



STATE OF ARKANSAS
**Department of Finance
and Administration**

H
OFFICE OF BUDGET
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August 12, 2022

Senator Jonathan Dismang, Co-Chair
Representative Michelle Gray, Co-Chair
Performance Evaluation & Expenditure Review Committee
Arkansas Legislative Council
State Capitol Building
Little Rock, AR 72201

RE: FY23 Appropriation and/or Fund Transfer Request(s)

Dear Co-Chairs:

I am forwarding for appropriate action as required by law, the attached Appropriation and/or Fund Transfer Request(s) that have received my approval as Chief Fiscal Officer of the State.

Sincerely,

A handwritten signature in blue ink that reads 'Larry W. Walther'.

Larry W. Walther
Cabinet Secretary

LWW

Attachment(s)



Department of Transformation and Shared Services

Governor Asa Hutchinson

Secretary Mitch Rouse

Director Anne Laidlaw

Memorandum

To: Larry Walther, DFA Secretary
From: Anne W. Laidlaw, DBA Director
CC: Charles Thomas, Revolving Loan Fund Manager
Date: July 28, 2022
Subject: **Sustainable Building Revolving Loan Fund – Appropriation Transfer FY23 for Henderson State University**

The purpose of the above referenced appropriation is to provide loans to State Entities for the Sustainable Building Design Program pursuant to ACA §22-3-1901.

The Sustainable Revolving Loan Fund (RLF) Review Committee and TSS recommended a Sustainable Building Design Loan be awarded to the recipient listed below in FY21, which was subsequently approved by the Governor and your office for a revolving loan as follows:

Recipient: *Henderson State University*
Loan Award: *\$996,450 (original loan amount)*
Description: *Two (2) HVAC related projects on the HSU campus in Arkadelphia: (1) a complete chiller replacement at Newberry Hall dormitory, and (2) the replacement of rooftop HVAC package units at the Duke Wells Hall gymnasium. Project COMPLETED in FY22.*

TSS DBA entered into a Loan Agreement for the purpose of transferring funds upon receipt of approved project pay request to the institution for (re)payment of all contractual obligations authorized through the RLF program and loan agreement. A portion of funds were transferred to HSU in FY22 but the funds were not expended and remain in the fund requiring re-appropriation for FY23.

Therefore, DBA requests the following appropriation and funding transfer be permitted for:

Fiscal Year: FY2023
Fund: MBD0100–Sustainable Building Design Revolving Loan
Fund Center: T82 – Building Design Revolving Loan Program
Amount: \$996,450.00
Agency: Henderson State University
Loan #: 100-21-01RLF

Requested by:

A handwritten signature in blue ink, appearing to read "Anne W. Laidlaw".

Anne W. Laidlaw, DBA Director

Division of Building Authority

501 Woodlane Street, Suite 101 * Little Rock, AR 72201 * 501.682.1833

TRANSFORM.AR.GOV

**SUSTAINABLE BUILDING DESIGN REVOLVING LOAN FUND
AGREEMENT**

No. 100-21-01 RLF Date of Issue May 31, 2021 \$ 996,450.00

That on this 31st day of May, 2021, Henderson State University, a state agency, hereby acknowledges itself to owe and for value received hereby promises to reimburse and remit to pay to the **Department of Transformation and Shared Services - Division of Building Authority**, the sum of: Nine Hundred Ninety Six Thousand Four Hundred Fifty Dollars (\$996,450.00), payable on a bi-annual basis as set forth below. Furthermore, an origination fee of \$2,500.00 is hereby remitted to Division of Building Authority (DBA) payable as set forth below.

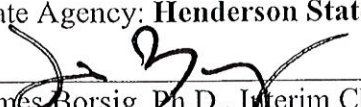
The State Agency agrees to submit proper documentation acceptable to DBA prior to any loan disbursement by DBA. The loan shall be disbursed in installments, no more frequently than monthly, following documentation presented by the State Agency to DBA of requests for disbursement to pay the costs associated with the renovation. Each request for disbursement shall be made on a form of voucher approved by DBA and DFA, supported by actual bills, statements or invoices to be paid with the Loan Installment. Under no circumstances shall the total of all installments disbursed by DBA to the State Agency exceed the amount of the Loan. Furthermore, State Agencies by their signature below hereby certify that it will not make additional requests from general revenue for funding to be used for repayment of the project loan.


State Agencies shall adhere to all state and federal rules, regulations and laws and shall receive all requisite and necessary approvals prior to the start of any work for the renovation.

The DBA Director shall withhold all or any part of the apportionment due the Agency if it defaults in making payment as scheduled and apply the same as reimbursement of the amount issued. This Agreement is made pursuant to Arkansas Code Annotated §22-3-1901 et seq. Notification of any defaults shall be made by DBA to the Department of Finance and Administration and to the Governor.

The origination fee shall be \$2,500.00 and shall be due within 30 days of DBA approval. The principal payments shall begin on the 1st day of January, 2022. The years for reimbursement shall be 10 with the final payment ending on the 1st day of July, 2031. Nothing shall prohibit an agency from prepayment prior to the final payment ending date.

IN WITNESS WHEREOF the heads of the State Agency have caused this Agreement to be executed in the name and on behalf of their respective state agencies and hereby affirm that they have the authority to enter into this Agreement.

State Agency: **Henderson State University**

James Borsig, Ph.D., Interim Chancellor

Date 4/27/2021

Dr. Charles Welch, ASU System President
04/27/2021

TSS - **Division of Building Authority**

Anne Laidlaw, DBA Director

Date 4/29/21

BUILDING AUTHORITY

2021 APR 29 AM 7:53

RECEIVED

DY 5/25/21

**TSS - DIVISION BUILDING AUTHORITY
 REVOLVING LOAN FUND
 PAYMENT SCHEDULE
 Henderson State University**

May 31th, 2021
 Loan # 100-21-01 RLF

Pymt #	Period	Principal Pymt	Interest Pymt	Total Pymt	Balance
Orig Fee	May 31, 2021	\$ 2,500.00			\$ 2,500.00
	Biannual		0%		\$ 996,450.00
1	January 1, 2022	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 946,450.00
2	July 1, 2022	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 896,450.00
3	January 1, 2023	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 846,450.00
4	July 1, 2023	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 796,450.00
5	January 1, 2024	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 746,450.00
6	July 1, 2024	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 696,450.00
7	January 1, 2025	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 646,450.00
8	July 1, 2025	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 596,450.00
9	January 1, 2026	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 546,450.00
10	July 1, 2026	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 496,450.00
11	January 1, 2027	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 446,450.00
12	July 1, 2027	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 396,450.00
13	January 1, 2028	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 346,450.00
14	July 1, 2028	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 296,450.00
15	January 1, 2029	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 246,450.00
16	July 1, 2029	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 196,450.00
17	January 1, 2030	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 146,450.00
19	July 1, 2030	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 96,450.00
20	January 1, 2031	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 46,450.00
21	July 1, 2031	\$ 46,450.00	\$ -	\$ 46,450.00	\$ -