

Tel: 203-946-8888

Fax. 203-946-7300

Garth Harries Superintendent

Honorable Members, Board of Aldermen

To: From:

Garth Harries, Superintendent of Schools

Re:

Engineering and Science University Magnet School (ESUMS)

Date:

November 13, 2013

Thank you for considering the purchase of properties for the Engineering and Science University Magnet School (ESUMS), an interdistrict magnet school for students in grades 6-12 planned for location in West Haven, adjacent to the University of New Haven's campus. This memo expands on the materials we have already provided on the project, addressing specific questions raised during the joint Education and Finance Committee Meeting on October 22nd.

As background, last spring you approved a revised budget of \$85.5 million for the ESUMS school construction project, reflecting increased costs since the original 2007 proposal, with a local share of \$6.2 million. Several months ago, consistent with that plan, we wrote seeking permission to acquire land in West Haven for the school, to be built next to UNH. A number of questions arose at a July hearing of the joint Education and Finance Committee. We met again with the joint Education and Finance Committee on October 22nd to explain the project and address the issues, providing materials for that discussion.

At the close of our October 22nd discussion, the joint committee unanimously approved the proposed acquisition. In the course of the discussion, we were asked to provide additional information in several areas, and that information is attached to this memo.

A key issue in the October discussion was ensuring that we work effectively to keep the local share of the project at \$6.2 million, thus limiting the City's debt exposure. This depends on securing reimbursement for those costs initially deemed "potentially" ineligible for reimbursement by the state. The attached material includes examples of "notwithstandings" similar to this project, and thus useful as precedent.

In addition, we discussed West Haven's contribution to the project. The \$1 million building permit fee originally charged by West Haven is now covered by a \$500,000 contribution from UNH, which is committed, and a waiver of the remaining \$500,000 by West Haven, which is awaiting action by the West Haven City Council at its next meeting. Your persistence has been critical to these reductions.

The memo also includes materials on the other questions raised in October: a breakdown by ward of current ESUMS students, examples of bid alternates that will be used to manage costs on the project as we proceed, costs that could be saved from construction but added later if we added equipment to the building later, and amortization of the borrowing for ESUMS.

Last month, we discussed the cost to the City of stopping the project – not only in terms of what we would have to pay back to the state, but what it would cost the City to lease long-term space for ESUMS at Leeder Hill. This would result in long-term general fund expenditures for a leased space that are far greater than the local share of the project, for a facility that does not fully meet the school's educational needs.

We greatly appreciate all your support, not only for this project but for helping all our students rise. We look forward to continuing our work with you in addressing the overall financial circumstances of the district and city. Thank you.

ESUMS Students by Ward

The residence of the 230 New Haven students who attend ESUMS is broken out by neighborhood and ward, below, based on this year's enrollment.

	Amity/Beverly Hills/West Hills			
27	Angela Russell	8		
30	Carlton Staggers	6		
Dixwell/Dwight/West F	River			
2	Frank E. Douglass, Jr.	1		
22	Jeanette L. Morrison	6		
23	Tyisha Walker	9		
Downtown/Wooster				
7	Douglas Hausladen	4		
8	Michael Smart	5		
East Rock				
9	Jessica Holmes	6		
10	Justin Elicker	4		
East Shore				
17	Alphonse Paolillo Jr.	12		
18	Salvatore E. DeCola	2		
Fair Haven				
14	Santiago Berrios-Bones	6		
15	Ernie G. Santiago	9		
16	Migdalia Castro	7		

Fair Haven Heights/C	luinnipiac	
11	Barbara Constantinople	4
12	Mark E. Stopa	19
13	Brenda D. Jones-Barnes	6
HW		
3	Jacqueline James-Evans	6
4	Andrea Jackson-Brooks	10
5	Jorge Perez	6
6	Dolores Colón	11
Newhallville		
19	Alfreda Edwards	4
20	Delphine Clyburn	11
21	Brenda Foskey-Cyrus	10
WEB		
24	Evette Hamilton	7
28	Claudette Robinson-Thorpe	10
29	Brian Wingate	7
Westville		
25	Adam J. Marchand	21
26	Sergio Rodriguez	12
 N/A		1

230

Total

ESUMS "Notwithstanding" Background

Every school construction project has design and construction costs in different categories that the State analyzes to determine whether they are eligible for reimbursement. In each project, these are identified as potential "ineligibles," and case-specific strategies are developed and followed to maximize state funding. Across all of our building projects, we have secured state funding for over \$153 million in costs deemed potentially ineligible. If we are unsuccessful with all ineligible strategies, that would create a worst case exposure for the local share of \$16.1 million. However, our traditional strategies of working with our local legislative delegation and other state partners can address this ineligibles exposure, and keep the local share down to \$6.2 million. These strategies include State legislative solutions that have been granted in comparable situations.

