

# Reports to The 2014 General Assembly



January 15, 2014  
State of Vermont  
Agency of Administration  
Department of Buildings and General Services

Michael J. Obuchowski  
Commissioner



State of Vermont  
Department of Buildings & General Services

Office of the Commissioner

Mailing Address:  
Two Governor Aiken Avenue  
Montpelier, VT 05633-5801  
Telephone: 802-828-3519  
Website: <http://bgs.vermont.gov/>

January 14, 2014

The Honorable Members of the Vermont General Assembly  
State House  
Montpelier, Vermont 05633

Dear Members:

Enclosed is a compilation of reports due January 15, 2014 to the General Assembly from the Vermont Department of Buildings and General Services and various other customers.

You will find a list of those reports in the TAB 1 Table of Contents along with reference to the citation requiring the reports. Please note TAB 8 lists other 2013 Act 51 reports which will be available for presentations to respective legislative committees of jurisdiction.

We extend our genuine appreciation to the many persons who initiated and prepared these reports. These include members of legislative committees who requested the reports as well as our colleagues in BGS and in our sister state agencies. Collectively, we value this information for its significance to sound governance policy and to ensure transparency.

Should you have any questions concerning these reports please do not hesitate to contact me at 828-3519 or [Mike.Obuchowski@state.vt.us](mailto:Mike.Obuchowski@state.vt.us)

Thank you.

Sincerely,

Michael J. Obuchowski  
Commissioner

cc: Electronic Filing - Legislative Council  
Department of Libraries

## 1. TABLE OF CONTENTS

## **Table of Contents**

### **Acts of 2000 – 2012**

- TAB 2: Facilities Operations Revolving Fund (FFS) [Act 152 Sec.269 (a) (4)]
- TAB 3: Acceptance of Grants or Gifts: State Health & Forensic Labs & Energy Conservation Measures and Improvements [Act 200 Sec. 30 (a) (b)]
- TAB 4: High Mileage Users [Act 156 Sec. E. 114 (a), amended in 2013 Act 50]

### **Acts of 2012 – Act 104**

- TAB 5: Historic Property Special Fund [Sec.27]

### **Acts of 2013 – Act 51**

- TAB 6: Employee Service Memorial [Sec. 25 (a) (b)]
- TAB 7: Winchester Memorial/Cedar Creek Initiatives Progress Report [Sec. 25]
- TAB 8: Additional Act 51 Reports to be submitted under separate cover for presentations to Legislative Committees
1. Correctional Facilities 5-yr.Capital Needs [Sec. 4 (d)]
  2. Vermont Veterans Home: Update of 2006 Facilities Condition Assessment [Sec 17(c)]
  3. Proposal for 10-yr. Capital Plan [Sec. 34 – 36]
  4. Lab Feasibility Study – Multi-Agency Use [Sec. 41]

### **Reports Established in Statute - 29 VSA**

- TAB 9: State Purchasing of Apparel [Sec. 924]
- TAB 10: Transfer of Unexpended Bond Balances [Sec. 152 (23) & (25)]
- TAB 11: Equipment Revolving Loan Fund [Sec. 903(c)]



2. FACILITIES  
OPERATION  
REVOLVING FUND

In accordance with the requirements of **2000 Act 152 Sec. 269 (a) (4) pertaining to the FACILITIES OPERATIONS REVOLVING FUND (Fee for Space Program)**, the BGS Commissioner's annual report follows:

## **CONDITION OF THE FUND**

Fiscal year 2013 proved to be a challenge for the Fee for Space program. The program ended the year with an Operating Loss of \$692,641 on a total program activity of just under \$28 million. The cost of property insurance, which is partially based on the State's experience, increased by \$609,647 over FY 2012 due to the devastation of Tropical Storm Irene. The space in Waterbury continues to accrue expenditures and cannot be billed legitimately to departments or agencies. The program has managed to capture all the available savings available as a result of the shutdown of the complex as of June 30, 2013. As such, these "stranded costs" are being covered through a direct transfer from the general fund. In FY 2013, \$3,024,189 was transferred into the Facilities Operations Revolving Fund to address these stranded, unbillable costs. For FY 2014, these stranded costs are estimated to be \$1,862,785 covering all 12 months reflecting the captured savings.

Beyond Tropical Storm Irene, this program is always directly affected by the variability in weather patterns and heating fuel pricing from year to year. It can experience significant overruns as a result of these variances. FY 2013 was a stable year for fuel and utilities. Combined fuel and utilities accounted for a \$93,231 decrease in total spending.

FY 2013 saw some significant reductions in the repair and maintenance costs associated with buildings. Normally, we can see significant overruns of the cost of repairs and maintenance expenditures for plumbing and heating as well as electrical systems due to the number and complexity of these repairs needed to keep buildings functioning correctly as the existing infrastructure continues to age. In FY 2013, the program experienced a \$623,341 accrual-based underrun on all repairs and maintenance related to building expenditures in the program statewide.

Following final audit, at the beginning of FY 2013 Net Assets in this fund stood at a negative (\$2,859,538) on an accrual basis. The audited FY 2013 Operating Loss of (\$692,641) increased that deficit leaving the audited condition of the fund at (\$3,552,179) on June 30, 2013.

## **FISCAL YEAR 2014 BUDGET ADJUSTMENT**

No budget adjustment is sought for FY 2014.

## **FY 2015 BUDGET DEVELOPMENT**

The program is requesting funding at \$27,471,951 of internal service fund billings. This funding request is an increase of \$2,127,324 from the FY 2014 request, which is largely due to anticipated continued limited operations at the Waterbury facility. Due to the extensive damage done in Waterbury in FY 2012 as a result of Tropical Storm Irene and the process of dealing with the insurance carrier and FEMA, the occupancy of the Waterbury facility is expected to continue to be greatly reduced in FY 2015. The new site is scheduled to begin occupancy mid-FY 2016. The total square footage of space in operation prior to Tropical Storm Irene was 591,864 square feet, but in FY 2015 as the result of Tropical Storm Irene, it is expected that only 67,474 square feet will be occupied. Since a large reduction in occupied space has already occurred, we do not expect to see any further decrease in expenditures to run the facility as all savings have been realized. Stranded costs are expected to decrease in FY 2015 by approximately \$77,208 over anticipated stranded costs in FY 2014 as buildings will hopefully be demolished putting less strain on the budgetary needs to keep them minimally maintained.

### 3. ACCEPTANCE OF GRANTS & OTHER FUNDS

In accordance with the requirements of **2008 Act 200 Sec 30 (a) (b) pertaining to the Acceptance of Grants and Other Funds**, the BGS Commissioner's annual report follows:

- (1) The Department of Buildings and General Services received no Federal grants in 2013 in connection with the **State Health and Forensic Laboratories**.
- (2) The Department of Buildings and General Services received no Federal grants in 2013 for **Energy Conservation Measures and Improvements**.

#### 4. HIGH MILEAGE USERS

**In accordance with 2013 Act 50 Sec. E.118 (a) and Sec. E. 118.1(a) [which amends 2010 Act 156 Sec. E.114 (a) and 2011 Act 3, Sec. 60] requires:**

E. 118 (a) that the Commissioner of Buildings and General Services shall submit a report to the House and Senate Committees on Appropriations by January 15th of each year through fiscal year 2015 detailing the number of state employees, by department, that exceeded a 11,400 mileage reimbursement amount for use of their private vehicle during the previous fiscal year; **and, further stipulates**

E. 118.1 (a) any state employee that uses the standard mileage reimbursement rate for use of their private vehicle shall be required to use a state-owned or –leased vehicle if the mileage that is submitted for reimbursement exceeds 11,400 on a fiscal year basis. Exceptions may be made if the employee receives approval from his or her agency secretary or department head to exceed the 11,400 limit on mileage that is eligible for reimbursement for use of a private vehicle.

**The BGS Commissioner’s Annual Report follows:**

### **Background**

As a part of the Fleet Management Services (FMS) program, BGS conducts a review of the mileage reimbursement records of all departments at the end of each fiscal year to identify high mileage drivers. A complete spreadsheet of mileage reimbursement detail for all State employees is provided at the end of each fiscal year by the Department of Human Resources. The following provides a summary of that spreadsheet.

Total Number of Drivers Reimbursed for Driving Personal Vehicle During Fiscal Year 2013	5063
Total Miles Driven	9,532,836
Total Cost to State	\$5,327,112
Number of Drivers Who Drove Over 14,000 Miles	71
Total Miles Driven by those 71 drivers	1,404,188
• Average Miles Driven per Driver	19,777
Total Cost to State	\$784,485
• Average Cost Per Driver	\$11,049

Following the review of high mileage drivers, departments are contacted to advise them of the potential savings available by using a FMS vehicle in place of reimbursed miles. Areas are identified where FMS believes the use of State vehicles would have a positive financial impact. Departments are strongly encouraged to provide fleet vehicles to the identified high mileage drivers and encourage employees to use the FMS trip calculator which identifies the most cost effective method of travel. It is suggested that FMS could provide a cost comparison that, in most cases, would result in a significant savings to the department.

### **Explanation of Prior Year Reporting Discrepancy**

It was revealed during the compilation of the FY 2013 report that mileage reimbursement data reported in prior years excluded out-of-state non-taxable miles, temporary

employee mileage reimbursements, and mileage payments made to employees with an inactive status.

As a result, FY 2012 mileage reimbursements to state employees were under-reported by 884,254 miles for a cost of \$455,176. Beginning with this report for FY 2013, the reporting criteria will include mileage reimbursements made to all classified, exempt and temporary employees regardless of active/inactive status and will include in-state and out-of-state mileage.

#### **Reimbursed in Excess of \$14,000.00**

The following chart demonstrates that 11 drivers, in three different departments, received reimbursement in excess of \$14,000 during FY 2013.

Department	# of Drivers	Total Miles	Total Amt Reimbursed
DAIL	1	25,243	\$ 14,099
Labor Dept	2	60,157	\$ 33,621
VTrans	8	237,509	\$ 132,748
Total	11	322,909	\$ 180,468

#### **Reimbursed in Excess of 14,000 Miles**

The following chart demonstrates that 71 drivers, in 14 different departments drove (and were reimbursed for mileage) in excess of 14,000 miles.

Department	# of Drivers	Total Miles	Total Amt. Reimbursed
VTrans	29	640,897	\$ 358,164
DAIL	11	196,652	\$ 109,917
Judicial	8	158,179	\$ 88,465
Financial Reg	7	117,405	\$ 65,709
Labor	2	60,157	\$ 33,621
DCF	3	52,362	\$ 29,270
Tax	2	31,732	\$ 17,724
Public Safety	1	23,699	\$ 13,235
Defender Gen	1	22,917	\$ 12,825
Human Srvcs	1	21,747	\$ 11,958
Mental Health	1	16,672	\$ 9,255
Forest, Parks	1	16,644	\$ 9,317
Education	1	15,869	\$ 8,884
Clerk of House	1	15,120	\$ 8,197
Sec of Senate	1	14,136	\$ 7,944
Total	71	1,404,188	\$ 784,485

#### **Mileage Breakeven Point**

You will see in the attached document (Attachment A) the explanation of the breakeven point at which it becomes more cost effective to utilize a fleet vehicle vs. reimbursing an employee for driving their private vehicle. That breakeven point is 12,400 miles. For any mileage greater than 12,400 miles, driving an FMS vehicle is saving the State money. It should be noted that this analysis was based on using the most economical Model Year 2014 compact sedan from the State contract and projected vehicle-related expenses and fuel costs. There is



no one-size-fits-all solution. The more expensive the vehicle, the more miles would need to be driven to realize any savings. This would be impacted by the increased price of the vehicle, an increase in the cost of fuel, or the miles per gallon (32 mpg is the current standard).

