severance Tax Bond Recommendations](#)





NMHED Reports and Policies

[Capital Outlay Process Review](#)

[NMHED Space Policy](#)

[NMHED Pro-Rata Space Calculation Form](#)

CAPITAL PROJECTS DATA AND INFORMATION

THANK YOU

Stephanie M. Rodriguez, MCRP

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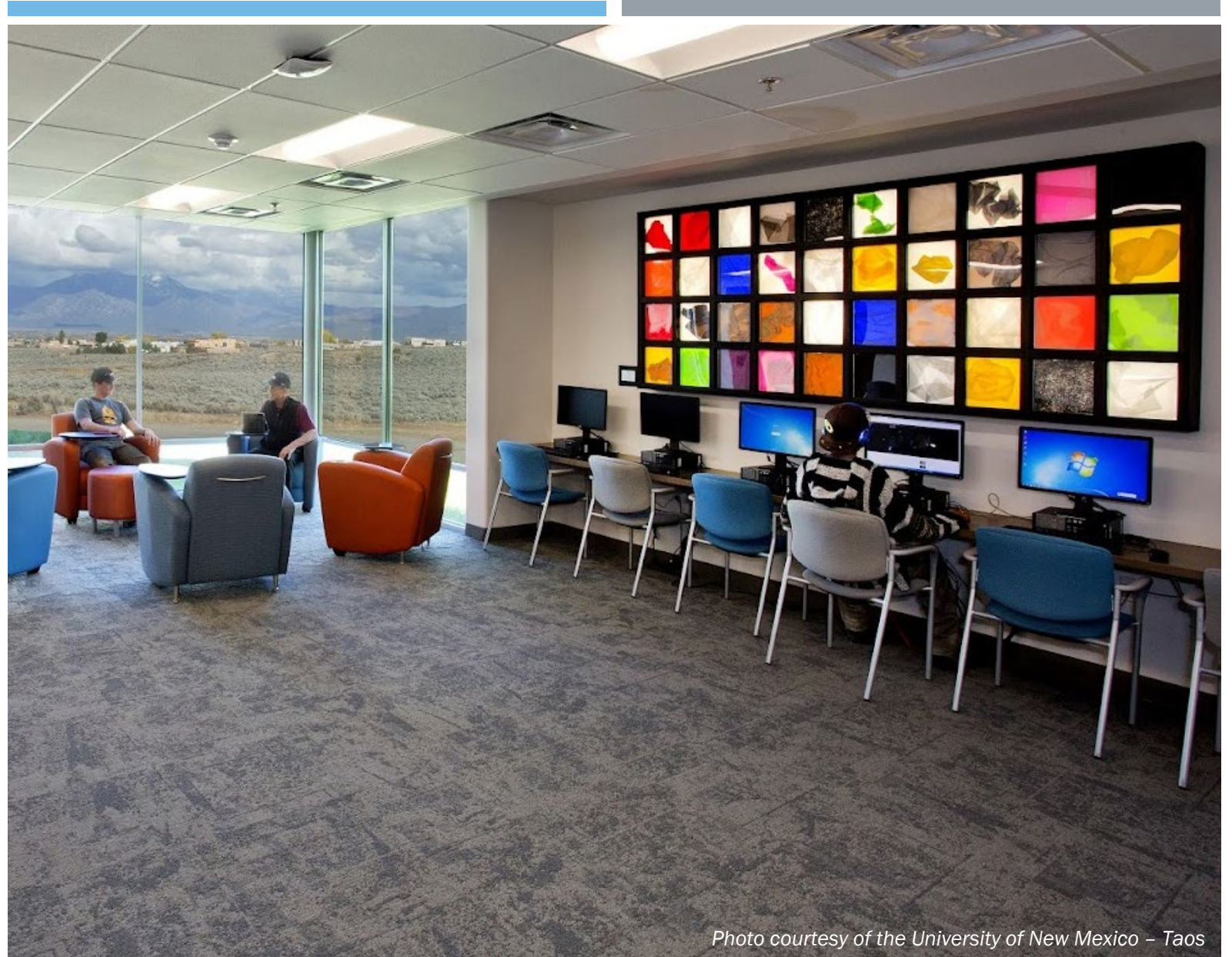