Legislative "notwithstandings" are contained within school construction legislation each year at the legislature. The precedents in those "notwithstandings" are used by school districts in seeking legislative assistance, where there are gray areas of interpretation of the construction laws or where the State has suggested seeking a "notwithstanding" to clarify a situation or make a specific exemption. New Haven has obtained various "notwithstandings" for projects over the years, as have many other communities.

Redesign work (\$700,000):

There was a 2013 notwithstanding concerning the redesign of an interdistrict magnet high school when its site shifted to be adjacent to a college, a situation very analogous to the ESUMS circumstance. In addition, there is a potential notwithstanding in future years for the redesign of another magnet high school where the site changed.

The Pathways Academy of Technology and Design (also known as the Pathways to Technology Magnet High School) is an interdistrict magnet high school operated by Hartford Public Schools. It currently is located in Windsor, Connecticut, with a new building in construction and slated to open in 2014 on the grounds of Goodwin College in East Hartford. The Connecticut River Academy magnet high school is also on the Goodwin campus, and The Goodwin College Early Childhood Magnet School is under construction there (neither one is operated by Hartford Public Schools). Goodwin is a private college founded in 1999 to serve a diverse student population with career-focused degree programs that lead to strong employment outcomes.

In a 2009 notwithstanding, the school construction grant awarded to Hartford pursuant to a 2003 public act was transferred to Goodwin College, and additional architectural design costs were limited to those deemed necessary for the placement of the previously designed building on the Goodwin campus. In a 2013 notwithstanding (PA 13-243, Sec. 30), "architectural design costs of the previously designed Academy for Advanced Design and Technology/Pathways to Technology Magnet High School on the Goodwin College campus" were made eligible for reimbursement, so long as the amount did not exceed the total approved school construction grant.

Marine Science Magnet High School of Southeastern Connecticut, began looking for sites in 1999. It opened 12 years later, in 2011. Potential sites in New London and Waterford were considered and the school was designed for a site in Groton, which then was scrapped because some of the school was in a 500-year flood plain. A different site in Groton was acquired and the school was redesigned for that site. No notwithstanding request has been made at this point in time for this project.

ESUMS, like the schools noted above, is an interdistrict magnet high school. And, like the Pathways school, it is located in conjunction with a college campus. Thus, there are similar circumstances serving as a precedent for our request.

Lease costs (\$3.1 million):

In 1999, legislation passed that is now C.G.S. Sec. 10-285e, which allows leased costs for swing space to be eligible for reimbursement ("(a) The Department of Construction Services shall include reimbursement for reasonable lease costs that are determined by the Commissioner of Construction Services to be required as part of a school building project grant under this chapter."). The lease determination was with the Department of Education until a 2011 change. In the past, even with the legislation in place, school districts were told to seek a notwithstanding for lease costs in many situations. Therefore, in 2007 there was a notwithstanding adopted to cover lease costs for Fair Haven Middle School – similar to the situation here.

In addition, in 2010, leased costs for schools implementing the 2008 consent order for Sheff ν . O'Neill (in the Hartford area) for magnet schools were made eligible for state funding, and in 2012 that eligibility was extended to "diversity schools" as defined in C.G.S. Sec. 10-286h.

FCAF (\$3.8 million):

In 2012, a notwithstanding was adopted that allowed certain interdistrict magnet schools operated by CREC, which is the Hartford area's regional educational service center, to make short-term or temporary financing costs, including interest, necessary for the construction of the interdistrict magnet schools (FCAF) costs eligible for reimbursement by the state. (PA 12-179) That notwithstanding was refined in 2013 (PA 13-243) with a list of 10 interdistrict magnet schools (up from 7 in 2012) whose financing costs would thus be eligible for reimbursement. While ESUMS is operated by the New Haven school district and not a regional educational service center, the analogy is the same and we intend to request a notwithstanding on the FCAF for ESUMS.