If the miles charted on the following page were traveled using the most economical fleet compact sedan available, the potential savings to the State for FY 2013 would have been an estimated \$228,328.

The following chart demonstrates that 96 drivers in 17 different departments drove in excess of the 12,400 mile breakeven point.

**Drivers Who Drove > 12,400 Miles (Breakeven Point)**

Department	# of Drivers	Total Miles	Total Amt. Reimbursed
VTrans	34	705,529	\$ 394,274
DAIL	17	274,246	\$ 153,309
Judiciary	12	196,050	\$ 109,606
Financial Reg	10	157,532	\$ 88,132
DCF	7	104,791	\$ 58,602
Labor Dept	2	60,157	\$ 33,621
Tax	2	31,732	\$ 17,724
Education	2	28,514	\$ 15,965
Health	2	27,613	\$ 15,474
Public Safety	1	23,699	\$ 13,235
Defender Gen	1	22,917	\$ 12,825
Human Servcs	1	21,747	\$ 11,958
Mental Health	1	16,672	\$ 9,255
Forest, Parks	1	16,644	\$ 9,317
Clerk of House	1	15,120	\$ 8,197
Sec of Senate	1	14,136	\$ 7,944
Libraries	1	12,474	\$ 6,976
Total	96	1,729,573	\$ 966,414

The attached spreadsheet (Attachment B) provides the detail of this information. That spreadsheet was compiled using the 12,400 mile breakeven point.

**Note:** The Federal Reimbursement Rate (FRR) was adjusted as follows during FY 2013:

On April 17, 2012, the FRR increased to \$0.555/mile  
 On January 1, 2013 the FRR increased to \$0.565/mile  
**The blended reimbursement rate for FY 2013: \$0.56**

**Reimbursed Mileage Reduction Strategy (October 7, 2010 revision)**

While this report addresses the intent of the reporting requirements set forth in Act 156, it is important to note that the report fails to address some structural policy issues that if considered and adopted could enhance the presumed goal of reducing the cost burden of reimbursed miles on the State. Attached as a supplement to this report is the document titled Reimbursed Mileage Reduction Strategy (October 7, 2010 revision) that speaks to policy and rule changes that could be considered by the State in order to achieve not only a reduction in reimbursed miles but also a strategy for reducing the cost of travel in general.

Attachments:

- A. Explanation of Breakeven Point - 12,400 Miles
- B. Spreadsheet Detail - FY 2013 High Mileage Drivers

### Explanation of Breakeven Point – 12,400 Miles

This cost comparison analysis is based upon using the most economical compact sedan (Ford Focus) from the State contract.

The breakeven point is 12,400 miles. When annual travel is less than 12,400 miles, the current GSA mileage reimbursement rate of \$0.565 per mile is more cost effective. When annual travel is at or above 12,400 miles, leasing the compact sedan from Fleet Management Services is more cost effective -- any mileage over 12,400 miles is saving money. This does not take into consideration employees sharing the Fleet vehicle; the Fleet vehicle needs to travel more than 12,400 miles in order to be more cost effective than mileage reimbursement – not necessarily the employee.

Data analysis detail:

Annual cost for base model compact sedan from FMS traveling 12,400 miles:

Annual Fleet Vehicle Cost (18,000 miles or less) -- \$5,675  
Estimated Fuel Cost (12,400/32 mpg \*\$3.50 per gallon) -- \$1,356  
Total Estimated Annual Cost \$7,031/12,400 miles = \$0.567/mile

Annual cost per mile for base model compact sedan from FMS traveling 14,000 miles  
Note: The fuel cost increases with increase in the miles traveled.

$\$7,206/14,000 \text{ miles} = \$0.515/\text{mile}$

Annual cost per mile for base model compact sedan from FMS traveling 18,000 miles  
Note: The fuel cost increases with increase in the miles traveled.

$\$7,644/18,000 \text{ miles} = \$0.425/\text{mile}$

Annual cost per mile for base model compact sedan from FMS traveling 24,000 miles  
Note: Miles in excess of 18,000 annually are charged at a lower rate: insurance and administrative fees are fixed expenses allocated over the first 18,000 miles annually and are excluded from the per-mile rate charged for additional miles traveled.

$\$9,584/24,000 \text{ miles} = \$0.40/\text{mile}$

Personal vehicle mileage reimbursement for X miles:

12,400 miles x \$0.565 = \$ 7,006  
14,000 miles x \$0.565 = \$ 7,910  
18,000 miles x \$0.565 = \$10,170  
24,000 miles x \$0.565 = \$13,560

**Note:** This was calculated using the \$0.565 reimbursement rate that went into effect January 1, 2013.

Attachment B

Note: The highlighted employees exceeded the break-even point of 12,400 miles, but did not exceed 14,000 miles

Department	Job Title	Miles SUM	Amount SUM
Clerk of the House	Clerk Of House	15,120	\$8,197
Judicial	Hearing Officer	22,578	\$12,602
Judicial	Superior Judge	19,808	\$11,096
Judicial	Court Officer B	19,400	\$10,860
Judicial	Superior Judge	18,886	\$10,571
Judicial	Environmental Judge	16,882	\$9,437
Judicial	Court Officer B	15,793	\$8,829
Judicial	Superior Court Clerk I	15,793	\$8,814
Judicial	Superior Judge	14,940	\$8,364
Judicial	Superior Judge	14,099	\$7,892
Judicial	Superior Judge	12,752	\$7,135
Judicial	Superior Judge	12,604	\$7,018
Judicial	Magistrate - Family Court	12,515	\$6,987
DAIL	OPG Regional Supervisor	25,243	\$14,099
DAIL	Public Guardian	22,305	\$12,475
DAIL	Public Guardian	21,781	\$12,185
DAIL	Public Guardian	18,592	\$10,398
DAIL	Public Guardian	18,205	\$10,178
DAIL	Public Guardian	16,632	\$9,305
DAIL	Public Guardian	15,717	\$8,776
DAIL	Field Services Manager	15,043	\$8,386
DAIL	Employee Assistance Prog Spec	14,811	\$8,282
DAIL	Voc Rehab Reg Mgr	14,321	\$8,010
DAIL	Voc Rehab Benefits Counselor	14,002	\$7,825
DAIL	Public Guardian	13,620	\$7,622
DAIL	Voc Rehab Reg Mgr	13,239	\$7,411
DAIL	Voc Rehab Reg Mgr	12,884	\$7,189
DAIL	Public Guardian	12,705	\$7,097
DAIL	Public Guardian	12,599	\$7,056
DAIL	OPG Regional Supervisor	12,547	\$7,017
Defender General	Paralegal Technician I	22,917	\$12,825
Dept of Financial Regulation	Snr Fin Exam AC:Fin Institut	19,968	\$11,184
Dept of Financial Regulation	Administrative Insurance Exam	18,222	\$10,199
Dept of Financial Regulation	Financial Examiner II	17,164	\$9,600
Dept of Financial Regulation	Snr Fin Exam AC:Fin Institut	16,517	\$9,236
Dept of Financial Regulation	Snr Fin Exam AC:Fin Institut	15,706	\$8,784

Dept of Financial Regulation	Snr Fin Exam AC:Fin Institut	15,430	\$8,637
Dept of Financial Regulation	Financial Examiner III	14,398	\$8,069
Dept of Financial Regulation	Sen. Fin. Examiner, AC: IT	13,652	\$7,635
Dept of Financial Regulation	Administrative Insurance Exam	13,242	\$7,399
Dept of Financial Regulation	Administrative Insurance Exam	13,233	\$7,388
Dept for Children & Families	Social Worker	18,969	\$10,614
Dept for Children & Families	Social Worker	16,715	\$9,345
Dept for Children & Families	Senior Social Worker	16,678	\$9,311
Dept for Children & Families	Social Worker	13,863	\$7,753
Dept for Children & Families	Social Worker	12,979	\$7,251
Dept for Children & Families	Benefits Progrms Administrator	12,834	\$7,189
Dept for Children & Families	Staff Attorney IV	12,753	\$7,139
Dept. of Mental Health	Psychiatric Nurse II Days	16,672	\$9,255
Education, Agency of	Education Medicaid Specialist	15,869	\$8,884
Education, Agency of	Education Medicaid Specialist	12,645	\$7,082
Forests, Parks & Recreation	Forestry District Manager	16,644	\$9,317
Health	Senior Radiological Health Spec	13,847	\$7,778
Health	Oral Health Director	13,766	\$7,696
Human Services, Agency of	Info Tech Spec II	21,747	\$11,958
Labor, Dept of	Senior Passenger Tramway Tech	31,752	\$17,750
Labor, Dept of	Passenger Tramway Technician	28,405	\$15,871
Libraries, Dept of	Librarian C AC: Library Consul	12,474	\$6,976
Public Safety, Dept of	Fire Prevention Officer	23,699	\$13,235
Secretary of the Senate	Secretary Of Senate	14,136	\$7,944
Taxes, Dept of	Prop Value Dist Advis Supv	17,517	\$9,801
Taxes, Dept of	Tax Field Examiner II	14,215	\$7,923
Transportation, Agency of	AOT Technician V	36,040	\$20,111
Transportation, Agency of	AOT Technician VI	35,149	\$19,664
Transportation, Agency of	AOT Technician VI	30,965	\$17,300
Transportation, Agency of	AOT Technician VI	30,653	\$17,140
Transportation, Agency of	AOT Technician IV	27,940	\$15,648
Transportation, Agency of	Civil Engineer III	26,099	\$14,560
Transportation, Agency of	AOT Technician V	25,477	\$14,232
Transportation, Agency of	AOT Technician VI	25,186	\$14,094
Transportation, Agency of	AOT Technician VI	24,123	\$13,496
Transportation, Agency of	Civil Engineer V	23,784	\$13,292
Transportation, Agency of	AOT Technician V	23,712	\$13,277
Transportation, Agency of	AOT Technician V	22,618	\$12,625
Transportation, Agency of	AOT Technician VI	22,112	\$12,344
Transportation, Agency of	AOT Technician V	22,031	\$12,299
Transportation, Agency of	AOT Manager IV	20,636	\$11,504
Transportation, Agency of	Civil Engineer V	20,353	\$11,364

