

State of New Mexico
Public School Facilities Authority

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RE: Joint Powers Agreement

Dear Colleagues,

Enclosed is an updated Joint Powers Agreement (JPA) for your district that renews our current agreement.

The previous JPA signed by your district/representative has expired and the attached JPA is the updated version.

- It is the same agreement with no substantive changes. The date of expiration has been removed. Other details remain identical.
- State-Chartered Charter School have been added.
- If your district does not intend to apply for Public School Capital Outlay grants in the future, it does not need to sign the new JPA.
- PSFA has no authority over district governance, but when the state provides funding for a project in your district, PSFA is required by statute to oversee the expenditure of those funds. The JPA enables us to do that.
- The JPA requests that each district designate a representative who will serve as the delegated authority and single point of contact for decision making for the district. This can be the superintendent or any other individual who the board feels is most qualified. The reason is that the construction business depends on extensive information exchange, and there often can be little time to process decisions without creating legal and fiscal liabilities. It should be noted that PSFA will never ask for a district representative to be given authority to overspend a Board budget that includes contingency.

- Co-ownership during project design and construction allows PSFA to carry out its oversight responsibilities. *Once a project is completed, PSFA is no longer a co-owner*, which is clearly spelled out in standard PSFA design and construction agreements.
- **Facility Master Plans (FMP)** are required by law of all districts that received PSCOC Capital Outlay Grants. The PSCOC also makes grants for the development of FMPs.
- **School Construction Approvals** were previously administered by PED prior to the creation of PSFA. PSFA now handles all projects over \$200,000 via its *Request for Approval of School Construction (RASC)* process. As a way to make this process simpler and more convenient for districts, PSFA provides “one stop shop” approvals for all projects from the various regulatory agencies.
- **District Preventative Maintenance Plans (PMP’s)** became a statutory requirement in 2005 (22-24-5.5 NMSA). As the Legislature provided a major increase in state funding for school capital outlay in recent years, it felt it was important to strengthen the program to keep these new and renovated buildings in good condition. PSFA was assigned the task of assisting in the implementation of these plans.
- **The Facility Information Management System (FIMS, or School Dude)** is a second legislative facilities maintenance initiative designed to give districts a fully funded resource for better maintenance management. PSFA administers FIMS, and is committed to assisting school districts with this resource in whatever way we can.

This entire agency is available at your convenience to answer questions, provide clarifications, provide training and/or assistance, present to your school board and community, and perhaps most of all, discuss your needs and work together to meet them. As this new process progresses, nothing is more important than that school districts have a seat at the table in how programs and policies are developed and implemented. We warmly welcome your questions, concerns, views and frankly, your critique. Please allow us to hear from you whenever and in whatever way we can possibly be of service.

In particular, if this note clarifies any questions and concerns you may have had related to the JPA, and if your board intends to execute this agreement, PSFA would like to request that you *return a signed copy to us by November 1, 2010.* If your district has current or new projects that it needs to begin before then, we would request a signed copy as soon as possible.

Thank you for your support and good will as we work together to improve public education in New Mexico.

With highest regards,



Robert Gorrell
Director, PSFA