Other:

There have been precedents for 100% reimbursement for eligible costs, as opposed to the 95% reimbursement for eligible costs that is the case for the ESUMS project.

In 2008, through a notwithstanding, the Quinebaug Valley Middle College High School
on the campus of Quinebaug Valley Community College in Danielson was given 100%
reimbursement status (PA 08-169, Sec. 25). The interdistrict magnet school is operated
by EASTCONN, the regional educational service center for Northeastern Connecticut,
and it offers an alternative high school experience for disengaged students who might not

- otherwise complete school who may then take courses at Quinebaug Valley Community College.
- In 2009, through a notwithstanding, the same Pathways Academy of Technology and Design (also known as the Pathways to Technology Magnet High School) on the campus of Goodwin College as was discussed above was given 100% state reimbursement status (PA 09-6, Sept. Special Session, Sec. 18).
- In 2011, through a notwithstanding, seven CREC magnet schools were given the status of 100% state share (PA 11-57, Sec. 96(a)) (and, as noted above, a year later the FCAF costs were made eligible for reimbursement).

Certainly the unique collaboration between UNH and NHBOE and the STEM focus warrants a 100% reimbursement of eligible costs. The key, however, is what is eligible for reimbursement. Therefore, New Haven will be pursuing reimbursement for ineligibles in the categories above.

It should also be noted that in 2013, there was a notwithstanding for the ESUMS project for \$2.5 million for off-site improvements which otherwise would have been ineligible for reimbursement (PA 13-243, Sec. 4).

Finally, under the provisions of C.G.S. Sec. 10-286e(c), the Commissioner of Construction Services "may waive any audit deficiencies found during an audit of a school building project conducted pursuant to this section if the commissioner determines that granting such waiver is in the best interest of the state." While a new provision intended to be rarely exercised, there is some discretion in the statutes that may not necessitate a notwithstanding for some projects post-audit.

ESUMS Bid Alternates

Bid alternates for ESUMS are below, including the roof and solar panels. After the bid results are in, they are reviewed and the alternates for deductions or additions are selected, depending upon budget and price.

3.02 SCHEDULE OF ALTERNATES

- A. Alternate No. 1 Green Roof:
 - Base Bid Work: Provide standing seam metal roof at Cafeteria as shown on drawings A1.03B, A4.00 and A4.04; and Specifications 07 41 13.
 - Add Alternate Work: Provide Modular Vegetative Green Roof System per Specification Section 07 33 63.
- B. Alternate No. 2 EPDM Roof:
 - Base Bid Work: Provide EPD Membrane Roofing as shown on drawings A1.06A through A1.07B, and A4.00. Refer to Specification 07 53 24.
 - Deduct Alternate Work: Eliminate EPD Membrane Roofing and replace with Thermoplastic Membrane Roofing as indicated in Specification 07 54 00.
- C. Alternate No. 3 PV Panels:
 - Base Bid Work: PV panel system as shown on drawings A1.06A through A1.07B, E1.06A, E1.06B, and E4.03. Refer to Specification Section 26 91 00. Work also includes the roof penthouse electrical inverter room.
 - 2. Deduct Alternate Work: Eliminate PV panel system and the roof penthouse electrical inverter room.
 - Credit: Provide credit for the deletion of solar photovoltaic panels, anchorage, inverters and inverter room partition and doors, power connections and metering.
- D. Alternate No. 4 Card Readers:
 - Base Bid Work: Provide Card Readers as indicated by the hardware sets on the Door Schedule in Specification Section 08 71 00 and as noted on the Architectural plans: A1.01A through A1.05B.
 - Add Alternate Work: Add Card Readers to additional doors as noted in the Add Alternate
 column of the Door Schedule in Specification Section 08 71 00. Alternate includes all
 associated wiring to Card Reader locations as specified.
- E. Alternate No. 5 Operable Partition.
 - Base Bid Work: Provide Aluminum Framed Folding Panel System as indicated on drawing sheets A1.03A through A1.05B, A9.01, and A9.03; and according to Specification Section 08 41 14.
 - Deduct Alternate Work: Eliminate the Aluminum Framed Folding Panel System and replace with Operable Partition as specified in Section 10 22 00.

