TO: Agency Secretaries
    Department Directors
    Department Budget and Accounting Officers
    Department of Finance Budget and Accounting Staff

FROM: DEPARTMENT OF FINANCE

NOTE: Budget Officers are requested to forward a copy of this Budget Letter to the Department's Facilities Manager as well as program personnel with capital outlay infrastructure needs.

### Deadlines and Deliverables

<table>
<thead>
<tr>
<th>Date</th>
<th>Deliverable</th>
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</thead>
<tbody>
<tr>
<td>September 2, 2014</td>
<td>Five-Year Infrastructure Plans, including all required supporting documentation, due to your Department of Finance budget analyst.</td>
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<tr>
<td>October 1, 2014</td>
<td>Deferred Maintenance Information.</td>
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<tr>
<td></td>
<td>FI$CAL Capital Outlay Instructions</td>
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This Budget Letter (BL) provides detailed instructions and due dates for submitting Major and Minor Capital Outlay Budget Change Proposals (COBCPs), Five-Year Infrastructure Plans, and deferred maintenance information. This BL also provides information regarding FI$Cal that affects all departments with capital outlay programs.

Major COBCPs; detailed Minor COBCPs and a summary Minor COBCP, if applicable; and Five-Year Infrastructure Plans are due by **September 2, 2014**, as indicated in BL 14-05. Deferred maintenance information is due by **October 1, 2014**. Any state agency with capital outlay needs in 2015-16 through 2019-20 must submit a Five-Year Infrastructure Plan, including the necessary COBCPs and/or Capital Outlay Concept Papers (COCPs) as detailed in this BL.

1. **Submittal of the 2015 Five-Year Infrastructure Plans, COBCPs, and COCPs.**

   **A. FIVE-YEAR INFRASTRUCTURE PLANS**

   The Governor is required to annually submit a Five-Year Infrastructure Plan in conjunction with the Governor’s Budget. The 2014 Infrastructure Plan evaluated the state’s infrastructure needs in the overall context of available funding sources, what the state could afford, and how the state could grow in the most sustainable way possible. The 2014 Infrastructure Plan focused the limited available resources on core state responsibilities. The 2015 Infrastructure Plan will update the 2014 Infrastructure Plan keeping the same principles in mind. The 2014 Infrastructure Plan can be
found at the following link: [http://www.dof.ca.gov/capital_outlay/reports/documents/2014-Infrastructure-Plan_WEB.pdf](http://www.dof.ca.gov/capital_outlay/reports/documents/2014-Infrastructure-Plan_WEB.pdf). As stated in the 2015-16 Budget Policy Letter (BL 14-12), in order to maintain a structurally balanced budget, departments’ ability to submit COBCPs for the 2015-16 Budget remains limited, regardless of funding source. COBCPs should only be submitted for the 2015-16 Budget that are either for (a) existing or ongoing capital outlay projects, or (b) new capital outlay projects, if critical, such as fire/life safety, or court ordered projects.

In addition to the required COBCPs and COCPs described in more detail below, departments are reminded they also need to submit, as part of their plans, the following narrative information to their Finance budget analyst if they have a capital outlay need:

- Department’s mission and program responsibilities
- Description of the department’s existing facilities
- Summary of the department’s drivers of infrastructure need
- Summary of the department’s proposal, and
- Description of how their plan is consistent with AB 857 (Chapter 1016, Statutes of 2002) Planning Guidelines.

Departments included in the 2014 Infrastructure Plan are not required to submit a revised narrative for mission and program responsibilities, description of its existing facilities, and drivers of need if there are no changes or required updates from what was included in the 2014 Infrastructure Plan.

Departments not included in the 2014 Infrastructure Plan should use the 2014 Infrastructure Plan as a guideline when developing their narrative sections. The narrative document should be emailed to their capital outlay Finance budget analyst by September 2, 2014.

**AB 857 Planning Guidelines:** All Five-Year Infrastructure Plans must consider the state planning priorities, as required by Government Code section 65041.1, including, but not limited to the following:

- Promote infill development by rehabilitating existing infrastructure.
- Protect environmental and agricultural resources by protecting and preserving the state’s most valuable natural resources.
- Encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth.

