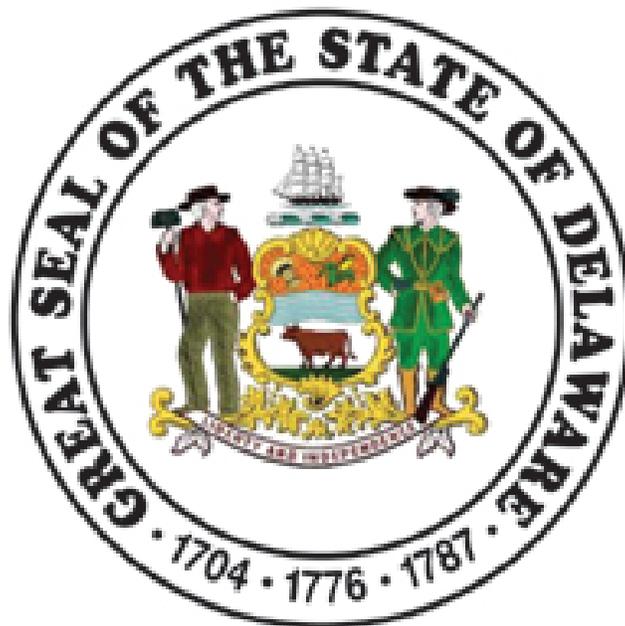


Haslet Armory, Third Floor
122 William Penn Street
Dover, DE 19901

State of Delaware
Office of Management and Budget



***ADVANCED PLANNING AND REAL
PROPERTY ACQUISITION FUND***

Guidelines and Application

Guidelines & Criteria for Use of the ADVANCED PLANNING AND REAL PROPERTY ACQUISITION FUND

What is the Advanced Planning and Real Property Acquisition Fund?

The Advanced Planning and Real Property Acquisition Fund (APRPAF) is a revolving fund intended to assist state agencies, reorganized school districts, and vocational-technical school districts with planning for new, or renovating existing, public facilities in a manner consistent with state land use goals. The APRPAF may also be utilized for earnest money of up to 10 percent for the purchase of real property. As such, expenditures from the APRPAF for proposed public facilities, including schools, healthcare facilities, libraries (if co-located), and public safety and correctional facilities are intended to provide the following benefits:

- Shorten the project timeline;
- Develop more realistic capital funding requests;
- Hold desirable properties until funding can be allocated to complete the purchase;
- Identify site constraints and infrastructure costs early in the process; and
- Avoid problem properties by identifying them early, before funds are committed.

Eligible Uses of the Advanced Planning and Real Property Acquisition Fund

- Site evaluations of parcels considered for purchase, providing the real estate conforms with the Strategies for State Policies and Spending;
- Up to a 10 percent down payment on a real estate contract, providing that the real estate conforms with the Strategies for State Policies and Spending;
- Preliminary architectural sketches;
- General site plans;
- Design services;
- Engineering work; and
- Legal, accounting, or consulting services.

Ineligible Uses of the Advanced Planning and Real Property Acquisition Fund

- Actual construction costs, such as bricks and mortar;
- Renovations or replacements of building systems, such as HVAC;
- Use of the fund to cover shortfalls in existing, funded construction projects; and
- Use of the fund to purchase real property in highway right-of-way acquisitions.

Funding Caveats

All parcels of land intended for new state facilities (schools and other agency facilities) must comply with the Strategies for State Policies and Spending. All new state facilities must go through the Office of State Planning Coordination's Preliminary Land Use Service (PLUS) process, and no new school construction can commence unless the district secures a Certificate of Necessity (CN). However, it is acceptable for school districts and state agencies to utilize APRPAF funding to perform site selection studies on more than one site. Districts and agencies should feel free to contact the Office of State Planning Coordination for help selecting suitable sites.