ESUMS Equipment Budget

The ESUMS Equipment Budget is below. It indicates the estimated total cost, and the city share of that cost. If the city were to add equipment later, after the project is completed, the city would be responsible for that amount – which, using the budget below, would be over \$1.7 million, plus furniture.

Item	Estimated Total Cost	City Share	
Shop Equipment	\$300,000	\$15,000	
Fitness Equipment	\$30,000	\$1,500	
Science Equipment	\$45,000	\$2,250	
Video Production Equipment	\$80,000	\$4,000	
Technology	\$1,300,000	\$65,000	
Music Equipment	\$45,000	\$2,250	
Furniture	TBD	TBD	
Total (not including furniture)	\$1,800,000	\$90,000	

ESUMS Amortization Schedule

The debt service for a school construction project extends over a 20-year period. Following are amortizations schedules for ESUMS.

This chart shows the amortization schedule for additional bonding should all of the potential ineligible costs be deemed ineligible by the State:

CITY OF NEW HAVEN \$10,000,000 General Obligation E Total Debt Service					onds	
Period	2 17 10 10 10 2		obt ocivic	Debt	Annual Debt	
Ending	Principal	Coupon	Interest	Service	Service (Fiscal Year	
7/1/2014						
1/1/2015	_	_	225,000.00	225,000.00	225,000.0	
7/1/2015	500,000.00	4.50%	225,000.00		223,000.0	
1/1/2016			213,750.00	•	938,750.0	
7/1/2016	500,000.00	4.50%	213,750.00		330,730.0	
1/1/2017	-	_	202,500.00		916,250.0	
7/1/2017	500,000.00	4.50%	202,500.00	702,500.00	310,230.00	
1/1/2018			191,250.00	191,250.00	893,750.00	
7/1/2018	500,000.00	4.50%	191,250.00	691,250.00	030,730.00	
1/1/2019	,		180,000.00	180,000.00	871,250.00	
7/1/2019	500,000.00	4.50%	180,000.00	680,000.00	071,250.00	
1/1/2020	,	1.0070	168,750.00	168,750.00	848,750.00	
7/1/2020	500,000.00	4.50%	168,750.00	668,750.00	040,750.00	
1/1/2021		4.5076	157,500.00		820 050 00	
7/1/2021	500,000.00	4.50%	157,500.00	157,500.00	826,250.00	
1/1/2022	300,000.00	4.5076	146,250.00	657,500.00	000 750 44	
7/1/2022	500,000.00	4 500/	•	146,250.00	803,750.00	
/1/2022	500,000.00	4.50%	146,250.00	646,250.00	-	
7/1/2023	-	-	135,000.00	135,000.00	781,250.00	
/1/2023	500,000.00	4.50%	135,000.00	635,000.00	•	
	-		123,750.00	123,750.00	758,750.00	
/1/2024	500,000.00	4.50%	123,750.00	623,750.00	-	
/1/2025		-	112,500.00	112,500.00	736,250.00	
/1/2025	500,000.00	4.50%	112,500.00	612,500.00	-	
/1/2026	-	-	101,250.00	101,250.00	713,750.00	
/1/2026	500,000.00	4.50%	101,250.00	601,250.00	-	
/1/2027	-	-	90,000.00	90,000.00	691,250.00	
/1/2027	500,000.00	4.50%	90,000.00	590,000.00	-	
/1/2028	-	•	78,750.00	78,750.00	668,750.00	
/1/2028	500,000.00	4.50%	78,750.00	578,750.00	-	
/1/2029	-	-	67,500.00	67,500.00	646,250.00	
/1/2029	500,000.00	4.50%	67,500.00	567,500.00	-	
/1/2030	-	•	56,250.00	56,250.00	623,750.00	
/1/2030	500,000.00	4.50%	56,250.00	556,250.00	-	
/1/2031	-	_	45,000.00	45,000.00	601,250,00	
/1/2031	500,000.00	4.50%	45,000.00	545,000.00	-	
1/2032	-	-	33,750.00	33,750.00	578,750.00	
1/2032	500,000.00	4.50%	33,750.00	533,750.00	3, 5, . 55.00	
1/2033	-	-	22,500.00	22,500.00	556,250.00	
1/2033	500,000.00	4.50%	22,500.00	522,500.00	330,230.00	
1/2034			11,250.00	11,250.00	533,750.00	
1/2034	500,000.00	4.50%	11,250.00	511,250.00	333,730.00	
1/2035		4.5070	11,200.00	311,230.00	511,250.00	
					-17,200.00	
TAL	10,000,000.00		4,725,000.00	14,725,000.00	14,725,000.00	

