

**Procedures for Projects Exempted from Public School Facilities
Authority Oversight by Senate Bill 395 – *Public School Capital Outlay
Omnibus Bill***

INTRODUCTION AND PURPOSE:

Approximately one year ago the Public School Facilities Authority (PSFA) and the Public School Capital Outlay Council (PSCOC), in concert with a number of school districts, requested the Public School Capital Outlay Task Force consider exempting certain school construction from the PSFA's statutorily mandated review process. This discussion was triggered by concerns raised by several school districts that such review caused unnecessary expenditures and delay on small construction projects. This dialogue resulted in a legislative initiative to give the PSCOC the authority to exempt certain construction from the review process. The first session of the 48th New Mexico Legislature passed Senate Bill 395 during its Year 2007 regular session. The bill was subsequently signed by Governor Bill Richardson. As a result, certain construction projects that were previously subject to review by the PSFA are now exempt from that review. The statute gives the PSCOC the authority to "exempt classes or types of construction from application and approval requirements..." or, "if the council determines that information concerning the construction is necessary for the maintenance of the facilities assessment database, require a description of the proposed construction project and related information to be submitted to the Public School Facilities Authority".

PROCEDURE:

If a local school board wishes to undertake construction with a value not to exceed \$200,000.00, the following procedures shall be followed based on the scope of the proposed construction so that PSFA can maintain accurate facility information within its Databases.

Definitions:

1. "Addition" means an extension or increase in floor area or height of a building or structure.
2. "Alteration" means any construction or renovation to an existing structure other than repair or addition.
3. "Construction" means any addition, alteration, new construction or repair, as herein defined.
4. "Demolition" means tearing down completely or razing a building or structure
5. "New Construction" means the erection of a building or structure.
6. "Repair" means the construction or renewal of any part of an existing building for the purpose of its maintenance

Procedure

1. Alterations and Repairs:
 - A. In Lieu of the Request for Approval of School Construction, the local school board or its designee shall complete all portions of the Notice of School Construction and submit this summary information form to the Public School Facilities Authority at least ten (10) days prior to construction or the letting of contracts for construction with a value less than \$200,000.00.
 - B. In lieu of the Public School Facilities Authority coordinating the permitting process for projects with a value of \$200,000.00 or less, **it shall be the responsibility of the local school board or its designee to obtain all required permits and approvals from local, state and federal agencies having jurisdiction over any portion of the proposed construction.**
2. New Construction, Additions and Demolition
 - A. In Lieu of the Request for Approval of School Construction, the local school board or its designee shall complete all portions of the Notice of School Construction and submit this summary information form to the Public School Facilities Authority at least ten (10) days prior to

construction or the letting of contracts for construction with a value less than \$200,000.00.

- B. A dimensioned or scaled floor plan and site plan showing the proposed construction, addition and any building or structure to be demolished including distance from the buildings or structure to be demolished to any other buildings or structures in the vicinity must accompany the Notice of School Construction. Such plan shall be sufficiently detailed to provide an accurate representation of the proposed construction or demolition.
- C. In lieu of the Public School Facilities Authority coordinating the permitting process for projects with a value of \$200,000.00 or less, **it shall be the responsibility of the local school board or its designee to obtain all required permits and approvals from local, state and federal agencies having jurisdiction over any portion of the proposed construction.**

FORM:

Attachment A: Notice of Planned School Construction, following this sheet.