Transportation, Agency of	Civil Engineer III	19,324	\$10,792
Transportation, Agency of	Civil Engineer VI	19,027	\$10,620
Transportation, Agency of	AOT Technician IV	18,819	\$10,497
Transportation, Agency of	Civil Engineer III	18,791	\$10,509
Transportation, Agency of	AOT Technician IV	18,637	\$10,463
Transportation, Agency of	AOT Manager IV	17,980	\$10,038
Transportation, Agency of	AOT Technician III	17,889	\$10,009
Transportation, Agency of	AOT Technician VIII	17,417	\$9,752
Transportation, Agency of	AOT Technician IV	15,459	\$8,594
Transportation, Agency of	AOT Technician IV	15,374	\$8,592
Transportation, Agency of	AOT Technician VI	15,324	\$8,574
Transportation, Agency of	Civil Engineer IV	15,007	\$8,406
Transportation, Agency of	AOT Technician VI	14,971	\$8,369
Transportation, Agency of	AOT Technician IV	13,698	\$7,662
Transportation, Agency of	AOT Technician VIII	12,879	\$7,196
Transportation, Agency of	AOT Technician III	12,814	\$7,177
Transportation, Agency of	AOT Technician III	12,810	\$7,137
Transportation, Agency of	AOT Technician IV	12,431	\$6,938

5. HISTORIC PROPERTY  
STABILIZATION AND  
REHABILITATION FUND

**Annual Report to the Vermont General Assembly**  
**on the**  
**Historic Property Stabilization and Rehabilitation Special Fund**

**Submitted to the House Committee on Corrections and Institutions and the Senate Committee  
on Institutions in accordance with 29 V.S.A. § 155 (c)**

**Giovanna Peebles  
State Archaeologist  
Vermont Division for Historic Preservation**

**Noelle MacKay  
Commissioner of the Department of Housing and Community Development**

**Michael Obuchowski  
Commissioner of the Department of Buildings and General Services**

**December 10, 2013**



## **Table of Contents**

<b>Executive Summary</b>	<b>Page 3</b>
<b>Accomplishments in 2013</b>	<b>Page 4 - 5</b>
<b>Proposed FY2014 Activities</b>	<b>Page 6 - 7</b>
<b>The Fund: Program Description and Process</b>	<b>Pages 8 - 11</b>
<b>Appendix I – Detailed description of historic properties in the Fund</b>	<b>Pages 12 - 14</b>
<b>Appendix II – 29 V.S.A. § 155. The Historic Property Stabilization and Rehabilitation Special Fund</b>	<b>Pages 15 - 16</b>
<b>Appendix III – 22 V.S.A. 14. The Vermont Historic Preservation Act</b>	<b>Pages 16 - 18</b>

## Executive Summary

**Purpose:** The Historic Property Stabilization and Rehabilitation Fund finances stabilization and rehabilitation of state-owned historic properties. The Fund results from the net proceeds realized from the sale and/or lease of other vacant or underutilized historic properties owned by the state. It fills a funding gap and provides a higher level of stewardship for state-owned historic resources. The Fund allows the state to form private sector partnerships to stabilize and rehabilitate underutilized properties. The Legislative Joint Fiscal Committee approved the proposal for implementing the Fund at its July 21, 2011, meeting. The Fund proposal is described in this report.

The VT Department of Buildings and General Services (BGS), Division for Historic Preservation (HP), and the VT Advisory Council on Historic Preservation will continued to move forward with the transfer, sale, or deaccessioning of these properties. All parties believe this is an important pilot program with a lot of potential for enhancing stewardship of vacant or underutilized currently state-owned historic properties.

**Properties eligible for the Fund:** The General Assembly approved fourteen (14) historic properties as eligible for this Fund. Sale of this property is now on hold. Sale or lease of any of the eligible properties is not expected to yield (much) monies since they will most likely be transferred to a municipality or non-profit organization with a preservation and history focus.

The following properties are currently in the Fund:

Property	Town	Dept	Proposed Action
Farm house and barn, Lower Newton Rd	St. Albans	BGS	Subdivide up to 10 acres & sell property including house and barn - - now on hold.
Arsenal and Fairbanks buildings	Vergennes	BGS	Subdivide & sell or lease portion or all of property with two buildings.
Fuller Farmhouse	Hubbardton	DHP	Explore possibility of subdivision & sale or lease of house and/or land.
Eureka Schoolhouse	Springfield	DHP	Transfer with covenants to a local organization or municipality, or sell with covenants.
Bradley Law Office	Westminster	DHP	Transfer with covenants to a local non-profit organization.
Bishop Cabin	Orwell	DHP	Sell or enter into a long-term lease with covenants on the land.

See **Appendix I** for more detailed information on the recommendations for transfer or sale of these specific properties.

**Accomplishments in Calendar Year 2013:**

<b>Property</b>	<b>Town</b>	<b>Dept</b>	<b>Activities in 2013</b>	<b>Deed Restrictions to be placed on property upon sale or transfer?</b>
<b>Farm house and barn, Lower Newton Rd</b>	St. Albans		DHP: Determined that the farmhouse and barn continue to have sufficient architectural integrity to meet the State Register criteria.	Yes
<b>Arsenal and Fairbanks buildings</b>	Vergennes	BGS	DHP: Assessment of the integrity was completed. The buildings retain sufficient integrity to reflect their architectural significance. Additional documentation related to the historical significance of the buildings, and larger property, was gathered. This documentation shall be employed in all proposed activities for the property.  BGS: Completed site survey; filed with the town - - establishes property boundaries.	Yes
<b>Fuller Farmhouse</b>	Hubbardton	DHP	DHP: Simplified Bid has been prepared if an archaeological assessment of this historically sensitive area is warranted.  DHP & BGS: Discussed preliminary details with Town of Hubbardton, which wants a portion of the property for expansion of a town cemetery; zoning variance is required to reduce the size of the parcel for sale (10 acres to 5). Preliminary desk review confirms that the area is highly sensitive, possibly containing lands involved in the Hubbardton military action, as well as a high sensitivity for Native American sites.  BGS: An engineering firm has been hired to conduct a survey of the property.  BGS & DHP: have identified a potential area with suitable soils for a future septic system.	Yes
<b>Eureka Schoolhouse</b>	Springfield	DHP	DHP: The Springfield Board of Selectmen has expressed great	None

			interest in receiving ownership of the schoolhouse and bridge. DHP prepared a draft transfer agreement and provided the cost of maintaining the property over the past five years for the Board's review. Expressed covenants have included an annual site visit to review the preservation status of the property, the exterior character of the school and bridge must be maintained, and the brush in the ravine by the bridge should be cut annually to protect the septic system.	
<b>Bradley Law Office</b>	Westminster	DHP	DHP: The Bradley Law Office is in the process of being transferred to the Westminster Historical Society with covenants to preserve the historic value of this property. The historic artifacts on the interior of the building were digitally photographed and videotaped in situ prior to the deaccessioning.	Yes
<b>Bishop Cabin</b>	Orwell	DHP	DHP: Has completed an archaeological sensitivity review. The review concluded that the land on which the Bishop Cabin sits is highly archaeologically sensitive, for both pre-Contact Native American and Euro-American archaeological sites. The cabin itself has been determined not to be significant.	Yes

**Proposed Calendar Year 2014 Activities:**

In 2014, the Fund program will see action on a number of properties as authorized by the General Assembly:

<b>Property</b>	<b>Town</b>	<b>Dept</b>	<b>Proposed Action</b>	<b>Proposed Income into Fund</b>	<b>Estimated Expenditures</b>
<b>Farm house and barn, Lower Newton Rd</b>	St. Albans	BGS	BGS: Complete the subdivision  Develop marketing strategy to sell the property.  DHP: Draft deed restrictions	Unknown	\$ 5,000
<b>Arsenal and Fairbanks buildings</b>	Vergennes	BGS & DHP	BGS & DHP:  Conduct structural analysis.  Develop Scope of Services.  Utilize the architectural and historical documentation recounting the significance of the buildings and/or larger property to assist in the consideration of selling or leasing.  Identify and collaborate with partners to find best use for the buildings and/or the larger property.  Conduct archaeological assessment of this property.	Unknown	\$25,000
<b>Fuller Farmhouse</b>	Hubbardton	DHP & BGS	DHP:  Complete archaeological assessment.  Document the historical and/or architectural significance of the farmhouse as it relates to the context of the town. The house has no related historic context to the Battle of Hubbardton.  Complete assessment for septic system location.  Review plan of intended use with the Town of Hubbardton and the Historical Society to ensure this is the best and	None Expected	\$30,000 (estimate)

			highest use for this historically significant parcel. Explore alternatives for property use and/or retention.		
<b>Eureka Schoolhouse</b>	Springfield	DHP	DHP: Continue to work with Town of Springfield on the transfer.	None Expected	
<b>Bradley Law Office</b>	Westminster	DHP	DHP: Finalize property transfer to the Westminster Historical Society.	None	
<b>Bishop Cabin</b>	Orwell	DHP & BGS	DHP: Draft preservation easement to accompany deed, if sale is determined to be the preferred action.  To inform whether retaining this highly sensitive land is the preferred action, obtain cost estimate for possible removal of the cabin (demo would need to happen in winter, over frozen ground, to minimize ground disturbance).	Unknown	
<b>Burtch-Udall Historic Site (Theron Boyd House)</b>	Hartford (Quechee)	DHP	DHP: Identify opportunities for leasing, partnering, or otherwise enhancing use of all or part of the property (now vacant, mothballed, and closed to the public). There is no intent to sell the property. Rather, the goal is to identify partners and actions that will enhance preservation and sustainability.  *Deed restriction: must be retained by “a qualified public or non-profit historic preservation organization.”	Unknown	
<b>Kent Tavern</b>	Calais	DHP	DHP: Identify opportunities for leasing, partnering, or otherwise enhancing use of the property (now closed to the public except for occasional special events). There is no intent to sell the property. Rather, the goal is to identify partners and actions that will enhance preservation and sustainability.  *Deed restriction: must be retained by “a qualified public or non-profit historic	Unknown	

			preservation organization.”		
--	--	--	-----------------------------	--	--

### **Annual Review of the Fund by BGS and the VT Advisory Council on Historic Preservation:**

The Fund is a self-contained, funded program, revenue to expenditures. The Fund was seeded with a \$100,000 FY12 appropriation and possible net proceeds from the sale or lease of properties approved in ACT 40 of 2011. The annual November 15th balance is limited to \$250,000. Any unencumbered overage returns to the General Fund for reallocation. The current Fund balance is \$100,000; expenditure of the fund requires that BGS request excess receipts.

In accordance with the Fund management process, approved by the Legislative Joint Fiscal Committee in July 2011, two meetings were held to discuss and review the status of the program. The annual review meeting between BGS and DHP was held on November 12, 2013, to discuss the draft of this report, FY13 project status, and proposed FY14 projects.

A draft of this report was distributed to the VT Advisory Council on Historic Preservation (Council) in and was discussed at their November 21 meeting. The Council unanimously moved to approve the following motion:

The Council has reviewed the Draft 2013 Annual Report to the General Assembly on the Historic Property Stabilization & Rehabilitation Special Fund and concurs with the proposed activities for 2014.

The Council reiterates that this is an important program for state-owned historic properties. It requires BGS’ and DHP’s diligent attention to ensure implementation. The Council recommends that the program be integrated into BGS and DHP work plans to ensure steady progress each year. The Council emphasizes that finding a purpose, or re-purpose, for vacant or under-utilized historic state properties is an important aspect of the state’s stewardship responsibilities. The Council would like to see this model replicated by other state agencies, in particular, the Vermont Agency of Natural Resources property-holding divisions.

