



State University  
**Construction Fund**

**CAMPUS ADMINISTERED  
PROJECT PROCEDURES**

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# STATE UNIVERSITY CONSTRUCTION FUND CAMPUS ADMINISTERED PROJECT PROCEDURES

## INTRODUCTION

The purpose of this document is to provide procedures for capital projects that utilize State University Construction Fund (The Fund) funding and are administered by a campus. These procedures also apply to the equipment phase of a Fund administered capital project wherein the campus is responsible for procuring the equipment.

## CAMPUS RESPONSIBILITIES

In addition to the requirements set forth in the Memorandum of Understanding (Attachment A) as the overriding document, the campus must adhere to and comply with all Fund Program Directives (available at [www.sucf.suny.edu](http://www.sucf.suny.edu)), SUNY Purchasing and Contracting (Procurement) Policy, as well as Federal and State laws and regulations.

The campus is also responsible for the following administrative aspects of all campus administered projects:

- Establish and document the project's scope of work,
- Identify how the project will be funded,
- Develop, monitor, and maintain the project's budget and milestone dates, and
- Develop, monitor, and maintain cash flow forecasts for projects.

## CAPITAL PROJECT WORK PLAN AND STATUS REPORT

- **Annually**

Within 60 days of the enacted State budget, each campus will submit an Annual Campus Work Plan (Attachment B) to their assigned program manager.

The Program Manager, Regional Director of Design and Regional Director of Construction will review the Annual Campus Work Plan with the campus and accept the Plan as submitted or make recommendations for improvements and resubmission. The internal document to be used by Fund as part of the review of the Plan has been included for reference only (Attachment C).

- **Quarterly**

At a minimum, the campus will review and update budgets and schedules for each project on a quarterly basis.

The maintenance of this critical information by each campus is essential to ensure that sufficient funding is available to manage the overall capital program. Failure to update may jeopardize the campus' ability to utilize existing funding or obtain future funding on campus administered projects.

## **WICKS LAW WAIVER**

In New York State, the Wick's Law (Section 135 of State Finance Law) requires public owners to bid separate contracts for general construction, plumbing, mechanical and electrical work on public projects costing more than \$3 million in Bronx, Kings, New York, Queens and Richmond counties; \$1.5 million in Nassau, Suffolk and Westchester counties, and \$500,000 in all other counties. Under Education Law, however, the State University Construction Fund and its letting agents are not subject to the Wick's Law. A Wick's Law waiver for a single construction contract can be provided to the campus upon request by completing a Wicks Law Waiver Request (Attachment E) and submitting it to the program manager. In general, the request should be made at design initiation, but must be made prior to advertisement for construction bids. Note that delayed approval of the waiver may require the campus to repackage bid documents. If appropriate, the Fund will issue an approved Wick's Waiver, which will be sent to the campus official who requested the Wavier. A copy of the waiver must be retained by the campus within its project files to support post audit of the procurement by the Office of the State Comptroller.

The Wick's Law is only valid for contracts for construction, acquisition, reconstruction, rehabilitation, or improvement projects that are fully funded by State University Construction Fund appropriations therefore, campus funds used to support construction services must be sent to the Fund as 384 funds. A separate request is required for each project that the campus desires to be exempted from the requirements of the Wick's Law.

## **MINOR CRITICAL MAINTENANCE**

Minor critical maintenance represents a unique class of campus administered projects that provides an efficient mechanism for campuses to initiate and manage qualifying critical maintenance projects with a defined scope and cost. The funds must be utilized in accordance with SUNY's Minor Critical Maintenance Procedures.

## **CHARGING STAFF TO CAPITAL APPROPRIATIONS**

The ability to charge campus staff to capital appropriations was instituted in 2006 to assist campuses with the implementation of their capital programs and the Fund administers this program in accordance with SUNY policies. The campus should consult with their program manager before submitting a request to charge staff to capital appropriations to ensure that all necessary requirements are met.

## **NEW PROJECT REQUEST**

A completed Capital Project Request Form (Attachment D) must be submitted to the campus' program manager for each project. Particular attention should be given to the section titled "Estimated Contract Award/Projected Occupancy Date." This information is critical to assist in determining the timing of bond sales as well as the overall capital program's cash needs.

Capital project request forms are to be submitted prior to initiating any procurements and are considered to be a supplement to the campus' Memorandum of Understanding (Attachment A) with the Fund.