All state entities are required to provide a narrative explanation of how these planning priorities have been incorporated into their five-year infrastructure plan on a statewide basis as it relates to programmatic drivers and infrastructure needs as reported in the Five-Year Infrastructure Plans. If your department has policy documents, guidance, or processes for assessing consistency with California’s Planning Priorities that are useful in designing and selecting projects to implement your infrastructure plan requests, list these instruments and web links in the narrative section of your infrastructure plan.

Because these planning priorities are most relevant at the project level, the COBCP includes a section to describe how each project is or is not consistent with these statewide planning priorities. Additional justification must be provided for projects that are not consistent with these statewide planning priorities to be considered for funding.
B. MAJOR CAPITAL OUTLAY

All COBCPs and COCPs for all major capital outlay projects proposed for the 2015-16 Governor’s Budget and the 2015 Five-Year Infrastructure Plan must be submitted to Finance no later than September 2, 2014.

Reminder—State agencies requesting new or expanded facilities must clearly demonstrate how existing facilities do not meet programmatic needs and keep in mind the Administration’s desire to fund critical core state infrastructure within limited available resources.

- **Documents Required to Request Capital Outlay Funds:**
  - For budget year and project specific out-year proposals included in the Five-Year Infrastructure Plan: COBCP(s) as described in Attachment 1 and Fiscal Impact Worksheet (FIW) as described in Attachment 4.
  - For conceptual proposals: COCP(s) as described in Attachment 3 and FIW as described in Attachment 4.
  - For ALL proposals: COBCPs, COCPs, and FIWs must be submitted electronically as Word documents or Excel spreadsheets to the appropriate Finance capital outlay budget analyst.
  - All documents submitted to Finance must also be provided in hard copy.

- **When to Prepare a COBCP:** Complete COBCPs are required for all new projects or capitalized leases (See Attachment 1) proposed for inclusion in the 2015-16 Governor’s Budget. For continuing phases of previously funded projects, departments must submit a complete COBCP and FIW; any changes to the cost or scope of the project must be clearly identified and justified.

- **Requesting Budget Packages:** Budget packages are used to verify feasibility, scope, and costs of projects. Finance may utilize infrastructure planning funds for budget packages when Finance determines a budget package is required for a specific project and funding is not otherwise available. Departments may submit requests to Finance to fund specific budget packages or utilize departmental support funds to contract with the Department of General Services (DGS), Real Estate Services Division, prior to submission of COBCPs. However, use of support funds does not guarantee future funding of a project, so departments are advised to check with Finance prior to initiating their own budget package.

- **Agency Review and Distribution:** Five-Year Plans, including COBCPs and COCPs must be approved by the Agency Secretary, as applicable, prior to submission to Finance. After agency approval, submit:
  - Three copies to: Department of Finance, Capital Outlay Unit, 915 L Street, Ninth Floor. (Submit four copies to the Capital Outlay Unit for projects based on enrollment/caseload/population changes, program workload adjustments, or program policy changes [the additional copy will be given to the Finance support analyst]). These copies are in addition to any copies that the Agency Secretary may require.

- **Major Capital Outlay Budget Reminders:**
  - A capital outlay appropriation is required for the acquisition of real property or any lesser interest in real property (includes, but not limited to, capitalized leases, easements, purchase options, and rights-of-way), except as otherwise authorized.
  - All major capital outlay projects are subject to the administrative oversight of the State Public Works Board (PWB) unless specifically exempted. Departments must follow PWB and
Finance administrative requirements when implementing projects. Questions on these requirements should be directed to the Finance Capital Outlay Unit at (916) 445-9694.

- Augmentations to capital outlay appropriations may be made by the PWB in accordance with GC section 13332.11, through the Budget Act, or through special legislation.
- Project scope may not be altered except in conformance with GC section 13332.11. Finance determines which project changes are classified as scope changes. Project managers and departments must review potential scope changes with the Finance Capital Outlay Unit. Unapproved scope changes may result in project termination. To avoid project termination, it is recommended that departments exercise caution and discuss any potential scope changes with Finance before proceeding with those changes.
- Funds may not be transferred between major capital outlay projects, unless specifically authorized in the Budget Act or by other statute.
- Capital outlay appropriations and reappropriations are generally available for three years. However, appropriations for preliminary plans and working drawings are only available for encumbrance for one year. Construction appropriations are available for encumbrance for up to three years, but revert at the end of the first year of appropriation if Finance has not allocated the funding through fund transfer or approval to proceed to bid (see Section 1.80 of the 2014 Budget Act for current availability periods for all project phases).