Photo courtesy of the University of New Mexico – Taos

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 3 POST-SECONDARY EDUCATION INSTITUTION FINANCES
PART 9 CAPITAL BUDGETS - PLANNING AND FUNDING RECOMMENDATIONS

5.3.9.1 ISSUING AGENCY: State of New Mexico Higher Education Department.
 [12/31/98; 5.3.9.1 NMAC - Rn & A, 5 NMAC 3.9.1, 07/31/05]

5.3.9.2 SCOPE: All public post-secondary educational institutions operating within and receiving financial support from the state of New Mexico.
 [12/31/98; 5.3.9.2 NMAC - Rn, 5 NMAC 3.9.2, 07/31/05]

5.3.9.3 STATUTORY AUTHORITY: Authority for 5.3.9 NMAC is found in NMSA 1978 Sections 12-1-21.
 [12/31/98; 5.3.9.3 NMAC - Rn, 5 NMAC 3.9.3, 07/31/05]

5.3.9.4 DURATION: Permanent.
 [12/31/98; 5.3.9.4 NMAC - Rn, 5 NMAC 3.9.4, 07/31/05]

5.3.9.5 EFFECTIVE DATE: December 31, 1998, unless a later date is cited at the end of a section.
 [12/31/98; 5.3.9.5 NMAC - Rn & A, 5 NMAC 3.9.5, 07/31/05]

5.3.9.6 OBJECTIVE:

A. The objective of 5.3.9 NMAC is to establish a process by which the higher education department will review capital outlay funding recommendation packages developed by institutions and present those to the higher education department and submit those approved to the legislature annually.

B. The purpose of 5.3.9 NMAC is to provide public higher education institutions with an equitable process by which the department can review packages from institutions that contain capital projects, listed in priority order, that are considered to represent the greatest needs of the state and of the institutions. The higher education department, will review requests for capital outlay funding submitted by postsecondary institutions and special constitutional schools, recommend the projects in priority order, and present funding recommendations for approval by the department.

[12/31/98; 5.3.9.6 NMAC - Rn & A, 5 NMAC 3.9.6, 07/31/05]

5.3.9.7 DEFINITIONS: [RESERVED]

5.3.9.8 REVIEW CRITERIA:

A. Reviewing and recommending: In reviewing and recommending capital project requests, the higher education department will be guided by the general criteria listed below. Specific determinants for evaluating the projects may vary from year to year as the immediate capital needs of the institutions evolve and as requirements for code compliance are revised. These influences will be explained each year in the capital project recommendations document prepared for the New Mexico legislature. In general, the higher education department will give preference to the following types of projects:

- (1) projects which are strongly related to instructional programs and which support an institutions mission and particular role;
- (2) projects to provide high quality educational settings which represent up-to-date technologies;
- (3) projects which are necessary to accommodate enrollment growth;
- (4) projects to address major health and safety problems and elimination of physical barriers to handicapped persons;
- (5) projects resulting from unforeseen conditions that if uncorrected would result in major property deterioration;
- (6) projects to renovate facilities or to make wise use of other existing resources whenever feasible and economical;
- (7) projects to improve utilities systems or building energy efficiency that will result in rapid capitalization of initial costs and long-term reduction of energy costs;
- (8) projects for which there is no other available or more appropriate funding source, such as building renewal and replacement funds, local bonds, revenue bonds, auxiliary revenues, or research revenues.

B. Projects eligible for capital outlay recommendation: Capital outlay projects which are primarily used to support the following activities are eligible for consideration by the higher education department for state funding:

- (1) Instruction: Instructional space includes classrooms, laboratories, other teaching facilities, and office space for faculty deans, and instructional department heads and related clerical staff.
- (2) Library: All activities necessary to operate libraries are eligible.
- (3) Administration services: All activities related to student services or institutional administration are included in this category (e.g., admissions, administrative vice presidents, comptroller, computer center, dean of students, maintenance work shops, placement services, university architect, vocational director).
- (4) Research: Only four-year institutions may submit requests for state funds for capital outlay projects to house research activities which will enhance fulfillment of the institution's mission. All sponsored research and organized research units, including administration and management of research activities, may qualify for support.
- (5) Public service: Institutions may submit requests for state funds for capital outlay projects to house public service activities. Eligibility under this category is limited to sponsored public service activities and organized public service units, such as public broadcasting services, small business development centers, and cooperative extension services. See Subsection C of 5.3.9.8 NMAC below for activities not eligible for state funding.