This chart shows the amortization schedule for additional bonding should the District be successful in eliminating \$4,000,000 of the potential ineligible costs through administrative and/or legislative action:

\$6,000,000 General Obligation Bonds Total Debt Service					
Period				Debt	Annual Debt
Ending	Principal	Coupon	Interest	Service	Service (Fiscal Year
7/1/2014					
1/1/2015	_	-	135,000.00	135,000.00	135,000.0
7/1/2015	300,000.00	4.50%	135,000.00	435,000.00	133,000.0
1/1/2016	•		128,250.00	128,250.00	563,250.0
7/1/2016	300,000.00	4.50%	128,250.00	428,250.00	300,230.0
1/1/2017		_	121,500.00	121,500.00	549,750.0
7/1/2017	300,000.00	4.50%	121,500.00	421,500.00	343,730.00
1/1/2018	-		114,750.00	114,750.00	536,250.00
7/1/2018	300,000.00	4.50%	114,750.00	414,750.00	330,230.00
1/1/2019	_		108,000.00	108,000.00	F22 7F0 00
7/1/2019	300,000.00	4.50%	108,000.00	408,000.00	522,750.00
1/1/2020	-		101,250.00	101,250.00	E00 250 00
7/1/2020	300,000.00	4.50%	101,250.00		509,250.00
1/1/2021	200,000.00	4.50%	94,500.00	401,250.00	105.750.00
7/1/2021	300,000.00	4.50%		94,500.00	495,750.00
1/1/2022	-	4.50%	94,500.00	394,500.00	100.050.05
7/1/2022	300,000.00	4.50%	87,750.00	87,750.00	482,250.00
1/1/2023	300,000.00	4.50%	87,750.00	387,750.00	
7/1/2023	300,000.00	4 500/	81,000.00	81,000.00	468,750.00
1/1/2024	300,000.00	4.50%	81,000.00	381,000.00	
7/1/2024	300,000.00	4.500/	74,250.00	74,250.00	455,250.00
/1/2024	300,000.00	4.50%	74,250.00	374,250.00	
7/1/2025	300 000 00	4.500/	67,500.00	67,500.00	441,750.00
/1/2026	300,000.00	4.50%	67,500.00	367,500.00	
/1/2026	200 000 00	4.500/	60,750.00	60,750.00	428, 250.00
/1/2020	300,000.00	4.50%	60,750.00	360,750.00	-
/1/2027	200 000 00		54,000.00	54,000.00	414,750.00
	300,000.00	4.50%	54,000.00	354,000.00	-
/1/2028	200 000 00		47,250.00	47,250.00	401,250.00
/1/2028	300,000.00	4.50%	47,250.00	347,250.00	=
/1/2029	200 000 00		40,500.00	40,500.00	387,750.00
/1/2029	300,000.00	4.50%	40,500.00	340,500.00	-
/1/2030		-	33,750.00	33,750.00	374,250.00
/1/2030	300,000.00	4.50%	33,750.00	333,750.00	-
/1/2031	-	*	27,000.00	27,000.00	360,750.00
/1/2031	300,000.00	4.50%	27,000.00	327,000.00	-
1/2032	-	-	20, 250.00	20,250.00	347,250.00
1/2032	300,000.00	4.50%	20,250.00	320,250.00	-
1/2033	-	-	13,500.00	13,500.00	333,750.00
1/2033	300,000.00	4.50%	13,500.00	313,500.00	-
1/2034	-	-	6,750.00	6,750.00	320,250.00
1/2034	300,000.00	4.50%	6,750.00	306,750.00	-
1/2035		_			306,750.00

2,835,000.00

8,835,000.00

8,835,000.00

TOTAL

6,000,000.00