C. MINOR CAPITAL OUTLAY

Minor capital outlay is any project under $634,000 which has been specifically budgeted as a minor project and which a department has been authorized to implement directly pursuant to Public Contract Code section 10108. Resources Agency capital outlay projects up to $872,000 may be budgeted as minor projects with the concurrence of Finance. Departments may not circumvent the budget process by “piecemealing” larger projects through several minor projects.

- **Deadlines and Distribution:** Minor capital outlay projects are included in the five-year program as a lump sum for each of the five years. A single summary COBCP is also required for minor projects. Send two copies to Finance and two copies to DGS.

  - **Augmentations:** A minor capital outlay project is not subject to PWB oversight, and by practice the PWB does not augment projects not subject to its approval. However, Finance may authorize increases to the amount approved for a minor project by redirection within the department’s minor program within the same fiscal year if the increase does not result in a project that exceeds the minor capital outlay limit as set forth in Public Contract Code section 10108.

2. DEFERRED MAINTENANCE

For the first time, the 2014 Infrastructure Plan highlighted the state’s deferred maintenance need that is traditionally funded as part of a department’s operations budget. The 2014 Infrastructure Plan estimated the statewide deferred maintenance need to be $64.6 billion. The 2015 Infrastructure Plan will update this estimate.

Departments are required to provide a detailed list of their identified deferred maintenance need, if one exists, to their capital outlay Finance budget analyst by **October 1, 2014**. The list should include the following information: department name, project location, project title/description, and estimated project cost. To the extent possible, the projects should be in priority order. This information should be submitted in an Excel format consistent with the template provided in Attachment 5. This template can be emailed to each department upon request. Please note that the identified deferred maintenance...
needs of each department should be reviewed and approved by their respective agencies prior to submittal to Finance.

While Finance is collecting this information for the 2015 Infrastructure Plan, it is not known at this time if any additional funding will be available in the 2015-16 Governor's Budget to address these needs. Regardless, departments must submit their estimated deferred maintenance needs to their capital outlay Finance budget analyst, recognizing that these needs will be considered along with other Administration priorities during the budget development process.

3. **FI$CAL Capital Outlay Update Instructions**

As noted in BL 14-07, Wave 1 departments are not anticipated to have capital outlay projects. All other departments (non-Wave 1) with a capital outlay request are required to submit signed hard copies and electronic copies of their COBCPs, COCPs, and FIWs. The electronic and hardcopies will be used by Finance staff to enter the project data into FI$Cal.

Departments can submit their requests on the existing COBCP, COCP and FIW forms available prior to this BL or the slightly modified forms provided with this BL and available on Finance’s website. Any COBCPs included in the 2015 Infrastructure Plan will need to be on the new forms prior to January 5, 2015. Program, Project, and Subfund information can be found at the following link: [http://www.dof.ca.gov/FI$Cal_Resources/view.php](http://www.dof.ca.gov/FI$Cal_Resources/view.php).

If you have any questions, please contact your Finance capital outlay budget analyst at (916) 445-9694.

/s/Greg Rogers for

Karen Finn
Program Budget Manager

Attachments
CAPITAL OUTLAY BUDGET CHANGE PROPOSALS

A Capital Outlay Budget Change Proposal (COBCP) is required for all capital outlay projects (both major and minor) proposed for the Governor’s Budget and for certain capitalized leases that do not have prior legislative authority. This attachment provides:

- An overview of the purpose of the COBCP.
- Additional information on when a COBCP is required.

Purpose of the COBCP: In broad terms, the COBCP justifies the funding request. Specifically, the COBCP must:

- Define the department’s problem and establish its significance.
- Provide basic background and detail of alternatives considered.
- Demonstrate that the department has explored all reasonable alternatives to solving the problem and offered the most logical and cost-effective solution.
- Provide detailed documentation for the proposed solution and its cost.
- Explain how the project supports the department’s strategic plan.