## **PROJECT FUNDING REQUESTS**

To request funding, a Project Funding Request form (Attachment F) must be completed with the appropriate funding type(s) requested and submitted to the campus' program manager. The campus must also include a completed Cash Flow Schedule (page 2 of the Project Funding Request form). All approved project funding notifications are sent by the Fund via e-mail to the campus business officer or their designee.

## CAMPUS CERTIFICATION OF COMPLIANCE:

As noted on the Project Funding Request form, the following certifications must be made:

1. **The project is in compliance with the Tax Certificate.** When requesting coding for funding for campus let projects, both the project and its use must comply with the tax certificate. The certification implies continued compliance of the use of the project through the life of the bond issue. Attachment H contains a summary of the key areas for compliance with Federal Tax Law pertaining to tax exempt bond proceeds.
2. **A SEQR determination has been made before design is complete.** Under SEQR law and regulations, no agency involved in an action such as the design and construction of a campus project, may undertake, fund or approve the action until it has complied with the provisions of SEQR. Therefore, the SEQR determination must be made, at the latest, before design is completed.
3. **Division of the Budget Bulletin B-1184 approvals have been obtained.** Approval of projects by the Division of Budget is required prior to advertisement or solicitation for capital design, construction and equipment procurements in accordance with the approval thresholds outlined in Budget Bulletin B-1184, "Agency Contracts, Non-Personal Service and Capital Spending Controls, last revised December 1, 2014". A copy of the approved B-1184 or MWBE must be attached to all Project Funding Request submissions. B-1184 approval is also required for contract amendments unless they are of a zero dollar value.
4. **The design is in compliance with NYS Building Code.** All applicable code permitting activities and required inspections must be completed during construction.
5. **Encumber funds within 120 days.** Once funding is provided, the funds must be encumbered promptly. Approved funding that remains unencumbered for more than 120 days may be rescinded.
6. **The project must be located on SUNY property and in support of SUNY educational and related facilities.**
7. **Direct labor, if applicable, will be fully dedicated to supporting the capital program and will not have any day-to-day facility or routine responsibilities on the campus.**
8. **There will be no administrative fee or overhead charges applied to this project.**

## PROCESSING OF EXPENDITURES

Expenditures must be processed in the SUNY Accounting System in a timely fashion to ensure compliance with NYS prompt payment regulations and Federal tax laws pertaining to tax exempt bond proceeds.

To ensure accurate reporting of expenditures, campuses **must**:

- **Apply a project's design expenditures to its design account(s).**
- **Apply a project's construction expenditures to its construction account(s).**
- **Apply a project's equipment expenditures to its equipment account(s).**

It is preferred that all expenditures are paid in the first instance against the appropriate account. However, if necessary, expenditures can be journal transferred within 60 days of the original transaction without jeopardizing compliance with the tax certification.

## **PROJECT REVISIONS OR CANCELLATION**

In the event that the basic scope of a project as described on the submitted Capital Project Request Form has changed, the campus will need to submit a revised Capital Project Request Form to the program manager for review.

If a previously requested project is cancelled or deferred, the campus must submit a written notification to the program manager that includes the date of the project cancellation/deferral and the reason for such action.

## **PROJECT COMPLETION AND ACCOUNT CLOSE OUT**

As shown below, there are two separate procedures that must be followed by a campus to report a project as completed and to close out its related accounts.

### **1. CAPITALIZE PROJECT**

For projects that are considered new buildings, building additions, land acquisitions, or those with a total cost of \$100,000 or more (excluding moveable equipment), the campus must submit a Project Capitalization form to the SUNY Controller at the end of the project.

This Project Capitalization form is available from the Office of the University Controller. This form should be submitted when the project is substantially completed or the asset is placed in service and the project costs are known or able to be easily estimated. The completed form should be sent to:

Office of the University Controller  
State University Plaza, Room N525  
Albany, New York 12246  
Fax: (518) 320-1544  
Email: [PCF@sysadm.suny.edu](mailto:PCF@sysadm.suny.edu)

### **2. ACCOUNT CLOSEOUT**

When all payments have been processed and disbursed for a project, the campus must reduce any outstanding encumbrances on the project to zero and submit an Account Closeout form (Attachment G) to:

State University Construction Fund  
Attn: Controller's Office  
State University Plaza  
353 Broadway  
Albany, New York 12207

Upon receipt of the Account Closeout form, the State University Construction Fund Controller's Office will close out the associated accounts and return any unexpended balances to the campus' balance account.