(6) Physical plant: Circulation and support space, such as halls, restrooms, and mechanical equipment rooms, for buildings housing eligible activities will be included in all capital outlay projects. In addition, the following types of projects are eligible for consideration: stand-alone utility structures such as heating and cooling plants, electric substations, and utility tunnels; physical plant shops offices and storage areas; and site improvements for infrastructure systems such as roads, parking lots, drainage or storm sewers, water or wastewater, telecommunications cables, or heating/cooling loops.

(7) Multi-use facilities: Capital projects with buildings that house more than one activity, one or more of which are eligible for state funding, may be submitted. However, only space devoted to eligible activities may be considered for state funding. A plan for funding the ineligible space from non-state sources must be included with the proposed project. For individual projects with common space used for both eligible and ineligible activities, state funding will be prorated based upon the percentage of time and amount of space allocated to eligible activities; the balance must be supported from other sources. (See the proration formula in Subsection D of 5.3.9.8 NMAC.)

(8) Land acquisitions: Land to be used for eligible activities will be considered for state funding.

C. Projects ineligible for capital outlay recommendation: Capital outlay projects which are primarily used for the following activities are not eligible for higher education department recommendation:

- (1) Non-instructional athletics, such as intercollegiate sports. Examples of ineligible facilities are Pan American center at NMSU and the UNM arena.
- (2) Recreational or entertainment events, for either students or the general public. Single purpose auditoriums such as Popejoy hall at UNM are ineligible.
- (3) All auxiliaries, such as bookstores, golf courses, student unions, student housing, etc. These operations are not eligible for state funding and are expected to be fully self-supporting and self-liquidating from the revenues generated by their operations.

D. Proration of funding: When a multi-use building will be used for both eligible and ineligible activities, the funding request must be prorated between state and other sources according to the amount of time and space devoted to eligible vs. ineligible activities. For example: A new fine arts building is being proposed with a total of 70,000 gross square feet (GSF) at a cost of \$80/GSF, for a total of \$5,600,000. Net assignable square feet (NASF) within the building will be 56,000. Of this amount, 35,000 NASF will be used by activities eligible for state funding; 15,000 NASF will be multi-use 60 percent of the time for eligible activities (instruction) and 40 percent of the time for ineligible activities (community concerts); and 6,000 NASF is ineligible. To determine the portion of the total capital project that is eligible for consideration for state funding, the following formula is used:

- (1)
$$\frac{(ES + (MU \times EU))}{NASF} \times GSF \times \text{cost per GSF} = \text{State funding for eligible space}$$
- (2)
$$\frac{(35,000 + (15,000 \times .60))}{45,000} \times 70,000 \times \$80 = \$4,400,000$$
- (3) ES = Eligible net assignable square feet
- (4) MU = Multi-use net assignable square feet
- (5) EU = Eligible use (percent of available time used for eligible activities)

(6) NASF = Net assignable square feet

(7) GSF = Gross square feet

E. Exceptions for two-year colleges: Space for certain functions that are ineligible for state funding at four-year institutions, such as bookstore operations, food services, community services, and student social, cultural, recreational activities, may be included as a portion of capital projects submitted by two-year colleges. The rationale for this exception is that two-year colleges usually do not have large-scale auxiliary enterprises which can provide an adequate revenue stream for financing auxiliary facilities. These exceptions apply only if a two-year college has provided the required local match of 25 percent as described in the following Subsection F of 5.3.9.8 NMAC.

F. Required local match: For two-year institutions, the higher education department requires local matching participation in the amount of 25 percent of the total cost for each project or group of projects. However, the higher education department may waive or reduce the 25 percent matching requirement if the institution is not authorized to issue local general obligation bonds, is at maximum bonding capacity, or has already contributed from local sources at least 25 percent of all construction costs, including the cost of the proposed project.
[12/31/98; 5.3.9.8 NMAC - Rn & A, 5 NMAC 3.9.8, 07/31/05]

5.3.9.9 INSTITUTIONAL FACILITY PLANNING: Each four-year university and two-year college must have on file at the higher education department a current five-year institutional plan containing the information on capital resources which is required by the institutional planning guidelines. The required information for branches of four-year institutions may be included in the main campus institutional plan, but must be provided in full for each branch campus.