Finance will consider only those proposals that convincingly meet all five of these requirements.

A COBCP (or an updated COBCP) is required for:

- Any request for a capital outlay appropriation, whether for acquisition of land, structures, or construction, including minor projects. A COBCP is also required for project augmentations that exceed the State Public Works Board’s (PWB’s) augmentation authority (i.e., over 20 percent).

- Requests for Finance Letters to adjust an existing project proposal, whether for technical or policy reasons, or to add an urgent new proposal.

- Requests to enter into a lease-purchase agreement for capital assets. Although no capital expenditure is made under a lease-purchase agreement, a capital acquisition does occur. If the authorization for a lease-purchase is sought through the Budget Act, the department must submit a COBCP comparing alternatives to meeting its space requirements and demonstrating, through a cost-benefit analysis, that a lease-purchase agreement is the most cost-beneficial method of project delivery.

- Exercising a purchase option on capital assets. Exercising a purchase option (even a $1 purchase option) requires a capital outlay appropriation. An updated COBCP must be submitted showing that the proposed acquisition is still cost-beneficial considering any possible changes in program need, lease market conditions, and state construction alternatives.

- Entering into any other lease which meets the definition of capitalized lease. A lease agreement is a capitalized lease (in substance, a purchase) when substantially all of the risks and benefits of ownership are assumed by the lessee. If a lease meets any one of the following conditions, it is a capitalized lease:
1. Ownership of the leased asset is transferred to the state at the end of the lease period.

2. The lease gives the lessee the option of purchasing the leased asset at a nominal value at some point during or at the end of the lease period.

3. The period of the lease (a single term of a lease, not including renewals) is 75 percent or more of the estimated useful life of the leased asset.

4. The present value of the minimum lease payments is 90 percent or more of the fair value of the leased asset (i.e., the lease payments over a single term of the lease are substantially the same as the purchase price).

Unless existing statute authorizes a capitalized lease, the lease requires specific legislative authority. If the Budget Act will be used to provide that authority, a COBCP is required whether or not a capital outlay appropriation is needed.

- **Modulars and trailers.** The purchase of modular buildings or trailers (temporaries) where the temporary is intended as a permanent facility must be submitted as a COBCP. Requests for modular buildings intended as an interim solution for a permanent facility or housing need must be submitted as a support budget request. In any event, both the Finance support and capital outlay analyst will concurrently review requests for temporaries to determine if the proposal is the most cost effective resolution to the identified problem.

- **Minor alterations projects authorized by Control Section 6.00 of the Budget Act.** Section 6.00 authorizes the use of support funds for some minor alteration projects (i.e., those costing less than $634,000), subject to Finance approval and legislative notification for projects costing more than $100,000. Requests must be submitted for review to the Finance Capital Outlay Unit with substantially the same information as required in a COBCP. Finance approval is required prior to the encumbrance of funds.

  Note: Acquisition projects funded via section 6.00 are subject to the same acquisition oversight requirements (e.g., State Public Works Board) as would be required for an acquisition funded via a capital outlay appropriation.

  Additionally, if a support budget increase is needed as a result of a capital outlay project—including rent increases pursuant to a lease—a separate support BCP must also be submitted concurrent with the COBCP to the appropriate Finance support unit.

- **Group 2 equipment phases of projects.** Group 1, fixed equipment, is incorporated into or attached to the facility and therefore is included in the construction phase of a project. Group 2, movable equipment, is budgeted as a separate phase. For a COBCP requesting the Group 2 equipment phase of a project, provide the project appropriation history, including the project name, Budget Act items, and project code. Definitions of Group 1 and Group 2 equipment are provided in SAM section 6855.

  For Group 2 equipment, identify how funding needs were determined. Show all items of equipment to be placed in a particular space, indicating whether the item is to be purchased by the agency or transferred from another building or location. Account for all equipment currently available in buildings to be replaced by the new structure. Final approval of equipment lists generally follows approval of preliminary plans. Exceptions to this rule are discussed in SAM section 6855.