**Attachment A**  
**MEMORANDUM OF UNDERSTANDING**

**STATE UNIVERSITY CONSTRUCTION FUND and STATE UNIVERSITY OF NEW YORK**

This MEMORANDUM OF UNDERSTANDING, made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2006 by and between the State University Construction Fund, a corporate governmental agency constituting a public benefit corporation created by chapter 251 of the Laws of 1962, as amended (hereinafter called the "Fund"), and State University of New York, an educational corporation within the State Education Department created pursuant to chapter 698 of the Laws of New York of 1948, as amended (hereinafter called the "University").

WHEREAS, pursuant to Article 8-A of the Education Law, the Fund is a public benefit corporation within the University and is authorized to construct, rehabilitate, maintain and repair facilities for the University;

WHEREAS, under sections 355(2)(r) and 376 of the Education Law, the University is authorized to cooperate with and assist the Fund in the construction, reconstruction, rehabilitation and improvement of facilities of the University;

WHEREAS, under section 352(3) of the Education Law, \_\_\_\_\_ (hereinafter called the "Campus") is one of the constituent educational institutions which comprises the University, and has the authority and capability to undertake the construction, reconstruction, rehabilitation and improvement of facilities of the University on the Campus;

WHEREAS, the Fund, at the University's request, has agreed to designate the University, acting through the Campus, as letting agency and to delegate control and responsibility for the project listed and defined in Exhibit "A" (hereinafter called the "Project") to the University;

NOW, THEREFORE, in consideration of the foregoing, the Fund, the Campus and the University hereby covenant and agree as follows:

1. The Fund does hereby designate the University, acting through the Campus, as letting agency and does hereby authorize and request the University to assume responsibility for, and control of, the Project, and the University agrees to accept this delegation and administer the Project through the Campus in accordance with this Memorandum.

2. The University has supported and shall continue to support requests to the Director of the Budget of the State of New York to allocate and make available for expenditure by the Campus the appropriations for the planning, design and construction of the Project and funds will be made available under this Memorandum only to the extent of such appropriation and allocations, and the proceeds of bonds issued to finance the Project. The University will be responsible for ensuring that all expenditures are in accordance with applicable law, including these appropriations and the terms and conditions of the educational facilities bonds, the proceeds of which finance the Project and/or repay the appropriations. The University, acting through the Campus, shall administer all procurements and awards in compliance with applicable law.

3. The University, acting through the Campus, shall act as a letting agency under section 376(7) of the Education Law for the construction of the Project, and shall award design and construction contracts for the

said Project. The design and construction of the Project shall comply with all applicable laws, rules and regulations. The University and the Campus acknowledge receipt of a copy of the SUCF Program Directives and the Project shall comply with the applicable standards for design, construction and equipment contained therein; provided, that SUCF may waive such standards with respect to a Project or portions thereof upon application of the Campus, which application shall not be unreasonably denied.

4. The Fund will enable the University, acting through the Campus, to access and expend the budgeted funds within the Capital Plan of the Campus by obligating funds and separately providing cost center account coding to the Campus for the design, construction, and equipment of the Project. Cost center account coding for design will be provided upon certification by the University, acting through the Campus, to the Fund that any design-related contracts have been prepared and advertised in accordance with applicable law and University regulations. Cost center account coding for construction will be provided upon certification by the University, acting through the Campus, to the Fund that the construction and any construction related contracts have been prepared and advertised in compliance with applicable law and regulations. Cost center account coding for any equipment authorized by appropriation and the resolution of the Fund's Board of Trustees will be provided as required by the Project schedule. Cost center account coding will not be made available, and no Project funds shall be expended, for Campus or University personal services expense. Upon request of the University, the Fund will assign to the University any contract or contracts it has awarded in connection with the Project.

