



State of Maryland  
**Board of Public Works**

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Martin O'Malley  
*Governor*

Nancy K. Kopp  
*Treasurer*

Peter Franchot  
*Comptroller*

Sheila C. McDonald  
*Executive Secretary*

June 10, 2011

Dear County and Public School Officials:

In enacting the State's budget for the upcoming fiscal year, the Governor and the General Assembly dedicated a supplementary appropriation of \$47.5 million to school construction projects. This is in addition to the \$264.6 million that funds the State's Public School Construction Capital Improvement Program for Fiscal Year 2012.<sup>1</sup> The supplementary appropriation was made possible by the increase in the alcohol sales tax.<sup>2</sup>

In particular, the General Assembly authorized the Board of Public Works to approve individual public school improvement projects that meet a school or community need. The General Assembly allocated each county or region a specific sum<sup>3</sup> for which local matching funds are *not* required. **By this letter, the Board of Public Works is asking for your recommendations for individual projects in your county or region that are appropriate for funding regardless of whether the projects are eligible for traditional funding under the Public School Construction Program.**

In determining whether to approve an individual project, the Board must find that the project meets a school or community need by evaluating your recommendations. Because the General Assembly set as the first factor for the Board of Public Works to consider "requests from the local jurisdictions,"<sup>4</sup> it follows that the Board will be favorably disposed toward projects that a united county or region has prioritized.

In evaluating the recommendations submitted, the Board of Public Works will consider at a minimum the following which are explicit in the legislation – whether the proposed projects:

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<sup>1</sup> The Board of Public Works approved the FY 2012 State Capital Improvement Program in the amount of \$264.6 million. Secretary's Agenda Item 18 (May 4, 2011).

<sup>2</sup> SB 994 and HB 1213 increase the State sales and use tax rate imposed on the retail sale of alcohol beverages from 6% to 9% beginning 1 July. SB 994 dedicates the first \$15 million from the increase to fund a Waiting List initiative for the Developmental Disabilities Administration. HB 1213 provides for \$47.5 million to then be used for public school construction projects. Enacted at Chapters 571 and 572 (2011 Laws of Maryland).

<sup>3</sup> See *Specific County/Region Allocations* enclosed with this letter.

<sup>4</sup> Section 3 (b) of Chapter 572 (2011 Laws of Maryland): "In approving funding for projects, the Board of Public Works shall consider: (1) requests from the local jurisdictions."

- Benefit older buildings
- Benefit schools with high proportions of children eligible for free and reduced meals
- Can be completed within one year
- Eliminate or reduce the use of relocatable classrooms
- Are designated A or B by the Interagency Committee on School Construction but were not fully funded in the FY 2012 CIP
- Reduce energy consumption or incorporate high performance/green building principles.

Moreover, the Board of Public Works continues to look favorably on recommendations that address deferred capital maintenance projects.

The Board of Public Works will be relying on the Public School Construction Program to review your recommended projects for technical soundness and financial viability. Your cooperation and thoroughness to obtain favorable PSCP review will assure the Board of Public Works that the project is effectual. In my opinion, it would be unlikely that the Board of Public Works would approve a project about which PSCP had serious technical or financial objections.

The Board intends the process of approving State funding of these projects to be efficient, effective, expeditious, and responsive to school and community needs. We have developed a streamlined procedure for you to submit recommendations. I enclose two documents for you: the *Specific County/Region Allocations List* and the *Application Procedures*. We look forward to hearing from you as the Application Procedures direct.

Sincerely,



Sheila McDonald

cc: The Honorable Martin O'Malley  
The Honorable Nancy K. Kopp  
The Honorable Peter Franchot  
The Honorable Michael E. Busch  
The Honorable Thomas V. Mike Miller, Jr.  
Delegation Chairs  
David G. Lever, D.A.