## **The Fund: Program Description and Process**

### **1. Purpose of the fund**

The Historic Property Stabilization and Rehabilitation Special Fund (Fund) was established by Act No.40 (“An act relating to capital construction and state bonding”) during the 2011 Legislative session. An innovative partnership between the Department of Buildings and General Services (BGS) and the Division for Historic Preservation (DHP), the Fund finances stabilization and rehabilitation of state-owned historic properties from the net proceeds realized from the sale and/or lease of other under-utilized historic properties owned by the state. The Fund is a pilot program at this time; it only includes historic properties owned by BGS and DHP as designated by the General Assembly.

The Fund:

- Fills a funding gap and provides a higher level of stewardship for State-owned historic resources.
- Allows the state to comply with 22 VSA 14 which directs state agencies to develop plans for maintaining historic properties under their ownership and to institute procedures to assure that its plans and programs contribute to the preservation of historic properties in their portfolio, while avoiding unreasonable economic burden to the state.
- Through the use of historic preservation easements and covenants, properties sold or leased will retain historical integrity.
- Allows the state to form private sector partnerships in order to stabilize and rehabilitate underutilized properties.
- The Fund is a self-contained, funded program, revenue to expenditures.

- Whether to sell and/or lease a property is a decision the General Assembly will make each year based on Administration recommendations.

The chairs of the House and Senate Committees on Institutions, the Vermont Advisory Council on Historic Preservation, DHP, the Department of Finance and Management, the Joint Fiscal Office, and BGS collaboratively developed and favorably reviewed the proposal for implementing this pilot program.

The Legislative Joint Fiscal Committee approved the proposal for implementing the Fund at its July 21, 2011, meeting.

## **2. Statutory Authority**

The Fund was established by Act No. 40 during the 2011 Legislative session by amending 29 V.S.A. § 155. Act No. 41 during the 2012 Legislative session amended the law. The Fund is managed by and under the authority and control of the Commissioner of BGS. (See Appendix II for the full text.)

During the 2012 legislative session, the General Assembly amended 29 V.S.A. § 155 to:

- 1) Include net revenue from “lease” of properties, along with sale, into the Fund.
- 2) Clarified that, if the Fund balance exceeds \$250,000.00 as of November 15 in any year, then the general assembly shall reallocate “funds not subject to encumbrances for other purposes.”
- 3) Clarified the purposes of the Fund to state that “rehabilitation and stabilization” include: “payment of costs of historic resource evaluations and archaeological investigations, for building assessments related to a potential sale, or lease, for one-time fees for easement stewardship and monitoring, and for related one-time expenses.”
- 4) Clarified that “lease” of historic properties are included in the Fund.

## **3. Summary**

All state agencies own and manage historic properties and there are not enough monies to maintain and manage all of them. BGS owns and/or administers over 150 buildings that have been identified as historic. Most are actively used for state programs and services under a stable preservation maintenance program. Some, however, are vacant or underutilized, with little prospect for productive use. In times of tight budgets, they often lack maintenance and may be considered neglected. The establishment of the Fund is an innovative response to this problem, one that prioritizes underutilized properties for stabilization and rehabilitation, provides a revenue stream to help fund needed repairs, and fosters the lease or sale of properties that would better serve non-state purposes. Included in the list of properties for possible lease or sale are some owned by DHP that are not related to the mission of DHP’s State-owned Historic Sites program. Several of these properties (such as Bishop Cabin, in Orwell, and Fuller Farmhouse, in Hubbardton) are not open to the public.

The Fund is not meant as a substitute for capital budget support for the State-owned Historic Sites that are maintained by DHP and open to the public. The State-owned Historic Sites that are open to the public will continue to be funded in the capital budget. However, several properties that are currently not officially open to the public - - for example, Kent Tavern and the Theron Boyd House - - may use monies from the Fund to supplement capital budget appropriations for work necessary to stabilize and maintain them.

It is the intention of the State that historic properties that have received investments from the Historic Property Stabilization and Rehabilitation Special Fund be kept by the State in its portfolio. However, if the Commissioner of BGS determines, based upon a recommendation from the Fund Advisory Group, that an investment from the Fund is necessary to secure a building from further deterioration, or to conduct an archaeological study, or for any other necessary purpose PRIOR to transfer or sale, then use of the Fund is appropriate, and the historic property can be removed from the State’s portfolio.



#### **4. Background**

22 VSA 14 directs State agencies to preserve the historic buildings and archaeological resources in their portfolio, while avoiding unreasonable economic burden to the public.

The Vermont Advisory Council on Historic Preservation (Council) first conceptualized the idea of the Fund in response to reviewing requests from state agencies to demolish vacant or under-utilized historic buildings in their ownership. In 2010, the House Committee on Institutions and Corrections expressed interest in finding better ways for dealing with under-utilized state-owned properties, many of them historic. Responding to this, BGS worked with DHP, and the Council to propose such a program to the General Assembly in 2011. BGS and DHP developed details about how the program could work and inventoried their own buildings to identify ones for possible participation in the program and presented the information to the General Assembly in 2011. The Fund was established in Act No. 40 (the FY2012-13 Capital Bill). The Legislative Joint Fiscal Committee approved the proposal for implementing the Fund at its July 21, 2011, meeting.

The Fund is a pilot project for vacant, under-utilized, and out-of-mission historic properties owned by BGS and DHP. It may be expanded in the future to include vacant, under-utilized, and out-of-mission historic properties owned by other state agencies. Full statutory references are included in Appendix III.

#### **5. Management of the Fund**

The Fund is managed by and under the authority and control of the BGS Commissioner.

The BGS Commissioner manages the program associated with the Fund with a dedicated Fund Advisory Group consisting of: a BGS Commissioner designee; the State Curator and Assistant State Curator; the State Historic Preservation Officer, or designee, and State Historic Sites Chief, or designee; and the Commissioner of the Department of Economic, Housing and Community Development, or designee. The Advisory Group makes recommendations to the BGS Commissioner on the operations of the Fund.

The BGS Commissioner, working with the Fund Advisory Group, will submit a Report to the Legislature by January 15 of each year, developed on the following timetable and outline:

- Annual Review meeting between BGS and DHP held by November 1 of each year
- Draft of Report circulated to DHP and Advisory Council on Historic Preservation by December 1 of each year
- The Report will include information on deposits, disbursements, properties sold and stabilized or rehabilitated, and BGS's and DHP's plans for future property transfers, leases and stabilization or rehabilitation of state-owned properties, and recommendations for changes and improvements in the program.

The Advisory Group will meet and request disbursements from the Fund as needed. Requests will be presented to the BGS Commissioner for his/her review and final approval.

#### **6. Deposits into the Fund**

The Fund was capitalized with \$100,000 seed money in the FY 2012 capital bill.

The FY 2012 capital bill authorized the deposit of net revenues from:

- the sale of 3469 Lower Newton Road, St. Albans
- the sale or lease of the Fuller Farmhouse at the Hubbardton Battlefield, Hubbardton
- from the donation of the Hyde Log Cabin, Grand Isle
- from the sale or lease of the Bishop Cabin at Mount Independence

- from the donation of the Bradley Law Office, Westminster
- from the donation or sale of the Eureka Schoolhouse, Springfield

BGS Commissioner will deposit net revenues from the sale of underutilized state-owned historic properties into the Fund.

The Fund balance on November 15 of any year is capped at \$250,000. Unobligated monies in excess of that amount will be reallocated by the General Assembly for other purposes in the next enacted capital appropriations bill. The BGS Commissioner may seek additional appropriations for the Fund through the Capital Budget.

Historic properties transferred out of state ownership will be protected with a covenant and/or historic preservation easement if DHP deems it necessary. The intent is to protect the exterior of the building, any outstanding interior features and/or associated collections, and, if warranted, associated property and landscape features, and/or archaeological sites on the property. DHP will recommend historic features that should be protected in each, and will require that the property owner obtain DHP's prior written approval before undertaking any construction, alteration, rehabilitation, or other activity that might affect the protected features of the historic property.

## **7. Disbursements from the Fund**

The Fund can be used for: 1) rehabilitation or stabilization of state-owned historic properties; 2) payment of costs of historic resource evaluations, archaeological investigations, and/or building assessments related to potential sale, transfer, or lease; 3) easement stewardship fees; and 4) other related expenses. The Fund is available for payment of easement stewardship fees that cover baseline documentation and annual stewardship monitoring.

## **8. Selection of buildings for the program**

BGS and DHP have completed inventories of vacant, underutilized, and/or out-of-mission historic properties for potential stabilization, rehabilitation, lease, transfer, or removal. Associated cost estimates are included in the assessments. The list may be modified and expanded in the future.

It is recommended that participating agencies consider use of vacant and underutilized buildings and historic properties for agency purposes before concluding that they should be transferred or leased.

Deaccessioning historic buildings should be based on the following Criteria:

- a building is not suited to serve a mission-related purpose;
- it will better serve the public in non-state ownership and/or use; and
- it will have a better opportunity for long-term preservation than if it remained in state ownership.




Prior to transferring a property to a municipal or non-profit entity, it will be important to ascertain its commitment and ability to sustain future operating and maintenance costs.



By November 1 of each year, BGS and DHP will hold an Annual Review meeting to review activities and accomplishments of the program during the previous year, select the priority projects that will be funded in the following calendar year, and ensure that no funds above \$250,000 remain unobligated.




If in the future, the program is expanded to include other state agencies and departments, a prerequisite for participation will be a completed inventory of the historic status of the properties that the agency or department administers, and a recommended list of properties for potential stabilization, rehabilitation, lease, transfer, or removal, along with associated cost estimates.

## **Appendix I**

**Detailed description of historic properties in the Fund as of December 2013**

<b>Property/Address:</b>	<b>Dept:</b>	<b>Why is this property in the Fund? Proposed Action/ Status:</b>	<b>Deposits into Fund to date:</b>	<b>Proposed Income into Fund:</b>
<b>Farmhouse and barn</b> <b>3469 Lower Newton Rd., St. Albans</b> 	BGS	<u>Why is this property in the Fund?</u>  Property does not provide a useful function to the St. Albans Prison and is now vacant. It does not enhance the state's mission.  <u>Proposed Action:</u>  Complete the subdivision. Develop marketing strategy and sell the property.	0	Unknown
<b>Arsenal Building</b> <b>Fairbanks Building</b> <b>Weeks School</b> <b>Vergennes</b>  	BGS	<u>Why is this property in the Fund?</u>  Buildings, part of the Weeks School historic complex, are now vacant and mothballed. They do not enhance the mission of the state's mission.  <u>Proposed Action:</u>  Subdivide and sell or lease.	0	Unknown
<b>Fuller Farmhouse</b> <b>441 Frog Hollow Rd</b> <b>Hubbardton</b>	DHP	<u>Why is this property in the Fund?</u>  The house is not associated with the history of the Hubbardton Battlefield; it is now vacant. The house does not enhance the mission of the Historic Sites program. Please note the land around the house has a high likelihood for archaeological resources associated with the	0	0

Property/Address:	Dept:	Why is this property in the Fund? Proposed Action/ Status:	Deposits into Fund to date:	Proposed Income into Fund:
		<p>battle and possibly Native American sites.</p> <p><u>Proposed Action:</u></p> <p>Sell or enter into a long-term lease with covenants on the land.</p>		
<p><b>Eureka Schoolhouse, 470 Charlestown Rd Springfield</b></p> 	DHP	<p><u>Why is this property in the Fund?</u></p> <p>The property, a reconstructed schoolhouse and relocated covered bridge, does not contribute to the State Historic Sites' mission of interpreting Vermont's history. The schoolhouse is occasionally opened by the Springfield Chamber of Commerce as a tourist information center.</p> <p><u>Proposed Action:</u></p> <p>Transfer with covenants to a local organization or municipality, or sell with covenants.</p>	0	0