5. The University shall be solely responsible for the Project and its completion in accordance with Exhibit "A". The execution of this Memorandum of Understanding by the University constitutes the approval of the Project contemplated by Item 530.10 of the University's Procedures Manual and the program approval of the contracts relating to the Project contemplated by Item 300(II)(B)(3) of the University's Procedures Manual. In the event the Project involves a consultant agreement with a fee exceeding \$20,000, as contemplated by Item 530.9(II)(C)(2) of the University's Procedures Manual, the selection panel shall consist of five campus staff members. The University, through the Campus, hereby undertakes with respect to the Project the review and approval of the plans and specifications, requests for proposals, and forms of contracts, as contemplated by Education Law § 376(5) and Items 530.8(III) and 530.9(III), (IV) of the University's Procedures Manual. In the event only one or two bids are received in response to solicitations for the Project, the University, through the Campus, will confirm that reasonable steps were taken to ensure that the opportunity for competitive bidding was maintained and the reasonableness of price, as contemplated by Items 530.8(IV)(C) and 530.9(VI)(B) of the University's Procedures Manual. The University, through the Campus, will collect documents for contract approval relating to the Project and submit the same to the Office of the State Comptroller, as contemplated by Items 530.8(III) and 530.9(IV) of the University's Procedures Manual. The University, through the Campus, will approve contract amendments relating to the Project, as contemplated by Item 530.9(VI)(D) of the University's Procedures Manual. The University, through the Campus, will forward to the Fund the State Fixed Asset Accounting Form, if applicable with respect to the Project, as contemplated by Item 530.8(III)(4) of the University's Procedures Manual.

6. Any expenditure in excess of the Project budget shall be the sole responsibility of the University, provided that the balance available to the University from the Campus Capital Plan shall be available for such purpose by amendment to this agreement, with the prior written consent of the Chancellor or his designee and the Fund.

7. The University acknowledges and agrees that administration and expenditure of funds appropriated to the Fund for the Project shall be the sole responsibility of the University, and the Campus shall maintain suitable and auditable records of all such administration and expenses for review by the Division of the Budget, the Office of the State Comptroller and any other or successor state, local or federal agency. The Campus shall provide quarterly reports to the Fund detailing Project progress and expenditures. Within 60 days after completion of the Project, the University, through the Campus, shall provide its final report to the Fund for audit, including its certification that the Project has been completed in accordance with the plans and specifications, this Memorandum, and all applicable laws, codes, rules and regulations. All records of the Campus and its contractors and consultants relating to the Project shall be made available to the Fund or its auditor in support of the audit.

8. This Memorandum supersedes the Memorandum of Understanding between the Fund and the University, dated as of December 23, 1987 and, to the extent that it does not agree with any other Memorandum or Agreement between the Fund and the University, this Memorandum shall control.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

STATE UNIVERSITY CONSTRUCTION FUND

By: \_\_\_\_\_  
General Manager

STATE UNIVERSITY OF NEW YORK

By: \_\_\_\_\_

CAMPUS

By: \_\_\_\_\_  
**President**

**Attachment B**  
**STATE UNIVERSITY CONSTRUCTION FUND**  
**ANNUAL CAMPUS WORK PLAN**

**Campus:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**1. CAPITAL PLAN SUMMARY**

Describe the overall campus capital facilities program. Note all capital related activities including educational and residential facilities and any other campus initiatives or capital plan efforts.

**2. CAMPUS CONTACTS**

Provide contact information for the individuals responsible for delivering the following aspects of the campus' capital facilities program.

Accounting	Planning
Finance	Design
Procurement/Purchasing	Construction
Regulatory (SEQR, Environmental, Construction Permits, etc.)	

**3. PAST EXPERIENCE**

Provide the following information for capital projects completed by the campus during the last three years.

Project No.	Project Title / Description	Project Value	Project Manager	Other Staff / Consultants	Date Completed	SUCF Project (Y/N)
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**4. WORKLOAD**

a. Current Workload – Provide the following information for capital projects presently being managed by the campus. Note any projects considered to be mutli-phased.

Project No.	Project Title / Description	Project Value	Project Manager	Other Staff / Consultants	Projected Completion Date	SUCF Project (Y/N)	Current Phase: Design, Construction, Equipment
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b. Future Workload – Provide the following information for any new capital projects the campus anticipates initiating within the next twelve months.

Project No.	Project Title / Description	Project Value	Project Manager	Other Staff / Consultants	Projected Completion Date	SUCF Project (Y/N)
-------------	-----------------------------	---------------	-----------------	---------------------------	---------------------------	--------------------

**5. SPECIAL PROJECT INITIATIVES**

List any special project initiatives the campus expects to advance within the next twelve months. These projects include those with restricted or unusual funding sources and include economic development projects.