[12/31/98; 5.3.9.9 NMAC - Rn & A, 5 NMAC 3.9.9, 07/31/05]

HISTORY OF 5.3.9 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

BEF Rule 430, Capital Budgets-Planning and Funding Recommendations, 2/27/85.

CHE Rule 430, Capital Budgets-Planning and Funding Recommendations, 10/26/90.

History of Repealed Material: [RESERVED]

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 3 POST-SECONDARY EDUCATION INSTITUTION FINANCES
PART 10 CAPITAL PROJECTS APPROVAL BY THE NEW MEXICO HIGHER EDUCATION DEPARTMENT

5.3.10.1 ISSUING AGENCY: State of New Mexico higher education department, 2044 Galisteo Street, Suite 4, Santa Fe, New Mexico 87505-2100, (505)476-8400.
[5.3.10.1 NMAC - Rp, 5.3.10.1 NMAC, 10/31/2017]

5.3.10.2 SCOPE: All public post-secondary educational institutions operating within and receiving financial support from the state of New Mexico.
[5.3.10.2 NMAC - Rp, 5.3.10.2 NMAC, 10/31/2017]

5.3.10.3 STATUTORY AUTHORITY: Section 21-1-21 NMSA 1978, Sections 21-2A-1 et seq. NMSA 1978, Section 9-25-13 NMSA 1978, and Section 9-25-8 NMSA 1978.
[5.3.10.3 NMAC - Rp, 5.3.10.3 NMAC, 10/31/2017]

5.3.10.4 DURATION: Permanent.
[5.3.10.4 NMAC - Rp, 5.3.10.4 NMAC, 10/31/2017]

5.3.10.5 EFFECTIVE DATE: October 31, 2017 [unless a later date is cited at the end of a section].
[5.3.10.5 NMAC - Rp, 5.3.10.5 NMAC, 10/31/2017]

5.3.10.6 OBJECTIVE:
A. The objective of 5.3.10 NMAC is to assume responsibility for approving all building construction, major remodeling projects, and purchases of real property at public post-secondary educational institutions.
B. The purpose of 5.3.10 NMAC is to provide approval of proposed capital outlay projects for which funding is available and to be handled by the department.
[5.3.10.6 NMAC - Rp, 5.3.10.6 NMAC, 10/31/2017]

5.3.10.7 DEFINITIONS:
A. "Capital outlay committee" means the standing committee of the New Mexico department of higher education that reviews all capital projects.
B. "Department" means the New Mexico department of higher education.
C. "FTE enrollments" means the total number of student credit hours divided by 30 at the undergraduate level and divided by 24 at the graduate level, on an annual basis.
D. "Institutional plan" means the plan that each university, branch campus, college and special school must have on file at the department. It is a current five-year institutional plan containing the information on capital resources which is required by the institutional planning guidelines. The required information for branches of four-year institutions may be included in the main campus institutional plan, but must be provided in full for each branch campus.
E. "Legal description" means the legal description of the subject property as described by the meets and bounds survey as completed and verified by a certified New Mexico land surveyor.
F. "Real property" means land and all interests in it such as buildings and fixtures.
[5.3.10.7 NMAC - Rp, 5.3.10.7 NMAC, 10/31/2017]

5.3.10.8 PRINCIPLES AND PROCEDURES: Following are the principles and procedures for approval of proposed capital outlay projects:
A. All projects submitted for department approval must have the prior approval of the institution's governing board.
B. Proposed projects should be consistent with the institutions long-range capital planning as presented in the institutional plan.
C. All projects that fall under the following categories must be submitted to the department for approval:
(1) any purchase of real property;