Property/Address:	Dept:	Why is this property in the Fund? Proposed Action/ Status:	Deposits into Fund to date:	Proposed Income into Fund:
<b>Bishop Cabin</b>  <b>Orwell</b>  		<p><u>Why is this property in the Fund?</u></p> <p>Only accessible by water, this small lot of land is part of the historic Revolutionary War site and is historically and archaeologically significant. However, DHP has no use for this non-historic, 2-bedroom cabin and it is now in need of maintenance. The cabin has no historical or architectural significance.</p> <p><u>Proposed Action:</u></p> <p>Sell or enter into a long-term lease with covenants on the land. Also consider alternatives such as demolishing the building and retaining the land.</p>	0	Unknown
<b>Bradley Law Office,</b> <b>3613 US RT 5</b> <b>Westminster</b>   	DHP	<p><u>Why is this property in the Fund?</u></p> <p>Although the building is a historically significant, rare two-room office building from the early 19<sup>th</sup> century, its location makes it difficult for DHP to staff and operate it as one of the State-owned Historic Sites. Currently, the Westminster Historical Society opens it for tours to herald the history of the community and William Czar Bradley.</p> <p><u>Proposed Action:</u></p> <p>Transfer with covenants to the Westminster Historical Society and document the interior collection.</p>	0	0

## Appendix II

**Act No. 40 an act relating to capital construction and state bonding. (H.446). Approved May 20, 2011.  
29 V.S.A. § 155 was amended during the 2012 legislative session.**

### Sec. 25. PROPERTY TRANSACTIONS; MISCELLANEOUS

(f) Following consultation with the state advisory council on historic preservation as required by 22 V.S.A. § 742(7) and pursuant to 29 V.S.A. § 166, the commissioner of buildings and general services is authorized to subdivide and sell the house, barn, and up to 10 acres of land at 3469 Lower Newton Road in St. Albans. Net proceeds of the sale shall be deposited in the historic property stabilization and rehabilitation fund established in Sec. 30 of this act.

### Sec. 26. PROPERTY TRANSACTIONS; MISCELLANEOUS

(b) The commissioner of buildings and general services on behalf of the division for historic preservation is authorized to enter into the agreements specified for the following properties, the proceeds of which shall be dedicated to the fund created by Sec. 30 of this act:

- (1) Fuller farmhouse at the Hubbardton Battlefield state historic site, authority to sell or enter into a long-term lease with covenants.
- (2) Hyde log cabin in Grand Isle, authority to donate property free of covenants to Grand Isle or, in the alternative, to donate the building to Hyde Park, or in the alternative to sell the property.
- (3) Bishop Cabin at Mount Independence State Historic Site in Orwell, authority to sell or enter into a long-term lease with covenants on the land.
- (4) Eureka Schoolhouse in Springfield, authority to transfer with covenants to a local organization or, in the alternative, to sell the property.
- (5) Bradley Law Office in Westminster, authority to transfer with covenants to a local organization.

Sec. 30. 29 V.S.A. § 155 is added to read:

### § 155. HISTORIC PROPERTY STABILIZATION AND REHABILITATION SPECIAL FUND

(a) There is established a special fund managed by and under the authority and control of the commissioner, comprising net revenue from the sale or lease of underutilized state-owned historic property to be used for the purposes set forth in this section. Any remaining balance at the end of the fiscal year shall be carried forward in the fund; provided, however, that if the fund balance exceeds \$250,000.00 as of November 15 in any year, then the general assembly shall reallocate the funds not subject to encumbrances for other purposes in the next enacted capital appropriations bill.

(b) Monies in the fund shall be available to the department for the rehabilitation or stabilization of state-owned historic properties that are authorized by the general assembly to be in the fund program, for payment of costs of historic resource evaluations and archaeological investigations, for building assessments related to a potential sale or lease, for one-time fees for easement stewardship and monitoring, and for related one-time expenses.

(c) On or before January 15 of each year, the department shall report to the house committee on corrections and institutions and the senate committee on institutions concerning deposits into and disbursements from the fund occurring in the previous calendar year, the properties sold, leased, and stabilized or rehabilitated during that period, and the department's plans for future stabilization or rehabilitation of state-owned historic properties.

(d) Annually, the list presented to the general assembly of state-owned property the commissioner seeks approval to sell pursuant to section 166 of this title shall identify those properties the commissioner has identified as underutilized state-owned historic property pursuant to subsection (b) of this section.

(e) For purposes of this section, "historic property" has the same meaning as defined in 22 V.S.A. § 701.

#### Sec. 31. TRANSITION; FUNDING

(a) On or before July 15, 2011, the department of buildings and general services and the division for historic preservation shall develop a proposal for the program required in Sec. 30, 29 V.S.A. § 155(b), of this act and shall present the proposal to the chairs of the house committee on corrections and institutions and the senate committee on institutions. The chairs shall review the proposal and recommend to the joint fiscal committee whether or not to approve the proposal. After review of the proposal and the chairs' recommendations, the joint fiscal committee shall approve the proposal, disapprove the proposal, or direct the departments to amend and resubmit the proposal to the chairs by a date certain.

(b) Of the funds appropriated in Sec. 6(a)(3) of this act, the sum of \$100,000 is allocated in fiscal year 2012 to the historic property stabilization and rehabilitation special fund created in Sec. 30 of this act.

### Appendix III

#### Title 22: Libraries, History, and Information Technology

##### *Chapter 14: HISTORIC PRESERVATION*

#### **22 V.S.A. § 701. Definitions**

(6) "Historic property" or "resource" means any building, structure, object, district, area or site that is significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

#### **22 V.S.A. § 743. Cooperation of agencies**

An agency, department, division or commission shall:

- (1) Consult the Vermont advisory council on historic preservation before demolishing, altering or transferring any property that is potentially of historical, architectural, archaeological or cultural significance, including any property listed on the state register. An agency, department, division or commission shall submit its annual capital improvement plan to the council.
- (2) Initiate measures and procedures to provide for the maintenance, through preservation, rehabilitation or restoration, of properties under its ownership that are listed on the state or National Register; the measures and procedures shall comply with applicable standards prescribed by the state historic preservation division.
- (3) Develop plans for the maintenance, through preservation, rehabilitation or restoration, of historic properties under their ownership in a manner compatible with preservation objectives and which does not result in an unreasonable economic burden to public interest.
- (4) Institute procedures to assure that its plans, programs, codes and regulations contribute to the preservation and enhancement of sites, structures and objects of historical, architectural, archaeological or cultural significance. (Added 1975, No. 109, § 4.)

#### **22 V.S.A. § 742. Duties and powers of the council**

(7) Provide an advisory and coordinative mechanism by which state undertakings of every kind which are potentially deleterious to historic preservation may be discussed, and, where possible, resolved, giving due consideration to the competing public interests which may be involved. The head of any state agency or department having direct or indirect jurisdiction over a proposed state or state-assisted undertaking, or independent agency having authority to build, construct, license, permit, authorize or approve any undertaking, shall prior to the approval of the state funds for the undertaking, or prior to any approval, license, permit or authorization as the case may be, take into account the effect of the undertaking on any historic property that is included in the state register of historic places. Where, in the judgment of the council such undertaking will have

an adverse effect upon any listed district, area, site, building, structure or object, the head of the state agency or department shall afford the council reasonable opportunity to comment with regard to the undertaking.

(8) Advise on any participation in the review of federal, federally assisted, and federally licensed undertakings that may affect historic properties and sites and approve any participation in the review of nonfederal undertakings, including, but not limited to proceedings under the state land use and development act (10 V.S.A. chapter 151).

## **22 V.S.A. § 765. Transfer of state property**

When transferring real property under its jurisdiction that contains significant archaeological, aboriginal or other anthropological resources, the state, may, upon the recommendation of the state historic preservation officer, with the advice of the state archaeologist, condition the transfer upon such covenants, deed restrictions or other contractual arrangements as will limit the future use of the property in such a way as will protect those resources. (Added 1975, No. 109, § 4; amended 1995, No. 46, § 47.)

## **22 V.S.A. § 766. Reservation of lands to be sold**

Upon written notice to the head of a state agency administering state lands, given by the state historic preservation officer, with the advice of the state archaeologist, the agency head shall reserve from sale any state lands, including lands forfeited to the state for nonpayment of taxes, on which sites or artifacts are located or may be found, as designated by the state archaeologist under section 763 of this title, provided, however, that the reservation of the lands from sale may be confined to the actual location of the site or artifacts. When the sites or artifacts have been explored, excavated or otherwise examined to the extent desired by the state archaeologist, he or she shall then file with the agency head a statement releasing the lands and permitting their sale. (Added 1975, No. 109, § 4; amended 1995, No. 46, § 48.)

## **22 V.S.A. § 767. Cooperation between agencies**

All state agencies, departments, institutions and commissions, as well as all municipalities, shall cooperate fully with the state archaeologist in the preservation, protection, excavation, and evaluation of specimens and sites; and to that end:

(1) When any state, regional or municipal agency finds or is made aware by an appropriate historical or archaeological authority that its operation in connection with any state, state assisted, state licensed, or contracted project, activity, or program adversely affects or may adversely affect scientific, historical, or archaeological data, the agency shall notify the state archaeologist and shall provide him or her with information concerning the project, program, or activity. The provisions of this chapter shall be made known to contractors by the state agencies doing the contracting.

(2) The state archaeologist, upon notification or determination that scientific, historical, or archaeological data including specimens, is or may be adversely affected, shall, after reasonable notice to the responsible agency, conduct or cause to be conducted a survey and other investigations to recover and preserve or otherwise protect such data, including analysis and publication, which in its opinion should be recovered in the public interest.

(3) The division shall initiate actions within 60 days of notification under subdivision (1) of this subsection and within such time as agreed upon in other cases. The responsible agency is authorized and directed to expend agency funds for the purpose of recovering the data, including analysis and publications, and the costs shall be included as part of the contractor's costs if the adverse effect is caused by work being done under contract to a state agency. (Added 1975, No. 109, § 4.)



6. STATE EMPLOYEE  
SERVICE MEMORIAL

In accordance with **2013 Act 51 Sec. 23 (which amends the reporting date for 2012 Act. 104 Sec. 25)**, (a) the Commissioner of BGS, in consultation with the Commissioner of Human Resources and a representative of the Vermont State Employees Association, shall develop a plan to honor the services of past, present, and future Vermont state employees with an appropriate memorial; and shall recommend a future location for this memorial and provide estimated costs to the General Assembly on or before January 15, 2014; and (b) the Commissioner of BGS may accept donations for the administration, materials, creation, and maintenance of the service memorial. The report follows:

### **Collaboration:**

The Commissioner of BGS constituted the State Employee Service Memorial Committee consisting of Shelley Martin, President, VSEA; Tom Ball, Director of Labor Relations, DHR; Eric Oberg, noted Calais stone designer and sculptor; David Schutz, State Curator, BGS; and Commissioner Michael Obuchowski.