Attachment C  
**STATE UNIVERSITY CONSTRUCTION FUND**  
**SUCF REVIEW OF CAMPUS WORK PLAN**  
**(To Be Completed By SUCF)**

**Campus:** \_\_\_\_\_

**Date of Work Plan:** \_\_\_\_\_

1. Consider the campus' ability to administer the project(s), including site representation requirements, if necessary, and its permitting capabilities. Comments, if any:
  
2. Consider prior experience (size and scope). Comments if any:
  
3. Consider ability to review key design and construction components:

Check if OK	Component	Comment if not OK
<input type="checkbox"/>	Mechanical	
<input type="checkbox"/>	Electrical	
<input type="checkbox"/>	Structural	
<input type="checkbox"/>	Plumbing	
<input type="checkbox"/>	Site/Civil	
<input type="checkbox"/>	Pre-Bid Estimates	
<input type="checkbox"/>	Project Schedule	
<input type="checkbox"/>	Change Orders	

4. Impact of campus project workload (all projects, not just those related to academic facilities). Comments if any:

5a. Approval:

Title	Date	Name	Initial
Program Manager			
Design - RD			
Construction - RD			

5b. Recommendations to improve work plan:

**Attachment D**

STATE UNIVERSITY OF NEW YORK  
STATE UNIVERSITY CONSTRUCTION FUND

**CAPITAL PROJECT REQUEST FORM**

**Campus:** \_\_\_\_\_

**SUCF Project No.:** (if applicable) \_\_\_\_\_  
**OGS Project No.:** (if applicable) \_\_\_\_\_

**Campus Project No.:** \_\_\_\_\_  
**DASNY Project No.:** (if applicable) \_\_\_\_\_

**1a. PROJECT TITLE – LONG** (including building name and number) (LIMITED TO 80 CHARACTERS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2a. SUBMISSION TYPE/DATE:**  New Request Original Submission Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Revised Request Revised Submission Date \_\_\_\_/\_\_\_\_/\_\_\_\_

**2b. EMERGENCY:**  Yes  No

**2c. PROJECT RESPONSIBILITY:**  Campus  SUCF  DASNY  OGS  Other \_\_\_\_\_

**3. IS THIS A BREAKOUT PROJECT?**  Yes  No If yes, identify parent project number: \_\_\_\_\_

**4. PROJECT BUDGET:**

Design	\$	_____
Construction	\$	_____
Change Order	\$	_____
Equipment	\$	_____
Other (Identify: _____)	\$	_____
<b>TOTAL</b>	<b>\$</b>	<b>_____</b>

**5. FUNDING SOURCE:**

Educational Facilities Capital Appropriation	\$	_____
Dormitory Capital Appropriation	\$	_____
Hospital Capital Appropriation	\$	_____
Local Campus Operating & IFR	\$	_____
Dormitory Operating & IFR (DIFR)	\$	_____
Hospital Operating & IFR (HIFR)	\$	_____
Research Foundation Operating	\$	_____
Federal Funding	\$	_____
Other (Identify: _____)	\$	_____
Other (Identify: _____)	\$	_____
Other (Identify: _____)	\$	_____
<b>TOTAL: (total funding must equal total project cost)</b>	<b>\$</b>	<b>_____</b>

<b>6. ESTIMATED CONTRACT AWARD/PROJECTED OCCUPANCY DATE:</b>	<b>ESTIMATED DATE</b>
Design Contract Award	____/____/____
Construction Contract Award	____/____/____
Equipment Acquisition (typically 9 months before occupancy)	____/____/____
Occupancy Date	____/____/____

**7. BUILDING NUMBERS or SITE:** \_\_\_\_\_

**8. PURPOSE CODE:** (Select the code that best describes the overall project)

- (01) Health, Safety, Security
- (02) Accreditation
- (03) Preservation of Facilities
- (04) Facilities for Physically Disabled

- (05) Energy Conservation (attach cost benefit)
- (06) Environmental Protection or Improvements
- (07) New Facilities and Equipment Replacement
- (08) Program Improvement or Program Change

**9. WORK CODE:** (Select the codes that best describes the overall project - see attached.)

Primary Work Code: \_\_\_\_\_

Secondary Work Code: \_\_\_\_\_

**10. SCOPE** – if more than one applies indicate % breakdown

New/Addition \_\_\_%    Rehab \_\_\_%    Improvement \_\_\_%    Emergency \_\_\_%    Demo \_\_\_%    Site

**11. BUILDING PERMIT REQUIRED:**

Yes

No

**12a. CONTINGENCY FACTORS:**

Will the work on this project require the initiation or completion of another project, has scheduling problems, or is related to some other event?

