

# FY 2013-14 Supplemental Capital Construction Request

## Judicial

*Ralph L. Carr Justice Center (COP Payment)*

### Motion:

Approve the supplemental request from the Judicial Branch for additional cash funds spending authority for the Ralph L. Carr Justice Center project (\$3,000,000 CF).

### GENERAL INFORMATION

2013-008

#### 1. Which supplemental criterion does the request meet?

Emergency

This request makes the final payments to project contractors for costs associated with the construction of the Ralph L. Carr Justice Center. If supplemental spending authority is not granted, the department will close out work or request the return of a payment made to History Colorado for its Controlled Maintenance Capital Reserve fund.

#### 2. Which projects will be restricted to fund the supplemental request?

No emergency restriction is required because this request does not involve state funds.

#### 3. Has the request been approved by OSPB and CCHE?

N/A

### PRIOR APPROPRIATION AND SUPPLEMENTAL REQUEST INFORMATION

The appropriation to be amended was authorized in the following bill: SB 13-230

<u>Fund Source</u>	<u>Prior Appropriations</u>	<u>Supplemental Request</u>	<u>Future Requests</u>	<u>Total Cost</u>
CF	\$70,690,895	\$3,000,000	\$0	\$73,690,895
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### REASON FOR SUPPLEMENTAL REQUEST

The project was authorized by Senate Bill 08-206, which also authorized the construction of a new Colorado History Museum. The authorizing legislation created a new cash fund, the Justice Center Cash Fund. Moneys to the fund accrue from increased civil filing fees. Moneys in the fund may be used for the project, including annual certificates of participation (COP) payments. The bill also authorized a \$25 million transfer over a three-year period to History Colorado for the purchase of land for the new justice center.

According to the department, an additional \$3 million was allocated from the fund to be paid to History Colorado to create a capital reserve for maintenance costs. The additional moneys were offered as a consideration for History Colorado's move into leased space for the duration of the new museum construction in order to accelerate the construction of the new justice center by several years. The \$3 million payment was not appropriated in the SB 08-206. However, the department made the payment to History Colorado from existing appropriations anticipating that it would realize a commensurate amount of cost savings during project construction. The department now recognizes that it needs the full amount originally budgeted for the project to pay the remaining project close-out costs. According to the department, the cash funds request amount reflected in this request was originally budgeted for the project, and included in the COP issuance documents.

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### SUMMARY OF PROJECT

The project constructed a new court building, office tower, and parking garage for use by the Judicial Branch and the Department of Law.

This request does not make an annual lease payment for the certificates of participation issued for the project. The department received spending authority for the second of 34 annual lease payments in Senate Bill 13-230, the annual long bill. The payments are scheduled to continue through FY 2045-46.

### QUESTIONS / OUTSTANDING ISSUES

All responses to staff questions were incorporated into the write-up.