(2) any project which results in the addition of square footage, whether from construction or long-term lease of a new facility or a building addition, or purchase of portable buildings;
(3) any proposal to issue bonds;
(4) the approval authority for any alterations or site improvements is as follows, based on total project cost:
(a) For institutions with FTE enrollments of 1,500 or less:
(i) over fifty thousand (\$50,000) - staff approval;
(ii) over three hundred thousand (\$300,000) - capital outlay committee approval;
(b) For institutions with FTE enrollments over 1,500:
(i) over three hundred thousand (\$300,000) - staff approval;
(ii) over five hundred thousand (\$500,000) - capital outlay committee approval;
(iii) Exception: The New Mexico institute of mining and technology will be included with the over 1,500 FTE institutions when a particular project is entirely funded by restricted funds.
(c) In determining the total project cost, in-house labor costs and burden, along with all materials, subcontract costs, and reasonable charge for owned equipment, must be included.
(d) Projects may not be artificially segmented or phased in a manner designed to avoid review by the Department.
(5) Any demolition of an existing building must be submitted for approval by the department staff.
[5.3.10.8 NMAC - Rp, 5.3.10.8 NMAC, 10/31/2017]

5.3.10.9 INFORMATION TO BE SUBMITTED: For construction, renovation, or site improvement projects, institutions must complete the department capital request forms and ensure that information is provided on:
A. need for the proposed facility or improvement and a discussion of how the project relates to the overall institutional plan;
B. if the project was included in the department recommendations for legislative funding, and if applicable, information outlining any departures from descriptions used in obtaining the initial recommendation;
C. a statement that the institutions board of regents or governing board has approved the project;
D. a summary of the types and sizes of facilities to be included in the project;
E. a copy of the project program;
F. completed preliminary floor plan drawings of the project, including elevations, with each space identified as to function;
G. a plot plan indicating the site of the project;
H. the anticipated use of any facilities to be vacated when the project is completed;
I. the projects estimated budget and source of funding.
[5.3.10.9 NMAC - Rp, 5.3.10.9 NMAC, 10/31/2017]

5.3.10.10 FOR PURCHASES OF REAL PROPERTY: For purchase of real property, institutions must submit to the department:
A. a legal description of the property;
B. a copy of the appraisal and a report from the property tax division of the taxation and revenue department containing their appraised value;
C. a site improvement survey to verify the legal description and to uncover the existence of recorded and unrecorded easements and encroachments;
D. a title insurance policy;
E. a description of the use to which the property will be put;
F. a phase one environmental report stating that an environmental review or assessment has been done and that the property is free of environmental hazards and contamination; a written statement that a phase two environmental survey is recommended or is not required;
G. the sources of funds for the purchase;
H. to obtain the approval of the state board of finance, institutions will be required to submit additional documents, as listed in the boards rules and regulations;
I. a copy of warranty deed
[5.3.10.10 NMAC - Rp, 5.3.10.10 NMAC, 10/31/2017]

- 5.3.10.11 APPROVAL PROCESS:** The department's approval process will proceed as follows:
- A. The department's staff will review the proposed project and will present the project to the capital outlay committee in advance of the meeting at which the project is to be acted upon.
 - B. Representatives of the institution will appear to present the proposed project to the capital outlay committee.
 - C. The capital outlay committee will approve or disapprove the project and will present this recommendation to the department. The capital outlay committee may forward a project to the department with no recommendation.
 - D. The department will act to approve or disapprove the project.

[5.3.10.11 NMAC - Rp, 5.3.10.11 NMAC, 10/31/2017]

5.3.10.12 REVISED PROJECTS:

- A. When the development of a project has reached the stage just short of advertising for bids, if substantial changes have occurred in the size of the project, types of spaces, or estimated costs, the institution should resubmit the appropriate forms and plans to the department's staff. The staff will then determine whether the project should proceed or be reconsidered by both the capital outlay committee and the department. Substantial changes are defined as:

- (1) a change in the size of the project of 10 percent or over 1,000 net assignable square feet, whichever is larger;
 - (2) a 10 percent change in the type or purpose of planned space; or
 - (3) a change in the total project cost of 10 percent or one hundred thousand (\$100,000), whichever is larger.

- B. After bids have been received, if it is necessary to make substantial changes as defined in, Paragraph (1), (2), and (3) of Subsection A of 5.3.10.12 NMAC in either the plans or the budget, other than those changes made by alternates, the appropriate forms and plans should be resubmitted reflecting the proposed changes. The staff will then determine whether the project should proceed or be reconsidered by the capital outlay committee or the department.