  Movable equipment that does not meet the definition of capital outlay per SAM section 6806 is not a capital outlay expenditure. These costs are proposed and funded in the state operations appropriation (i.e., additional funding may be requested via a support budget change proposal).
• **Coordination of STD. 9s with COBCPs and BCPs.** Departments submit space action requests (STD. 9s) for:
  
  ✓ New or additional space (including swing space), lease extensions, or renewals desired by an agency in non-institutional buildings—whether state-owned or leased.
  
  ✓ Re-locatable buildings and trailers.

Finance approval of a STD. 9 does not constitute approval for a support budget increase or a capital outlay appropriation, or approval to include authorization language for a lease-purchase, purchase option, or option execution in the Budget Act. If any of these is required, either a support BCP or a COBCP (or both) must be submitted to Finance. SAM section 6453 provides additional information.

• **Architectural and Engineering (A&E) fees.** A&E fees (basic and non-basic) are charged for architectural and engineering work performed either by the department or by consulting professionals. Expenses may also include project-related construction management support, such as construction inspection, travel, bidding expenses, and drawings. Contact DGS for assistance with budgeting A&E fees.

• **Swing space for capital outlay projects.** Swing space (i.e., temporary accommodations during a facility remodel) is a state operations cost that must be noted as informational on the COBCP but requested separately as a support BCP.

• **Allowable cost indices.** Departments must use the California Construction Cost Index (CCCI). Use of any other index requires Finance concurrence. **Budget Letter 10-15** outlines the current process for establishing the base CCCI for a project and how to estimate future construction costs (currently 0.42 percent per month to the start and midpoint of construction).
STATE OF CALIFORNIA
DEPARTMENT OF FINANCE
CAPITAL OUTLAY
BUDGET CHANGE PROPOSAL (COBCP)
COVER PAGE (REV 08/14)

BUDGET YEAR 2015-16

ORG CODE: _____ COBCP NO. _____ PRIORITY: _____ PROJECT ID: __________
(Business Unit/Entity) (15 digits; for new projects, leave blank)
DEPARTMENT: ___________________________________________________________

PROJECT TITLE: __________________________________________________________

TOTAL REQUEST (DOLLARS IN THOUSANDS): $___________ MAJOR/MINOR: _____
PHASE(S) TO BE FUNDED: ___________ PROJ CAT: _________ CCCI/EPI: __________
SUMMARY OF PROPOSAL:

HAS A BUDGET PACKAGE BEEN COMPLETED FOR THIS PROJECT? (E/U/N/?): _____
REQUIRES LEGISLATION (Y/N): _____ IF YES, LIST CODE SECTIONS: _________________
REQUIRES PROVISIONAL LANGUAGE (Y/N) _____
IMPACT ON SUPPORT BUDGET: ONE-TIME COSTS (Y/N): _ FUTURE COSTS (Y/N): __
FUTURE SAVINGS (Y/N): __ REVENUE (Y/N): __
DOES THE PROPOSAL AFFECT ANOTHER DEPARTMENT (Y/N): _____ IF YES, ATTACH
COMMENTS OF AFFECTED DEPARTMENT SIGNED BY ITS DIRECTOR OR DESIGNEE.

SIGNATURE APPROVALS:
PREPARED BY DATE REVIEWED BY DATE

DEPARTMENT DIRECTOR DATE AGENCY SECRETARY DATE

*******************************************************************************
DOF ANALYST USE
DOF ISSUE #_____ PROGRAM CAT:_____ PROJECT CAT:_____ BUDG PACK STATUS:_____
ADDED REVIEW: SUPPORT:____ OCIO:____ FSCU/ITCU:____ OSAE:____ CALSTARS:____
PPBA: ________________ Date: ______________
Using the attached page, follow the format outlined below and fully address all of the items. Use additional pages as needed. Certain projects may require additional information. Questions should be referred to DOF.