Additionally, the Committee sought review and approval from the Capitol Complex Commission for the initial conceptual ideas (August 2013) and for the proposed actual design (January 2014).

### **Process:**

The Committee held seven planning meetings between October 2012 – January 2014, the focus of which was to seek project suggestions from state employees and to review design and location options developed by sculptor Eric Oberg. This process included several field visits to existing memorials.

It should be noted Mr. Oberg donated substantial services toward project planning, design and committee review. We are most appreciative of his willingness to consider a wide range of design ideas as well as his creative contributions to the thoughtful pre-development of this initiative.

Both DHR and the VSEA Council actively sought suggestions from state employees. Key ideas considered for the current design reflected the valued support of state employees for all Vermonters and their dedication to the ongoing development of our State. Design concepts included the following:

- **Accessible:** Locate the memorial in the Capitol Complex where it would receive optimal public notice and use.
- **Inclusive:** Design a memorial that offers an inviting public space for respite and interaction and is representative of Vermont and its public servants.

- **Durable:** Use Vermont granite to reflect the strength and durability of the State and its public servants.
- **Fitting:** The memorial properly honors the service of past, present and future State employees.

### **Recommendations:**

**Proposed Design:** The Committee worked with Mr. Oberg on several designs of a granite curved bench with back rest to be located below the southeast corner of the Statehouse near the walk-way to the Supreme Court building. The overall dimensions of the proposed memorial sculpture are 14' x 4.5' x 7.5'; on a base foundation of 14.5' x 8' x 4'. **[Please see attached proposed design and site illustrations.]**

**Impact on Plantings:** Given the proposed size of this granite sculpture the Committee will consult with Ira Moser, an arborist, related to any potential impact of the memorial foundation on surrounding trees and other plantings.

**Dedication:** It is anticipated the State Employee Service Memorial will be dedicated on Labor Day 2015.

**Proposed Inscription:** A suggested citation on the memorial would read: **“Dedicated To The Past, Present And Future Service Of Vermont State Employees. Labor Day, 2015”**

**Estimated Budget:** An approximate budget ranging from \$140,000 to \$150,000; further details to be reviewed with the respective legislative committees of jurisdiction. This estimated budget includes artist's services, materials, base foundation and installation. The memorial will have a life expectancy of 1000 years. .

**Fundraising:** Once a final plan is approved by the General Assembly as well as the Capitol Complex Commission, fundraising will commence in earnest.

The Committee appreciates the Vermont General Assembly's commitment to establish a State Employee Service Memorial and welcomes the opportunity to discuss our recommendations and further project development.

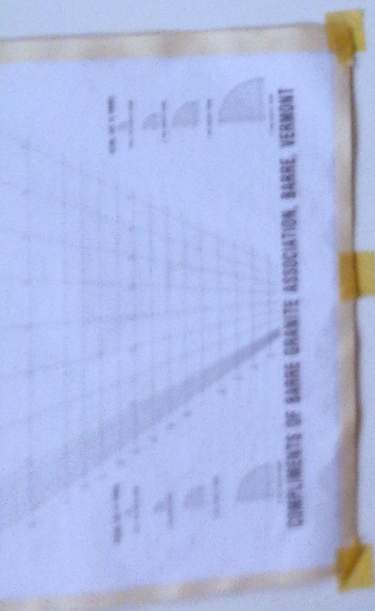
**ATTACHMENT A – MEMORIAL DESIGN AND SITE ILLUSTRATIONS by Eric Oberg (scale: 1" = 1')**





MEMORIAL SCALE FINDER AND TABLE OF MEASURES





scale: 1" = 1'-0"























7. BATTLE OF CEDAR CREEK  
& WINCHESTER MEMORIAL

**This is a progress report on 2013 Act 51 Sec. 25. BATTLE OF CEDAR CREEK AND WINCHESTER MEMORIALS:**

The Commissioner of Buildings and General Services is authorized to use the appropriation in Sec. 6 (c) of this act for capital expenses associated with the placement of a Vermont historical roadside marker at the Cedar Creek Battlefield in Virginia, the relocation of the Battle of Winchester Memorial to its original location on the Third Winchester Battlefield in Virginia, and reimbursement to the Civil War Trust, the State of Virginia, and the United States Veterans Administration for any capital expenses associated with the completion of these projects. Capital expenses associated with the placement of the roadside marker or the relocation of the Memorial may include site acquisition, planning, design, transportation of the Memorial, and any other reasonably related costs; and,

**Sec. 6 (c)** the following sum is appropriated in FY 2014 to the Department of Buildings and General Services for the Battle of Cedar Creek and Winchester Memorials, relocation and placement of roadside marker: \$25,000.00.

**Please note:** Although a written report is not required for this legislative provision the Commissioner recognizes the General Assembly's substantive commitment to this time-sensitive initiative and to ensure that Legislative Committees are provided timely updates. A more detailed presentation will be provided by Senator Joe Benning, Caledonia/Orange District; Howard Coffin, Civil War historian and author; and David Schutz, State Curator, BGS.

**Cedar Creek Battlefield Historical Marker and Interpretive Panel:**

This project is on track toward completion. An appropriate site for a roadside marker and an interpretive panel has been identified along Hwy 11 within the approximate vicinity of the Battle of Cedar Creek near Middleton, Virginia. Presently, the property for this installation is owned by the Civil War Battlefield Foundation and eventually will be integrated with an expansive Civil War Battlefield Historic Landmark planned within the Shenandoah Valley National Park.

The roadside marker will be developed by the Vermont Division for Historic Preservation and is scheduled to be unveiled in a ceremony in the Cedar Creek Room preceding a related Farmers Night event on April 9, 2014.

It is reasonably expected the marker and a proposed interpretive panel will be formally installed at the Virginia location in time for scheduled dedication events on the 150<sup>th</sup> anniversary of the Battle of Cedar Creek in October 2014.

### **Winchester Monument Relocation to Third Winchester Battlefield:**

This project is facing some complexities that may cause a delay in achieving timely relocation of an 1885 monument to the Winchester battlefield before the observance of the 150<sup>th</sup> anniversary of the Battle of Third Winchester in September, 2014. A federal Section 106 review and the approval process for the removal of the monument from a National Register-listed cemetery, as well as the development of a long-term preservation plan by the Civil War Trust and the Civil War Battlefield Foundation are the challenges with which we are grappling.

Although the National Park Service concurs with Vermont's proposal to relocate the historic obelisk dedicated to the 8<sup>th</sup> Vermont Regiment presently resting in the Winchester Cemetery to its original location at the Third Winchester Battlefield, this required federal as well as anticipated local approval processes may pose some hurdles.

The Shenandoah Valley Battlefields Foundations owns the land on which the monument would be relocated. We have received assurances that they would welcome relocation of the monument to their property and would prefer that the monument be moved in time for rededication as part of the Third Winchester 150<sup>th</sup> anniversary.

The Commissioner is working with Senator Bernie Sanders, chair of the U.S. Senate Committee on Veterans' Affairs, and his staff to help expedite the review and relocation process. Attachment A below from the Department of Veterans Affairs provided by Dahlia Melendrez, Deputy Staff Director, U.S. Senate Committee on Veterans' Affairs describes the required procedures and potential issues.

In the course of researching locations for the monument it was discovered that, in fact, there are two monuments dedicated to the 8<sup>th</sup> Vermont Volunteers, both located in the Winchester National Cemetery with the larger obelisk monument intended for relocation (see photo below). Extensive efforts to find the exact original location of the larger monument have thus far been unsuccessful. However, the existence of two monuments may help with our rationale to return one to its former battlefield location, while the other will continue to honor Vermont soldiers from the 8<sup>th</sup> Vermont who are buried in the cemetery.

The Commissioner will continue to work closely with Senator Sanders and his Senate Committee staff in addressing the plan review requirements as well as with the Lake Champlain Basin Program (LCBP), the Vermont Civil War Sesquicentennial Commission and the Champlain Valley National Heritage Partnership in achieving our goal and developing a long-term preservation plan for the monument.

## **Attachment A – Winchester Memorial**

### ***8<sup>TH</sup> VERMONT VOLUNTEERS MONUMENT, WINCHESTER N/C***

August 2, 2013

#### **Brief Statement of Issues and Status:**

The Vermont Legislature passed a joint resolution (J.R.S. 12) on February 8, 2013 “supporting the return of the Battle of Winchester Memorial to its original battle field location.” This monument—referred to by the National Cemetery Administration (NCA) as the 8<sup>th</sup> Vermont Volunteers Monument, erected 1885—is currently located in Winchester National Cemetery, Virginia. It is situated on the south side of the national cemetery near the wall and a second monument dedicated to soldiers of the 8<sup>th</sup> Vermont (photograph of the monument on page 3).

The Civil War Trust and Shenandoah Valley Battlefields Foundation have been instrumental in purchasing and protecting property associated with the Third Battle of Winchester. Currently there is a walking trail with interpretive signage detailing the battle and military movements on the preserved property (see map on page 4). At least one of the waysides discusses the 8<sup>th</sup> Vermont’s role in the battle. NCA presumes this is the location the Vermont Legislature wants the monument returned to as stated in the joint resolution. To date there has been no overture to NCA by these organizations to have the monument relocated to the property.

The 8th Vermont Volunteer Monument was moved to Winchester National Cemetery at the end of 1895 or early 1896. On December 13, 1895, the State of Vermont Quartermaster General’s Office wrote to the Depot Quartermaster, Washington, D.C., and requested permission to relocate the monument from its original location to Winchester National Cemetery. The letter reads, “The monument is unprotected and uncared for where it now stands.” Permission was granted, provided there was no cost to the United States government. A 1911 monuments report prepared by the cemetery indicated that before the move, the 8th Vermont Volunteer Monument was “destroyed by vandals” at its former location. (This summary is based on primary documents found in the National Archives & Records Administration (NARA - RG 92, Entry 89, 576, and 1892, 1892A, 1892B, 1892C, 1892D, 1892E; and RG15/A-1, Entry 25) and the records of NCA.)

#### **Background:**

The obelisk monument was dedicated on September 19, 1885. The dedication occurred twenty-one years after the bayonet charge of the 8<sup>th</sup> Vermont Volunteers, led by Gen. Stephen Thomas, during the Third Battle of Winchester. It was commissioned by Herbert E. Hill, one of the youngest soldiers of the regiment (said to be seventeen at enlistment), who became a successful Boston merchant. During the dedication, Mr. Hill “gave” the monument to General Thomas on behalf of the regiment; he, in turn, presented it to Gov. Ebenezer J. Ormsbee on behalf of the state of Vermont. Governor Ormsbee, in his speech, asked that the care of the monument be assumed by the mayor of Winchester; a representative of the mayor accepted. The monument was furnished by the Vermont Marble Works, Rutland, which was owned by ex-Gov. Redfield Proctor. Another monument that Hill commissioned was dedicated at the same time near Cedar Creek, Virginia, commemorating the 8<sup>th</sup> Vermont’s service during that battle on October 19, 1864; until 2012, it was on private property, but the property is now part of the Cedar Creek and Belle Grove National Historical Park.