Yes

No

If yes, explain \_\_\_\_\_

Will space be occupied during construction and are there scheduling issues to be addressed?

Yes

No

If yes, explain \_\_\_\_\_

Will there be any shutdown of utilities during construction and are there any scheduling issues to be addressed?

Yes

No

If yes, explain \_\_\_\_\_

**13a. IS PROJECT ON UNIVERSITY (State-owned) PROPERTY?**

Yes

No

**13b. If NO, Please Explain:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**14. PREPARED BY (campus official) – Scope and Justification Attached**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**15. PROJECT JUSTIFICATION**

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**16. SCOPE OF PROJECT**

## WORK CODES

Work Code	Description	Econ Life	Work Code	Description	Econ Life
<b>ELECTRICAL</b>			<b>SITework</b>		
C12	ELECTRICAL - BUILDING	30	L01	SITE WORK - ROADWAYS & PARKING	15
C24	ELECTRICAL - LIFE SAFETY	30	L11	SITework - WALKWAYS	15
<b>HAZARDOUS MATERIALS</b>			L52	SITE IMPROVEMENTS - BUILDING RELATED	25
B09	ASBESTOS ABATEMENT	30	N01	SITework - ATHLETIC	15
B11	PCB REMEDIATION	30	P01	SITework - ELECTRIC	25
B15	LEAD ABATEMENT	30	P03	SITework - WATER/SEWER	25
C34	REPLACE CFC	30	R30	SITework - TANKS	25
X05	ENVIRONMENTAL CLEANUP	30	R45	SITework - UTIL-ELEC	25
X12	HAZARD MATERIAL REMED	30	R60	SITework - HTW/STEAM	25
<b>COMMUNICATIONS</b>			R80	SITework - FUEL DISTRIBUTION	25
C30	COMMUNICATION SYSTEMS	12	X13	SITework - INFRASTRUCTURE	25
X03	TELECOMM/TECHNOLOGY	12	<b>STUDIES</b>		
<b>HVAC &amp; PLUMBING</b>			X89	BLDG. COMMISSIONING	50
B10	PLUMBING - FIXTURES	30	X93	STUDY - TOPO SURVEY	10
C01	HVAC - CONTROLS	25	X94	STUDY-CAMPUS MSTR PLAN	10
C02	HVAC - DISTRIBUTION	25	X95	STUDY - PROGRAM/DESIGN	10
C11	PLUMBING - DISTRIBUTION	30	<b>NEW CONSTRUCTION</b>		
C16	ENERGY MGT SYS	25	X01	NEW BLDG/REPL BLDG	50
C17	COOLING TOWERS	25	X02	NEW SITE/LANDSCP/ATHL.	25
C18	BTU METERS	25	X10	ADDITION	50
C19	FUME HOODS	25	X11	ADDITION/RENOVATION	50
C22	SPRINKLER SYS	25	<b>STAFF</b>		
C35	BACKFLOW PREVENTER	25	X85	CAP PLAN - CAMPUS (PROF STAFF)	10
T01	HVAC - SYSTEM EQUIPMENT	25	X86	CONST CREW - CAMPUS	10
<b>EXTERIOR REHABILITATIONS</b>			X88	SITE REP - CAMPUS	20
A01	BUILDING EXTERIOR WALLS	30	X91	CONSTRUCTION MANAGER	30
A05	EXTERIOR DOORS & WINDOWS	30	X96	SECURITY PERSONNEL	10
A08	ROOFS	25	X97	ADMINISTRATIVE SUPPORT	20
A50	EXTERIOR REHAB	30	X98	SITE REP - SUCF	20
<b>INTERIOR REHABILITATIONS</b>			<b>OTHER ITEMS</b>		
B01	INTERIOR DOORS	20	D50	ENERGY CONSV-GENRL	20
B03	INTERIOR WALLS	20	H01	DEMOLITION	45
B04	INTERIOR CEILINGS	20	X04	EQUIPMENT	12
B06	INTERIOR FLOORS	15	X07	LAND ACQUISITION	60
B50	INTERIOR REHAB	30	X08	MINOR REHAB	10
C28	ELEVATORS	25	X09	RENOVATION MAJOR	50
C50	INTERIOR MECH REHAB	25	X92	CONSULTANT RETAINER	20
			X99	ADVERTISING	20