Disbursements from the APRPAF are at the discretion of the Budget Commission and the availability of funds to fulfill requests. The APRPAF is **not** a grant, and resources provided to

school districts and state agencies from the APRPAF **do not** replace the appropriation of capital funding for the acquisition of property and/or the construction/renovation of a public facility. Upon receipt of capital funding, the school district or state agency utilizing APRPAF resources must reimburse the APRPAF from the allocated appropriation or from other project resources. In the case of a school district, use of APRPAF funds to purchase real property may constitute authorization for the sale of district bonds by the State after a referendum is passed and after the authorization is included in a subsequent state capital improvement program. If APRPAF funds are designated for a capital project that is not included in a capital improvement act within three years, the Budget Commission may declare the project inactive and request that the school district or state agency fully reimburse the APRPAF.

In the event that real property is purchased and plans for utilization of the site are abandoned, the school district or state agency, with approval of the Budget Commission, may sell the real property and repay the earnest money borrowed from the APRPAF.

Code References:

14 Del. C. § 1714

29 Del. C. § 6343 – 6347

Application Process
ADVANCED PLANNING AND REAL PROPERTY ACQUISITION FUND

In order to obtain funding from the APRPAF for the construction or renovation of a public facility or for the purchase of real property, the requesting school district or state agency must complete the following steps:

1. **Complete the application (attached) and submit it to:**

Ann Visalli, Director
Office of Management and Budget
122 William Penn St., Ste 301
Haslet Armory, Third Floor
Dover, DE 19901

Questions regarding the application may be directed to J. Brian Maxwell, Director of Budget Development, Planning and Administration, or Meaghan Brennan, Deputy Director of Budget Development, Planning and Administration, at (302) 739-4206.

2. **Attend a meeting to discuss the proposal.** Representatives from the Office of Management and Budget (OMB) will meet with the head of the requesting school district or state agency to determine whether or not the proposed facility is likely to commence within three years, and whether or not it is consistent with:

- | | | |
|---|--|--|
| ▪ State Capital Program | ▪ Strategies for State Policies and Spending | ▪ Infrastructure impact assessment standards |
| ▪ Comprehensive plans | ▪ State facility location plans | ▪ Other information that may influence future land use decisions |
| ▪ Land Use and Development Goals & Policies | ▪ Facility siting Criteria | |

For proposals submitted by school districts, Department of Education representatives will be included.

3. **The Director of OMB reports to the Budget Commission.** If the proposed project meets all of the criteria above, the Director of OMB will present the proposal to the Budget Commission, who may authorize an expenditure from the APRPAF to cover the cost of the proposal.

4. **If approved by the Budget Commission, the requesting school district or state agency will receive funding from the APRPAF.** State law also requires school districts and state agencies to go through the PLUS process for the construction of all new state facilities. Additionally, school districts must obtain a Certificate of Necessity (CN) from the Department of Education before the passage of a referendum to fund new school construction.

5. **The district or agency utilizing advanced planning funds will reimburse the APRPAF.** After an appropriation is made to finance the project for which APRPAF resources have been provided, the district or agency will repay any and all allocations from the APRPAF for said project.

Request for Funding Application
ADVANCED PLANNING AND REAL PROPERTY ACQUISITION FUND

Requesting Agency/District _____ Requested Funding: _____

Project Title: _____ Proposed Use: _____

Is this project new construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this project a site renovation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this project a facilities master plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this project a site selection study?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this a request for earnest money?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Project Description: _____

Please provide the following information regarding the proposed project. **This information is required. The only exception to this requirement is in the case of a request to complete a facilities master plan or site selection study.**

Project Location: _____

Tax Parcel ID: _____ Size in Acres: _____

Estimated Square Footage: _____ Total estimated cost: _____

Referendum Date: _____ Estimated Funding Date: _____

Please attach a site plan or site location map to this application. The only exception to this requirement is in the case of a request to complete a facilities master plan or site selection study.

Questions regarding this application should be directed to J. Brian Maxwell, Director of Budget Development, Planning and Administration or Meaghan Brennan, Deputy Director of Budget Development, Planning and Administration at (302) 739-4206. Upon completion, please submit this application to Ann Visalli at the Office of Management and Budget.