The monument stands about 8 feet high and consists of a square plinth with a dedication inscription on one side, surmounted by an obelisk. Because of the nature of the marble used, it has suffered much erosion over the years and today the grey veining stands proud of the grainy white surface. NCA funded restoration of the monument in fall 2012 along with treatment of thirteen other monuments at Winchester National Cemetery. The monument was cleaned, the joint between the plinth and shaft was pointed, and the marble underwent consolidation treatment to help prevent further erosion.

#### **Actions Required to Implement Vermont Resolution:**

- The U.S. Army and, subsequently, the Veterans Administration (now Department of Veteran Affairs), were stewards of the monument for approximately 117 years. The 8<sup>th</sup> Vermont Volunteers Monument is part of a long-established cultural landscape and a contributing element of Winchester National Cemetery, a property listed on the National Register of Historic Places.

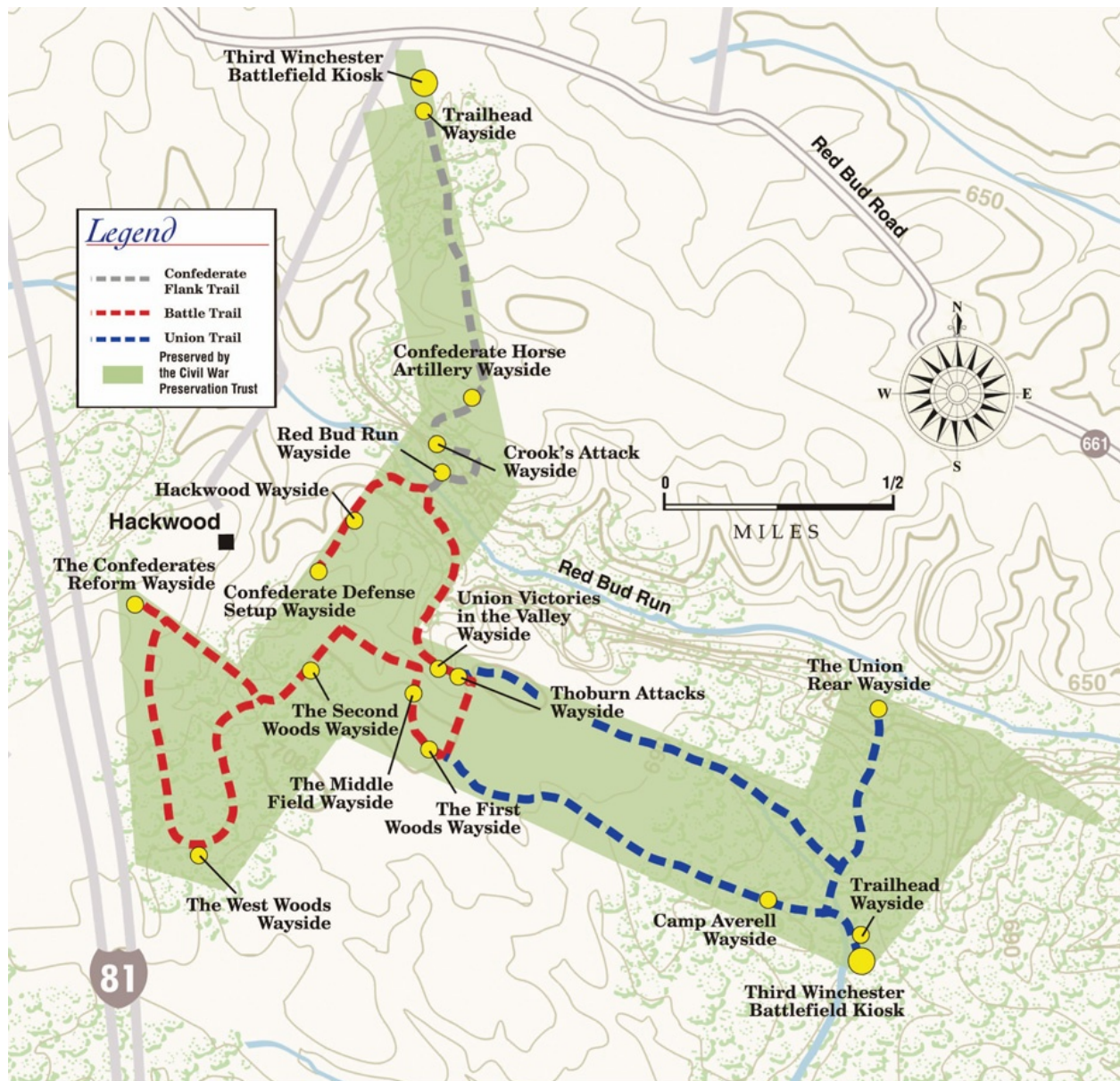
The not-for-profit Civil War Trust (CWT) and the congressionally-chartered Shenandoah Valley Battlefields Foundation (SVBF) each own a portion of the preserved Third Battle of Winchester battlefield. Both organizations receive some federal funds to purchase land or provide grant monies to other organizations. Neither organization has established a position about the requested return of the monument to the battlefield at this time, according to communications with NCA. These two organizations would need to take a position on whether or not they would accept responsibility for the monument as well as present a preservation plan and identify funding to properly maintain the memorial into the future.

- Transfer of the monument from cemetery ownership would represent an undertaking with a potential to impact an historic property. Thus, NCA would be required to consult with the Virginia State Historic Preservation Office and other interested parties--such as the National Park Service, CWT and SVBA--per Section 106 of the National Historic Preservation Act of 1966, as amended. If the landowners utilize federal funds for work associated with this proposal, they also may have Section 106 responsibilities to meet.
- This action would be precedent setting since there is no documented case in which VA permanently transferred to another party an historic monument from one of its national cemeteries.





8<sup>th</sup> Vermont Volunteers Monument, Winchester National Cemetery, VA



Green area represents land protected by The Civil War Trust and the Shenandoah Valley Battlefields Foundation associated with the Third Battle of Winchester. See <http://www.civilwar.org/battlefields/third-winchester.html> for further information. It is not clear where the monument was originally situated, but was likely in the vicinity of the First Woods wayside.

8. REPORTS UNDER  
SEPARATE COVER

Additional 2013 Act 51 Reports to be submitted under separate cover during presentations to Legislative Committees; extensions have been requested.

- 1. Correctional Facilities 5-yr.Capital Needs [Sec. 4 (d)]**
- 2. Vermont Veterans Home: Update of 2006 Facilities Condition Assessment [Sec. 17 (c)]**
- 3. Proposal for 10-yr. Capital Plan [Sec. 34 – 36]**
- 4. Lab Feasibility Study – Multi-Agency Use [Sec. 41]**

9. STATE PURCHASING  
OF APPAREL



In accordance with the requirements of **29 VSA, Chapter 49, § 924 pertaining to reporting on the degree of voluntary compliance with the state purchasing of apparel, footwear, or textiles**, the BGS Commissioner's report follows:

**Title: State Purchasing of Apparel; Report on Implementation**

In accordance with Title 29, VSA, Chapter 49, § 924, the Department of Buildings and General Services is reporting on the degree of voluntary compliance with Act 105, AN ACT RELATING THE STATE PURCHASING OF APPAREL, FOOTWEAR, OR TEXTILES.

**Title 29, VSA, Chapter 49, § 924 states:**

*The commissioner shall submit a report to the house and senate committees on government operations concerning the degree of voluntary compliance with this subchapter; the number of vendors who agreed to and the number that declined to comply with the provisions of this subchapter; the status of the commissioner's efforts to coordinate with other states with those jurisdictions' efforts to develop an effective strategy to monitor vendor compliance with the requirements of this subchapter or with similar requirements of those jurisdictions; a description of any exceptions approved pursuant to section 923 of this title; and any other information relevant to this subchapter.*

**Based on reporting requirements outlined in Title 29, VSA, Chapter 49, § 924 the following is provided:**

1. The number of vendors who agreed to and the number that declined to comply with the provisions of this subchapter. The following number represents any new contract or purchase order issued for apparel, footwear and textile issued and/or renewed after May 30, 2012.

**Agreed: 6**

**Declined: 1**

During the last reporting period we had one vendor that declined to comply with the provisions of this subchapter. The Request for Proposal on Winter Gear was dual awarded. The state intended to award a contract to Ben's Uniform and Mack V for Winter Gear for Corrections. Prior to award the state requested a list of their provider names and addresses; Ben's Uniform replied indicating that they would not be supplying us with the names as they were unable to get the information from their suppliers. Based on this statement the intent to award was withdrawn by the State; the items were given to the other vendor (Mack V). However there was a requirement for duty boots and Ben's Uniform offered Rocky Brand boots. The vendor (Mack V) offered another brand and was able to give us the information on their supplier.

2. A description of any exceptions approved pursuant to section 923 of this title; and any other information relevant to this subchapter.

**N/A; no exceptions have been requested and/or approved.**

**On-Going Efforts:**

- We have developed a written policy to support the actions already taken as well as to define what constitutes apparel, footwear, and textiles. This included developing

documents to make requirements easier for contracted vendors to get the documentation from their suppliers to support this requirement. Although final approval of these documents is being sought; we are already adhering to the policy and requirements as stated.

\*\*\*\*\*

Date: \_\_\_\_\_  
Contract or PO# \_\_\_\_\_

**STATE OF VERMONT**  
**CERTIFICATION REQUIREMENT**  
**FOR SWEAT FREE APPAREL, FOOTWEAR, OR TEXTILES**

Vendor Name: \_\_\_\_\_

Contract Description: \_\_\_\_\_

Pursuant to 29 V.S.A. § 922, each bidder shall provide certification from each supplier used for the sale of apparel, footwear, or textiles that the supplier at the point of assembly of the goods:

- (1) Complies with all applicable wage, health, labor, environmental, and safety laws, legal guarantees of freedom of association, building and fire codes, and laws relating to discrimination in hiring, promotion, and compensation on the basis of race, disability, national origin, gender, sexual orientation, and affiliation with any political, nongovernmental, and civic group except when federal law precludes the state from attaching the procurement conditions provided in this subchapter, and
- (2) Complies with all human and labor rights treaty obligations that are shared by the United States and the country in which the goods are assembled, including obligations with regard to forced labor, indentured labor, slave labor, child labor, involuntary prison labor, physical and sexual abuse, and freedom of association.

Prior to the awarding of a contract, a bidder for the sale of apparel, footwear, or textiles shall submit a list of the names and addresses of suppliers at the point of assembly of goods subject to the bid process.

If, after complying with the filing requirements of this section, a bidder is awarded a contract, that bidder shall, during the term of the contract, promptly inform the Commissioner of Buildings, in writing, of any change in the information furnished to the Commissioner pursuant to the above referenced statute.

By signing this Certification Requirement Form, the Bidder's suppliers/subcontractors hereby certify they are compliant with the law as written above.