**Attachment E**  
**STATE UNIVERSITY CONSTRUCTION FUND**  
**WICK'S LAW WAIVER REQUEST**

<b>Campus:</b>		
<b>SUCF Project #:</b>		
<b>Project Title:</b>		

The Campus requests designation as a "Letting Agency" under Section 376 of the Education law, to enter into single construction contract for above referenced project.

The estimated construction value is \_\_\_\_\_

The construction contract (s) for this project is funded solely by State University Construction Fund appropriations within the Campus Capital Plan.

\_\_\_\_\_  
**Vice President for Administration/ Authorized Campus Signatory**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name**

**Program Manager Review**

I have reviewed this Wick's Law Waiver Request and recommend designation of the campus as a letting agency for this project. The work is part of the Capital Plan Program for this campus.

\_\_\_\_\_  
**Campus Program Manager**

\_\_\_\_\_  
**Date**

**Approved by Finance**

\_\_\_\_\_  
**Fiscal Analyst/Senior Fiscal Analyst**

\_\_\_\_\_  
**Date**

***Submit this completed form to the SUCF Program Manager***

**Attachment F**

**STATE UNIVERSITY CONSTRUCTION FUND  
PROJECT FUNDING REQUEST**

<b>Campus:</b>	
<b>SUCF Project #:</b>	
<b>Project Title:</b>	

The following funding is being requested in accordance with the State University Construction Fund's procedures for Campus Administered Projects and the MOU signed by the Campus.

<b>Funding Type</b>	<b>Total Project Budget</b>	<b>Previously Issued Funds</b>	<b>Additional Funds Requested</b>	<b>Comments</b>
Design				
Construction				
Construction Contingency				
Equipment				
Direct Labor				
Professional Staff				
Site Representative				
Land				
Other _____				
<b>Total</b>				

The attached Cash Flow Schedule must accompany this request.

Check the appropriate box below for each item related to this funding request:

<b>YES</b>	<b>NO</b>	
		This project and its use will be in full compliance with the Tax Certificate issued in connection with the funding for this project.
		If construction funding is requested, the SEQOR has been completed.
		The approved B1184 or MWBE authorization has been obtained and a copy is attached to this request.
		If construction funding is requested, applicable building code permitting activities are completed.
		These funds will be encumbered within 120 days and are available within the Campus' Capital Plan.
		This project is located on SUNY property and in support of SUNY educational and related facilities.
		Direct labor, if applicable, will be fully dedicated to supporting the capital program and will not have any day-to-day facility or routine responsibilities on the campus.
		There will be no administrative fee or overhead charges applied to this project.

\_\_\_\_\_  
Vice President for Administration/ Authorized Campus Signatory

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Submit this completed form to the SUCF Program Manager**

**STATE UNIVERSITY CONSTRUCTION FUND  
PROJECT FUNDING REQUEST  
CASH FLOW SCHEDULE**

Campus:	0			
SUCF Project #:	0			
Project Title:	0			
Design Budget			Start of Design Services	
Construction Budget			Start of Construction Services	
Equipment Budget			Date of Beneficial Occupancy	
Total Budget	\$	-	Design Duration	-
			Construction Duration	-

To complete this schedule, summarize all life to date actual disbursements on the first line by category and then project the remaining future disbursements by quarter in the subsequent rows below. The final row summarizes the disbursements and should equal the project's budget.