A. PURPOSE OF THE PROJECT: (problem, program need, infrastructure deficiency)

B. RELATIONSHIP TO THE STRATEGIC PLAN: (relevance of problem/need to mission and goals)

C. ALTERNATIVES: (for each, describe the proposed alternative and provide a brief summary of scope, cost, funding source, program benefits, facility management benefits, and impact on support budget)

D. RECOMMENDED SOLUTION:
   1. Which alternative and why?
   2. Detail scope description.
   3. Basis for cost information.
   4. Factors/benefits for recommended solution other than the least expensive alternative.
   5. Complete description of impact on support budget.
   6. Identify and explain any project risks.
   7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

NARRATIVE, PAGE ___ OF ____
E. Consistency with Government Code section 65041.1:

1. Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

2. Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state’s most valuable natural resources? Explain.

3. Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.
CAPITAL OUTLAY BUDGET CONCEPT PAPER

A Capital Outlay Budget Concept Paper (COCP) is required for all conceptual capital outlay proposals included in the Five-Year Infrastructure Plan. This attachment provides:

- An overview of the purpose of the COCP.
- Information on when a COCP is required.
- A sample of the required COCP format. *An electronic copy of the COCP form and instructions for completion are available on the Department of Finance’s (Finance) website at: [http://www.dof.ca.gov/budgeting/forms/view.php](http://www.dof.ca.gov/budgeting/forms/view.php).*

**Purpose of the COCP:** The COCP has been developed for use in place of the traditional COBCP for those needs that cannot be described as a specific project. To the extent possible, the COCP must justify the funding request. Specifically, the COCP must:

- Define the department’s problem and establish its significance.
- Provide basic background and detail of alternatives considered.
- Demonstrate that the department has explored all reasonable alternatives to solving the problem and offered the most logical solution.
- Provide assumptions/methodology for the proposed solution and its cost.

**A COCP (or an updated COBCP) is required for:**

- Any request for inclusion in the Five-Year Infrastructure Plan, whether for acquisition of land, structures, or construction, including minor projects.
Capital Outlay Concept Paper

Plan Year: (Year for which capital outlay plan is proposed)
Department: (Name of Department)
Org. Code: (Budget Unit/Entity)

Program Category:
Program Subcategory:
Project Title:
Project ID: (15 digits; existing projects only, for new projects leave blank)
Funding Source: (Fund Name and Code)
Impact on Support Budget:
☐ Yes  ☐ No

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1. Summary of Proposal:

2. Problem Identification:

3. Alternative Solutions Considered:

4. Detailed Project Description/Recommended Solution:

5. Summary of Space Standards/Methodology:

6. Summary of Cost Methodology:

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FISCAL IMPACT WORKSHEET

A Fiscal Impact Worksheet (FIW) is required for ALL capital outlay proposals, conceptual and project specific, included in the Five-Year Infrastructure Plan. This attachment provides:

- An overview of the purpose of the FIW.
- A sample of the required FIW format. An electronic copy of the FIW form and instructions for completion are available on the Department of Finance (Finance) website at: http://www.dof.ca.gov/budgeting/forms/view.php

Purpose of the FIW: The FIW serves as the source data of fiscal information for each project request. IT IS CRITICAL TO FOLLOW THIS FORMAT.

**DO NOT ADD OR DELETE ROWS OR COLUMNS.**

- The Fiscal Impact Worksheet (lines 1 through 50 of the COBCP spreadsheet) is used to report a project’s cost and funding data, schedules, and project specific codes.
- The Fiscal Detail Worksheet (lines 51 through 100 of the FIW) is used to collect detail information to support the cost/benefit analysis for the project.
- The Scope Worksheet (lines 101 through 111) is used to summarize the scope language related to a project.
- Dollars are to be displayed in thousands (do not use whole dollars).

An FIW is required to be included with *any* request for inclusion in the Five-Year Infrastructure Plan.

A separate FIW is to be completed for each project. All FIWs are to be submitted to the Finance capital outlay budget analyst electronically (one workbook containing all FIWs with tabs clearly labeled with each project’s name) in addition to the hardcopy included in the COBCP.
# Deferred Maintenance Project List Template Instructions:

Deferred maintenance projects should be listed in priority order and should include the following:

- **Facility Location**: Should include the facility/district/unit name and address, and should NOT include acronyms.
- **Project Title**: Should include a meaningful description of the deferred maintenance project.
- **Estimated Cost**: Estimated project cost.

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