

2008 - 2009 PSCOC Awards - Additional Conditions
July 30, 2008

Standards-Based Capital Outlay Projects

Current Supplemental (Phase II) Awards

The PSCOC approved capital outlay project awards to complete or supplement previous PSCOC standards-based award projects to the districts set out in the award spreadsheet for the purposes and in the amounts specified (see attached). Each allocation is intended to fully complete the project, fund a specified phase, or other specified purpose, but may require future allocations in accordance with the PSCOC process, to fully complete to the NM Statewide Adequacy Standards.

New Standards-Based Project Awards

The PSCOC approved capital outlay project awards under the standards-based capital outlay process to the districts set out in the award spreadsheet for the purposes and in the amounts specified (see attached). Each allocation is intended to fully complete the project, fund a specified phase, or other specified purpose, but may require future allocations in accordance with the PSCOC process, to fully complete to the NM Statewide Adequacy Standards. Each design award must achieve PSFA Design Development phase approval - 60% complete construction documents as defined by the PSFA-Request for Approval of School Construction (RASC), or written PSCOC approval of lesser design completion prior to application for construction funding.

Standard Contingencies to All Awards

The PSCOC approval of the awards are contingent upon acceptance by the districts through execution of the required documents between the PSFA and the district, which contain the detailed project description approved by the Council, the roles and responsibilities of the parties, phasing schedules and direct payment options. These awards are further contingent on the following:

- Project amounts specified in awards to Jemez Valley - San Diego Riverside Charter School; Carlsbad - Jefferson Montessori Academy; Cimarron - Moreno Valley HS; and Socorro - Cottonwood Valley Charter School include funds from the Charter School Capital Outlay Fund, pursuant to Laws 2007, Chapter 214, and appropriation made to the Fund pursuant to Laws 2007, Chapter 42, Section 25, Subsection 1 to assist charter schools in meeting the requirements of Subsection C of Section 22-8B-4.2 NMSA 1978 to be in public buildings or acquiring facilities which will meet adequacy requirements. These funds are in addition to any state share funds awarded to the project.
- The advances of the local share for the Cobre Hurley and Central elementary schools are for a period of one year from the date of this award.
- Project amounts set aside for 2008-2009 Out-of-Cycle awards include anticipated state share amount of a project or phase which requires the district to perform specific actions and bring back a request for funding during the current award cycle for further consideration by the Council
- The district shall execute an effective preventive maintenance program, as prescribed in their PSCOC approved PM plan (updated minimum of every 12 months), and effectively use all Facility Information Management System (FIMS) modules—Maintenance Direct

(MD), Preventive Maintenance Direct (PMD), and Utility Direct (UD), or be working towards effective use of all the FIMS modules.

- Prior to occupancy, the PSFA staff and district will work together to provide an amendment to their approved maintenance plan defining how they will provide appropriate maintenance for any added facility space.
- PSCOC project awards fund only to the design capacity outlined in the award.
- If existing facility disposal is required, an approved commitment from the district to PSCOC will be required prior to release of construction funding. Disposal may include demolition of the facilities or by written agreement transferring ownership of property and/or facilities.
- Any DCP funds previously allocated to correct deficiencies to a facility that no longer require corrections to meet adequacy due to replacement of those facilities per this PSCOC awards, shall not be expended for the purpose as outlined in the original DCP MOU and remaining funds shall revert to the public school capital outlay fund.
- The district will provide and deliver to the PSFA, within 60 days of the acceptance of the award, a project schedule outlined in the Memoranda of Understanding (MOU) that includes, if applicable, the dates for completion of educational specifications, advertisement of RFP for design services, completion of the four design phases, advertisement for bid date, construction start date, construction completion date, and date of occupancy or intended use. Failure to complete projects by the scheduled deadline does not necessarily obligate the PSCOC for any increased costs due to inflation or other time related consequences.
- The MOU shall identify specific portions of the project that it intends to build above adequacy, the cost of those portions and the district funding source that will fund these costs in their entirety by the district.
- All associated site costs for projects must be identified and approved by the PSFA staff prior to approval of the PSFA-Request for Approval of School Construction (RASC) schematic design phase submittal.
- Prior to the project's final PSFA-RASC approval and release to bid, all site infrastructure including roadways, utilities and water must be in place, under contract with specified completion time, or defined by other acceptable written agreements that include cost and completion time.
- All awards are exclusive of land acquisition costs and offsite utilities and infrastructure expenses which are the total responsibility of the district and community and will not apply to the District's matching fund requirement.
- Portable classrooms purchased from proceeds of this or previous PSCOC awards, freed by construction of permanent facilities shall, at the option of the PSFA, become the property of the PSCOC. If freed portables were purchased with district proceeds, then at PSFA's option, portables may be purchased at a fair market price and relocated by PSFA as directed by and at the expense of the PSCOC.