



State of Utah

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Department of Government Operations
Division of Facilities Construction and Management

JENNEY REES
Executive Director

JAMES R. RUSSELL
Division Director

To: Ogden-Weber Technical College
From: Jim Russell, DFCM Director
Date: March 14, 2023
Subject: **New Instructional Facility for Ogden Weber Technical College/Ogden School District Partnership, Non-State Funded Project Authorization**
Requester: Tyler Call, Vice President of College Service and Chief Financial Officer

Authorization

DFCM has approved the New Instructional Facility for Ogden Weber Technical College/Ogden School District Partnership to proceed as authorized by UCA 63A-5b-404 and as detailed in this document (including the attachments).

Background

Ogden-Weber Technical College will lease five acres of its main campus to Ogden City School District to construct a new instructional space which will be used in partnership between the college and the school district. The construction budget for this project is \$13 Million for the 17,000 square foot facility. This project is being funded by the Ogden City School District through use of the ARP ESSER funds with any additional funding if needed will be covered by the school district's capital projects fund.

Ogden-Weber Technical College has confirmed that they will not seek additional funds from the Legislature for this project, nor will they seek to increase their state funding for operational and maintenance costs or capital improvements. Consequently, all future operational and maintenance costs, as well as any improvements, associated with this project will be assumed by Ogden-Weber Technical College and Ogden City School District.

The Ogden-Weber Board of Trustees has approved the partnership with Ogden City School District and resulting ground lease on June 23, 2022 with subsequent approval by the Utah Board of Higher Education on July 14, 2022.

DFCM Authority

63A-5b-404. Exceptions to requirement of legislative approval for capital development projects.

- (1) (a) Except as provided in this section, a capital development project may not be constructed on state property without legislative approval.
- (b) The division may authorize a capital development project on state property without legislative approval only as provided in this section.
- (2) (a) Legislative approval is not required for a capital development project that consists of the design or construction of a new facility if:
 - (i) the division determines that the requesting agency has provided adequate assurance that state funds will not be used for the design or construction of the facility;
 - (ii) the agency provides to the division a written document, signed by the head of the agency:
 - (A) stating that funding or a revenue stream is in place, or will be in place before the project is completed, to ensure that increased state funding will not be required to cover the cost of operations and maintenance for the resulting facility or for immediate or future capital improvements; and
 - (B) detailing the source of the funding that will be used for the cost of operations and maintenance and for immediate and future capital improvements to the resulting facility; and
 - (iii) the division determines that the use of the state property:
 - (A) is appropriate and consistent with the master plan for the property; and
 - (B) will not create an adverse impact on the state.
- (b) For a facility constructed without legislative approval under Subsection (2)(a), an agency may not request:
 - (i) increased state funds for operations and maintenance; or
 - (ii) increased state capital improvement funding.

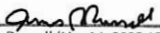
R23-24-4. Policy

Utah Administrative Code R23-24-4 applies, provided that references therein to the Utah State Building Board shall mean DFCM.

DFCM is confident that the Ogden-Weber Technical College/Ogden City School District Partnership has met the requirements as indicated above and can move forward with this non-state funded project.

Please let me know if you have any additional questions.

Sincerely,


Jim Russell (Mar 14, 2023 15:15 MDT)

James R. Russell, Director
Division of Facilities Construction and Management

February 17, 2023

Jim Russell
Utah Division of Facilities Construction and Management
4315 South 2700 West, FL 3
Taylorsville, UT 84129

RE: Ogden Weber Technical College/ Ogden School District partnership

Mr. Jim Russell,

As per Utah System of Higher Education policy R702-4, the Ogden Weber Technical College Board of Trustees has approved a partnership with the Ogden City School District wherein the college will lease approximately 5 acres of ground on its main campus to the school district for the purpose of building a new instructional facility. The OTECH Board of Trustees approved the ground lease with the school district on June 23, 2022 and it was subsequently approved by the Utah Board of Higher Education on July 14, 2022. We are now requesting approval for the project outlined below from the Division of Facilities Construction and Management.

Ogden City School District intends to use the leased ground to build a new instructional facility that is approximately 17,000 square feet with a construction budget of \$13 million dollars. This instructional space will be used in partnership between the college and the school district and the details of said partnership are outlined in a ground lease and cooperative agreement between the two entities. This project is being funded by the school district through use of ARP ESSER funds and anything not covered by this funding will be covered by the school district's capital projects fund. All O&M and capital improvement will be covered by Ogden City School District and Ogden Weber Technical College **will not** request any future O&M or capital improvement funding for this project.

Please reach out to me with any questions or additional requests.

Sincerely,



Tyler Call
Vice President of College Service and Chief Financial Officer

CC:

Jim Taggart, Ogden Weber Technical College President
Malin Francis, Director of Facilities and Planning
Zane Woolstenhulme, Ogden City School District Business Administrator