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4 **CAPITAL CONSTRUCTION**
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7 The Chancellor will annually report to the Board and to the State Chancellor's Office a five-year
8 capital outlay program. The Program will consist of the plans of the District concerning its future
9 academic and student service programs, and the effects of such programs on construction needs.

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11 **A. Capital Outlay Program**

12 Specifically, the five-year capital outlay program shall include the following:

- 13 • Statement of educational plans
- 14 • Statement of energy plans
- 15 • Statement of disabled persons' barrier removal plan
- 16 • Location of program delivery
- 17 • Location of other owned lands
- 18 • District-wide priority lists
- 19 • District-wide capacity/load ratios
- 20 • District-wide supporting detail

21 **B. Construction Contracts**

22 Construction contracts will be let in accordance with Administrative Regulation 6350 and
23 will comply with applicable laws relating to public works.

24 **C. Five-Year Construction**

25 All five-year construction projects will be processed through the District Facilities
26 Planning Committee as a recommendation to the Chancellor.

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28 **D. Conversion of Buildings**

29 State funds earmarked for capital outlay financing may be used to acquire an existing
30 government-owned or privately-owned building and to pay the necessary costs of converting such
31 a building to community college use if all of the following criteria apply:

- 32 • The building was constructed as, and continues to qualify as, a school building, as
33 provided by Education Code Sections 81130 et seq., or the building is determined to
34 have, or is rehabilitated to an extent that it is determined to have, a pupil safety
35 performance standard that is equivalent to that of a building constructed pursuant to
36 Education Code Sections 81130 et seq. The determination of the pupil safety
37 performance standard must meet all of the requirements of Education Code Section
38 81149(a)(1)&(2).
- 39 • The total cost of purchasing and converting the existing building to community
40 college use is not greater than the estimated cost of constructing an equivalent
41 building.
- 42 • The land associated with the building will be owned by, or controlled through a long-
43 term lease of at least 50 years by, the District.

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- The District has complied with facility site review procedures and guideline recommendations of the California Postsecondary Education Commission pursuant to Education Code Section 66904.
- The funding for the purchase and conversion of an existing building does not supersede funding for facilities that have previously been prioritized by the Board of Governors and are awaiting state funding.

Reference:
Education Code Section 81005 and 81820; Title 5, Sections 57150 et seq.

ADOPTED: 12/11/08