Quarter	Year	Design	Construction	Equipment	Total
<b>Life to Date Disbursements</b>					
April-June					
July-September					
October-December					
January-March					
<b>Yr 1</b>		\$ -	\$ -	\$ -	\$ -
April-June					
July-September					
October-December					
January-March					
<b>Yr 2</b>		\$ -	\$ -	\$ -	\$ -
April-June					\$ -
July-September					\$ -
October-December					\$ -
January-March					\$ -
<b>Yr 3</b>		\$ -	\$ -	\$ -	\$ -
April-June					\$ -
July-September					\$ -
October-December					\$ -
January-March					\$ -
<b>Yr 4</b>		\$ -	\$ -	\$ -	\$ -
April-June					\$ -
July-September					\$ -
October-December					\$ -
January-March					\$ -
<b>Yr 5</b>		\$ -	\$ -	\$ -	\$ -
April-June					\$ -
July-September					\$ -
October-December					\$ -
January-March					\$ -
<b>Yr 6</b>		\$ -	\$ -	\$ -	\$ -
<b>Total Disbursements</b>		\$ -	\$ -	\$ -	\$ -

Attachment G  
**STATE UNIVERSITY CONSTRUCTION FUND  
ACCOUNT CLOSEOUT**

<b>Campus:</b>	
<b>SUCF Project Number:</b>	
<b>Project Title:</b>	
<b>Completion Date:</b>	

The accounts associated with this project can be closed in accordance with the following schedule:

Funding Type	Final Cost
Design	\$
Construction	\$
Construction Contingency	\$
Equipment	\$
Direct Labor	
Professional Staff	\$
Site Representative	\$
Land	\$
Other _____	\$
<b>Total</b>	<b>\$</b>

I certify that the scope of work as approved for the above project has been accomplished, that this project has been completed as of the physical completion date stated above, and that all disbursements have been made accordingly.

The campus requests that all unexpended funds be re-allocated to the campus balance account.

\_\_\_\_\_  
**Vice President for Administration/Authorized Campus Signatory**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name**

**For SUCF Use Only**

Allocation cut back to project total

\_\_\_\_\_  
Controller's Office

\_\_\_\_\_  
Date

*Submit this completed form to the SUCF Controller's Office*

## Attachment H

# TAX COMPLIANCE

### Private Use

Facilities financed with tax-exempt debt are subject to private use restrictions.

Private use is use of a facility by persons or entities other than state or local governmental entities. **Use by the Federal government, a private entity, or a not-for-profit entity is private use.** Use by SUNY, SUCF, or the Research Foundation is not considered private use. In general, use by a non-governmental entity is private use as a result of actual or beneficial use of, including a possessory interest in, a facility pursuant to a lease or other contractual arrangement. Private use includes a special economic benefit to a non-governmental entity derived from its use of a facility.

Use of a facility by persons or entities other than state or local governmental entities on a basis other than as a member of the general public, by permit or otherwise, is private use. Generally, an arrangement that conveys priority rights or other preferential benefits to the use of a facility results in private use. Arrangements providing for use that is available to the general public at no charge or on the basis of rates that are generally applicable and uniformly applied do not convey priority rights or other preferential benefit.

Incidental private use includes items such as vending machines, pay telephones, kiosks and similar issues where the use does not involve the transfer to the non-governmental person of possession or control of space that is separated from other areas of the facility by walls, partitions or other physical barriers (i.e. located in common areas). Incidental private use is required to be reported as part of the annual private use survey even if it is less than 2.5%. In general, contracts for services by a non-governmental entity that are incidental to the primary governmental functions are not treated as private use (e.g. contracts for janitorial, office equipment repair, hospital billing or similar services). An agreement by a non-governmental entity to sponsor research performed by SUNY may result in private business use depending on the facts and circumstances.

Usually, SUNY limits private use to 5% of the amount of the proceeds of a bond issue that finances the construction, repair or maintenance of a facility. Use of financed property is treated as use of bond proceeds. Common methods of measuring private use are (i) computing the percentage of floor space of a facility used by non-governmental users or (ii) computing the proceeds of a bond issue expended for private use facilities versus proceeds of the bond issue expended for governmental use. While private and incidental use is required to be reported as part of the annual private use survey, they should also be considered and disclosed at the time a project is created.

### Other

- Bond proceeds must be used for capital costs.
- Bond proceeds may not be loaned, directly or indirectly, to a non-governmental entity.
- At least 85% of bond proceeds must be expended within three years from the date the bonds are issued.
- Capital expenditures must be processed timely to ensure they remain eligible for reimbursement with bond proceeds.
- The weighted average maturity of the bonds may not exceed 120% of the reasonably expected useful life of the capital projects financed. The weighted average maturity of bonds issued for hospital and educational facilities has been approximately 19 years.
- Unless DASNY gives consent, financed projects must be owned by SUNY, SUCF, the State of New York or DASNY.
- Sale or other disposition of financed facilities requires prior approval by bond counsel.