[5.3.10.12 NMAC - Rp, 5.3.10.12 NMAC, 10/31/2017]

- 5.3.10.13 NOTICE OF DISPOSITION OF REAL PROPERTY:** Notice of the sale or trade of real property must be submitted to department staff when the property exceeds a current appraisal value of one hundred thousand (\$100,000). The following information should be submitted:

- A. a description of the land parcel being sold or traded, including a location map and a statement of the appraised value;
- B. the reason for the disposition;
- C. the amount of anticipated revenue from the sale and the expected use of this revenue;
- D. to obtain the approval of the state board of finance, institutions will be required to submit additional documents, as listed in the boards rules and regulations.

[5.3.10.13 NMAC - Rp, 5.3.10.13 NMAC, 10/31/2017]

- 5.3.10.14 EMERGENCY SITUATIONS:** The capital outlay committee or the department may modify or suspend any of these procedures to expedite projects which are necessary to address emergency situations.

- A. Deadline dates: 30 days prior to the capital outlay committee meeting at which approval is requested.
- B. Reporting Forms: Form 1 through 6 - Department of higher education capital project request forms.

[5.3.10.14 NMAC - Rp, 5.3.10.14 NMAC, 10/31/2017]

HISTORY OF 5.3.10 NMAC:

Pre NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

BEF Rule 440, Capital Projects - Approved by BEF, 2/27/1985.

CHE Rule 440, Capital Projects - Approved by CHE, 3/8/1990.

CHE Rule 440, Capital Projects - Approved by CHE, 10/2/1991.

Attachment B.

CAPITAL OUTLAY VETTING CRITERIA

LFC encourages legislators to use criteria in evaluating capital outlay requests. The criteria are intended to provide insight into the significance of the need the project would address, how ready projects are to proceed to construction, how well-planned the project is and its current status, how realistic requested funding amounts are, local commitment to the project, and need for grant assistance.

NEED

1. Project will reduce potential or actual health and safety hazards and liability issues or will provide sustainable infrastructure for economic development and growth.
2. Project is a high priority on governmental entity's Infrastructure Capital Improvement Plan (ICIP).
3. Project enhances the ability of public entities to provide direct services to students, staff, or the general public
4. Project is required by federal, state or judicial mandate.
5. Project will prevent deterioration of asset or will correct infrastructure problems of asset.

PLANNING & READINESS

1. A formal planning document has already been completed.
2. Project cost estimate is based on a complete planning document and represents a cost-effective solution to the need the project addresses, among potential alternatives that were analyzed.
3. Local entity is audit compliant.
4. Local entity does not have outstanding projects without activity or expenditures.
5. Non-governmental entities are encouraged to get pre-approval from a local government agreeing to include project in ICIP and to serve as fiscal agent for the project.
6. Project has had public input and buy-in.
7. Project has been designed to be energy efficient in its operation.
8. Construction of project can be successfully phased, so that each phase will be operational.
9. Land, property, rights of way, or easements required to begin construction have already been acquired.
10. Operational costs of project upon completion have been identified and planned for.

FUNDING & LOCAL INVESTMENT

1. Request fully funds the project or a functional phase, provides required matching funds for a federal grant, or is necessary to complete a project that has already received partial funding.
2. Funding requested could not be secured through other sources.
3. Local entity has committed some local revenues to the project.
4. Local government body takes an active role in its capital projects, including regular updates from staff on the status of ongoing projects.

		Scoring Criteria
A.		Project Rationale and Need
	A1	Promotion of enrollment growth, retention, and degree production
	A2	Impact on education and workforce needs in local and regional economies
	A3	Alignment with institutional mission and advancement of the institution's strategic plan
	A4	Facilities assessment for determining project need
	A5	Supports on campus and off-campus instruction
B.		Energy and Sustainability
	B1	Energy Assessment or Audit
	B2	Operational Cost Reduction
	B3	Support of Executive Order 2019-003
C.		Stewardship
	C1	Preparation of Project Estimates
	C2	FCI or NAV reduction
	C3	Use of Building Repair and Renewal (BRR)
	C4	Maintenance Costs Reduction
	C5	Health, safety, and security issues (including ADA)