



Public Comment Analysis

Date: March 8, 2013
Topic: Proposed Amendment to 2010-14 Five Year Capital Plan
Date of Panel Vote March 11, 2013

Summary of Proposal

The Department of Education’s proposed Amendment (the “February 2013 Amendment”) to the Five-Year Capital Plan of \$11.8 billion for Fiscal Year (FY) 2010-2014 adopted by the City Council in June 2009 (the “Plan”), is up for public review. The February 2013 Amendment reflects an increase of over \$600 million from the 2012 Adopted Amendment. The City proposed an advance of \$290 million from later years in its capital plan. The advance would maximize the potential impact of the funding given current economic and market conditions. In addition, the February 2013 Amendment includes \$200 million funding provided by the City to address damage due to Hurricane Sandy. The increase also reflects \$100 million in additional funding from City Council and Borough Presidents sources. The February 2013 Amendment provides updated costs and schedules for both capacity and capital improvement projects that are in process. Additionally because this is the final amendment to the Plan, it also includes a look ahead into the FY2015 – 2019 Capital Plan (the “FY 15-19 Plan”) and identifies some of the proposed capital investment projects for FY2015.

The February 2013 Amendment reaffirms the need for approximately 50,000 seats first identified in the November 2010 Proposed Amendment. We continue to experience lower than expected costs in construction of large projects and site specific conditions. In addition, the Department has been able to capitalize on lower cost leasing options. As a result of these efficiencies, the Department is proposing to fund an additional 931 seats for construction and/or design in this Plan. The Department is now estimating the \$3.56 billion allocated for new capacity will fund the construction of approximately 32,300 seats. Funding will continue to allow for the design of over 2,500 more seats whose construction would need to be funded by the FY 15-19 Plan. The total seats to be funded in the February 2013 Amendment to the Plan increases to 34,819, from the 33,888 seats provided for in the 2012 Adopted Amendment to the Plan.

The Facility Replacement Category funding has been reduced by approximately \$60 million in this February 2013 Amendment due to a higher than expected proportion of landlords willing to renew leases on reasonable terms and our projection that this trend will continue over the remaining year of this Plan.

The February 2013 Amendment features the following proposed investments:

\$4.46 billion for Capacity, which includes \$3.56 billion for new capacity, \$690 million for a Facility Replacement Program, and \$210 million for the Charter Partnership program. The \$3.56 billion for New Capacity will fund the design and construction of approximately 32,300 seats and the design of an additional over 2,500 seats, bringing the total new seats proposed to 34,819.

\$7.37 billion for Capital Investment, which includes \$3.16 billion for the Capital Improvement Program, \$1.62 billion for Children First Initiatives, \$1.97 billion for Mandated programs, and approximately \$610 million in funds provided by City Council, Borough President, and Mayor/Council sources.

Summary of Public Comments Received on the Proposed Amendment

One written comment was received. The commenter asserted that the Plan does not identify a category of funds dedicated to making existing school buildings accessible to persons with disabilities, and asked why not.

Analysis of Issues Raised and Significant Alternatives Proposed

The Five Year Capital Plan does have a category that addresses accessibility. It is entitled “3A3 - Accessibility” and there is \$75 million dedicated to the category in this Plan.

Changes Made to the Proposal

No changes have been made to this proposal as a result of the comments received.

Information regarding where the full text of the proposed item may be obtained

The proposed February 2013 Amendment can be found on the Department of Education’s website:

http://www.nycsca.org/Community/CapitalPlanManagementReportsData/CapPlan/021012_10-14_CapitalPlan.pdf