# Specific County/Region Allocations

## Public School Construction Projects

Fiscal Year 2012 Supplementary Appropriations

Chapter 572 (Laws of Maryland 2011)

| Subdivision   | Appropriation |
|---|---------------|
| <b>Anne Arundel</b>   | \$5,000,000   |
| <b>Baltimore City</b>   | \$9,000,000   |
| <b>Baltimore</b>  | \$7,000,000   |
| <b>Howard</b>   | \$4,000,000   |
| <b>Montgomery</b>   | \$9,000,000   |
| <b>Prince George's</b>  | \$9,000,000   |
| <b>Eastern Shore</b><br>(Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, Worcester) | \$1,250,000   |
| <b>Northeast Maryland</b><br>(Cecil, Harford)   | \$1,250,000   |
| <b>Southern Maryland</b><br>(Calvert, Charles, St. Mary's)  | \$1,250,000   |
| <b>Western Maryland</b><br>(Allegany, Carroll, Garrett, Frederick, Washington)                            | \$ 750,000    |

**BOARD OF PUBLIC WORKS**  
*Public School Construction Projects*  
Fiscal Year 2012 Supplementary Appropriations  
*Chapter 572 (Laws of Maryland 2011)*

**APPLICATION PROCEDURES**

I. **Application.** An application for FY 2012 supplementary appropriations to fund public school improvement projects comprises two parts:

A. Letter to the Board of Public Works.

- Identify the school and the project.
- Describe how the project meets a school or community need. Particularly be mindful of the guidelines identified in Section III. of these procedures.
- Send letter to:

Sheila C. McDonald, Executive Secretary  
Board of Public Works  
Louis L. Goldstein Treasury Building  
80 Calvert Street  
Annapolis, MD 21401

B. Project application to the Public School Construction Program.

- Complete enclosed application form.
- Send form AND a copy of the Board of Public Works letter (from Section I. A above) to:

David Lever, Executive Director  
Public School Construction Program  
200 West Baltimore Street  
Baltimore, MD 21201  
Tel: 410-767-0611

II. **Schedule.** Projects will be approved at regular meetings of the Board of Public Works during FY 2012. Applicants may submit recommendations on a rolling basis beginning immediately. The Board of Public Works encourages applicants to submit recommendations as soon as possible as the Board intends to be responsive to the General Assembly's objective to ensure today's needs are met today. In any event, please submit your recommendations **no later than January 31, 2012.** Applicants who desire to bank funds for the FY 2013 CIP (see Part III B. (3) of these Application Procedures) will have an opportunity to amend their FY 2012 supplementary-appropriation recommendations after the Board approves the final FY 2013 school construction allocations in May 2012.

III. **Recommendation Guidelines.** In determining whether to approve an individual project, the Board of Public Works must find that the project meets a school or community need.

A. To make that determination, the Board will consider whether the recommendation:

- (1) Benefits older buildings.
- (2) Benefits schools with high proportions of children eligible for free and reduced meals.
- (3) Can be completed within one year.
- (4) Eliminates or reduces the use of relocatable classrooms.
- (5) Is designated A or B by the Interagency Committee on School Construction but was not fully funded in the FY 2012 CIP.
- (6) Reduces energy consumption or incorporates high performance/green building principles.
- (7) Furthers other important policies or needs.

B. Miscellaneous.

- (1) These funds do not require a local match.
- (2) These funds **may not** be used as the local funding match for Capital Improvement Plan projects.
- (3) These funds **may** be banked for a project that will be submitted in the FY 2013 Capital Improvement Plan. Banked funds will not count against a jurisdiction's FY 2013 school construction allocation. However, these funds may not constitute the required local funding match.
- (4) The Board of Public Works continues to look favorably on recommendations that address deferred capital maintenance projects.

#### IV. **Grant Administration.**

- A. Upon Board of Public Works approval, the Public School Construction Program will administer the grants.
- B. COMAR 23.03.03 – *Construction Procurement Methods*, applies to projects funded with the FY 2012 supplementary appropriation. This includes procurement methods, the Minority Business Enterprise program, and prevailing wage requirements.
- C. Technical review, payment, financial reporting, and audit procedures will be as set forth in the Administrative Procedures Guide of the Public School Construction Program or the Administrative Procedures Guide of the Aging School Program, as appropriate.