Bidder's Supplier(s)/Subcontractor(s)

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

\_\_\_\_\_ Telephone: \_\_\_\_\_

\_\_\_\_\_ E-Mail: \_\_\_\_\_

By: \_\_\_\_\_  
Signature (Document Not Valid Unless Signed)

Name: \_\_\_\_\_  
(Type or Print)

\*\*\*\*\*

**Protocol for Sweatshop Prohibition per 29 VSA § 922**  
**Bids for the sale of apparel, footwear, or textiles**

For any purchase of apparel, footwear, or textiles for the State of Vermont, the following protocol shall be followed:

1. When a requirement is received for apparel, footwear, or textiles and requires solicitation via an RFP or RFQ, the following language shall be incorporated into the solicitation document and a Certification Requirement for Sweat free apparel, footwear, or textiles form shall be attached.
  - (a) The anticipated awarded bidder shall provide certification from each supplier that the supplier at the point of assembly of the goods:
    - 1) Comply with all applicable wage, health, labor, environmental, and safety laws, legal guarantees of freedom of association, building and fire codes, and laws relating to discrimination in hiring, promotion, and compensation on the basis of race, disability, national origin, gender, sexual orientation, and affiliation with any political, nongovernmental, and civic group except when federal law precludes the state from attaching the procurement conditions provided in this subchapter; and
    - 2) Comply with all human and labor rights treaty obligations that are shared by the United States and the country in which the goods are assembled, including obligations with regard to forced labor, indentured labor, slave labor, child labor, involuntary prison labor, physical and sexual abuse, and freedom of association.
  - (b) Prior to the awarding of the contract, a bidder for the sale of apparel, footwear, or textiles shall submit a list of the names and addresses of suppliers at the point of assembly of good subject to the bid process.
  - (c) If, after complying with the filing requirements of this section, a bidder is awarded a contract that contractor shall, during the term of the contract, promptly inform the Commissioner of Buildings, in writing, of any change in the information furnished to the Commissioner pursuant to 29 VSA § 922.
2. Upon selection or intent to award, and prior to contract execution, Purchasing & Contracting shall research online at:



[https://docs.google.com/viewer?a=v&pid=explorer&chrome=true&srcid=0BwH0nSyYMDxtYzY0ZGIzNzUtNGVjMS00YjY4LWFkYjgtZTA4Y2ZhNGQxNDQz&hl=en\\_US](https://docs.google.com/viewer?a=v&pid=explorer&chrome=true&srcid=0BwH0nSyYMDxtYzY0ZGIzNzUtNGVjMS00YjY4LWFkYjgtZTA4Y2ZhNGQxNDQz&hl=en_US) for any reference to the name of the selected bidder.

3. If a bidders name is found on this site, and considered to be non-compliant with 1) and 2) above, no contract will be awarded to the bidder unless there is substantial justification for a waiver to this provision.
4. If bidder is found compliant with the specifications above, the bidder shall complete and submit a Certification Requirement for Sweat free apparel, footwear, or textiles form for each supplier utilized under contract.
  - All Certification Requirement forms shall be held in the contract file at the Office of Purchasing & Contracting for record.
  - All the steps above shall be followed for all requirements pertaining to the purchase of apparel, footwear, or textiles.
5. If a requirement is received and a contract is in place for that item, the PA will verify the item is under the current contract and the items required are certified.
6. If a requirement is received and a contract is in place, but the item required is not under the current contract, or not currently certified under the current contract, the PA will determine if the required item can be added to the contract. If it is determined that the required item can be added to the contract, the PA will research online at [https://docs.google.com/viewer?a=v&pid=explorer&chrome=true&srcid=0BwH0nSyYMDxtYzY0ZGIzNzUtNGVjMS00YjY4LWFkYjgtZTA4Y2ZhNGQxNDQz&hl=en\\_US](https://docs.google.com/viewer?a=v&pid=explorer&chrome=true&srcid=0BwH0nSyYMDxtYzY0ZGIzNzUtNGVjMS00YjY4LWFkYjgtZTA4Y2ZhNGQxNDQz&hl=en_US) for any reference to the name of the suppliers and brand requested.
7. If the supplier brand is found compliant pursuant to 29 VSA § 922, the PA will send the bidder a Certification Requirement for Sweat free apparel, footwear, or textiles form to be completed for the item added under the contract. This Certification will be signed by the bidder's subcontractor(s) prior to the contract change order being executed.
  - If the supplier's brand name is found on this site, and considered to be non-compliant with 1) and 2) above, no contract change order will be executed unless there is substantial justification for a waiver to this provision.

10. TRANSFER OF  
UNEXPENDE  
BOND BALANCES

In accordance with the requirements of **29 VSA Sec. 24 (b)(3), Sec. 152 (23) and Sec. 152 (25) pertaining to the Transfer of Unexpended Bond Balances for Major Maintenance and for Emergency Projects**, the BGS Commissioner reports no funds were transferred and expended from unspent balances during 2013.

11. EQUIPMENT  
REVOLVING  
LOAN FUND

In accordance with the requirements of **29 VSA Sec. 903 (c) pertaining to listing of equipment purchased through the Equipment Revolving Loan Fund during the most recent calendar year**, the BGS Commissioner's annual report follows.

The attached spreadsheet lists the status of the fund and a consolidated amortization schedule. We offer several key conclusions about this fund:

- (1) **Fiscally Sound:** The current fiscal condition is good with sufficient funds to address anticipated future needs;
- (2) **Utilization:** Generally, most recent fund activity has been applied to upgrades for computer systems and for court room renovations and improvements including but not limited to data recording systems; and
- (3) **Longer-term Trend:** The ERLF has not been used as frequently as in previous years due possibly to overall budget reductions.

12/31/13

BUILDINGS & GENERAL SERVICES DEPARTMENT - EQUIPMENT REVOLVING FUND

A. OPEN ACCOUNTS

AGENCY/DEPT	TYPE OF EQUIPMENT	APPROVED W/O ADM CHG	DATE FIRST INVOICE PAID	PURCHASED INVOICES IN FINANCE SYS	PURCHASED INCL ADM CHG	PAYMENTS RECEIVED TO DATE	AMOUNT OWED TO DATE	AVAILABLE TO THE AGENCY
Agriculture (PAPLANTS)	PAPlants Software Application	\$265,488.00	12/24/2009	\$261,601.27	\$262,386.07	\$206,363.93	\$56,022.14	\$3,886.73
Agriculture (WINWAM)	Consumer Protection inspection software	\$60,151.00	9/21/2010	\$60,151.00	\$60,331.45	\$33,642.67	\$26,688.78	\$0.00
Agriculture (USA HERDS)	Dairy module for USA Herds (Laptops)	\$270,700.00	5/30/2012	\$12,540.95	\$12,578.57	\$2,358.44	\$10,220.13	\$258,150.05
AOT	OCIE Wide Format Printer	\$57,064.00	7/20/2011	\$57,064.00	\$57,064.00	\$57,064.00	\$0.00	\$0.00
Court Administrator	IT Equipment (VACE)	\$376,080.00	12/22/2010	\$376,080.00	\$377,128.00	\$226,276.80	\$150,851.20	\$0.00
Court Administrator	Various Equipment (ITOP)	\$1,017,219.00	5/6/2013	\$260,020.19	\$260,800.25	\$0.00	\$260,800.25	\$757,198.81
Tax Department	Intelliscan SCS Scanner	\$84,390.00	3/24/2010	\$84,390.00	\$84,643.17	\$67,714.54	\$16,928.63	\$0.00
Tax Dept	Equipment Scanner	\$93,748.00	2/24/2011	\$93,451.00	\$93,731.35	\$66,238.81	\$27,492.54	\$297.00
TOTAL		\$2,224,760.00		\$1,205,218.41	\$1,208,834.05	\$635,521.56	\$573,312.48	\$1,019,541.59

B. PROPOSED BUT NOT YET APPROVED

AGENCY/DEPT	TYPE OF EQUIPMENT	PROPOSED W/O ADM CHG	DATE SENT
TOTAL		\$0.00	12/31/13

C. COMPLETED ACCOUNTS

AGENCY/DEPT	TYPE OF EQUIPMENT	APPROVED W/O ADM CHG	INVOICE DATE	FIRST PAID	PURCHASED (INVOICES IN FINANCE SYS)	PURCHASED INCL ADM CHG	PAYMENTS RECEIVED TO DATE	AMOUNT OWED TO DATE	AVAILABLE TO THE AGENCY
Health (Medical Care Svc)	2 A & T Sprint phone systems	\$35,582.00	02/24/09		\$33,581.54	\$33,682.30	\$33,682.30	\$0.00	\$2,000.46
\$25.00 Gov Commission on Women	Telephone Systems	\$2,500.00			\$2,500.00	\$2,507.50	\$2,507.50	\$0.00	\$70.50
\$10.00 Mental Health	Computer Equipment	\$19,155.00	06/30/09		\$19,004.03	\$19,061.04	\$19,061.04	\$0.00	\$150.97
\$10.00 Health	Telephone System	\$23,791.11	03/13/09		\$23,696.71	\$23,737.71	\$23,737.71	\$0.00	\$1,054.40
\$31.00 Aging & Disabilities	Computer Equipment	\$85,000.00	11/16/09		\$76,506.52	\$76,736.04	\$76,736.04	\$0.00	\$8,493.48
\$23.00 Forest & Parks	Landing Craft	\$65,000.00	03/29/00		\$60,761.80	\$60,944.09	\$60,944.09	\$0.00	\$4,238.20
\$28.00 Libraries	Books	\$80,000.00	10/30/90		\$79,891.44	\$80,131.11	\$80,131.11	\$0.00	\$108.56
\$1.00 SRS (Division of Blind)	Vending Machines	\$68,088.00	12/22/08		\$68,088.01	\$68,202.98	\$68,202.98	\$0.00	\$0.00
\$22.00 St J Fire - AHS	St Johnsbury's Fire	\$128,564.59	02/26/09		\$128,250.17	\$128,634.92	\$128,634.92	\$0.00	\$314.42
\$9.00 Natural Resources	Telephone System	\$13,215.00	03/31/09		\$13,215.00	\$13,254.65	\$13,254.65	\$0.00	\$0.00
\$29.00 Public Safety/DPSB	PC & Printer/PayPer/	\$12,000.00	02/19/91		\$7,332.00	\$7,354.00	\$7,354.00	\$0.00	\$4,668.00
	Telephone System	\$14,000.00	03/26/00		\$9,660.00	\$9,688.98	\$9,688.98	\$0.00	\$4,340.00
	Telephone System	\$7,814.00	08/08/09		\$7,183.33	\$7,204.88	\$7,204.88	\$0.00	\$611.67
\$27.00 Libraries	Telephone Network	\$8,000.00	03/08/91		\$6,118.30	\$6,118.30	\$6,118.30	\$0.00	\$1,881.70
\$35.00 Libraries	DEC Software & Equipment	\$9,900.00	02/20/02		\$9,899.80	\$9,929.50	\$9,929.50	\$0.00	\$0.00
\$26.00 Public Safety (Vehicles)	Vehicles - 77	\$856,984.00	08/07/00		\$841,721.62	\$844,246.78	\$844,246.78	\$0.00	\$15,262.38
\$25.00 Secretary of State	Canon Copiers (2)	\$22,000.00	04/29/02		\$19,663.00	\$19,721.99	\$19,721.99	\$0.00	\$2,337.99
\$13.00 PSDPSB	Telephone System	\$7,500.00	06/26/00		\$5,580.00	\$5,596.74	\$5,596.74	\$0.00	\$1,920.00
\$8.00 Labor & Industry	Computer Network	\$85,272.00	08/15/09		\$85,527.82	\$85,527.82	\$85,527.82	\$0.00	\$0.00
\$15.00 State's Atty & Sheriffs	Telephone System	\$29,615.10	03/28/09		\$29,615.10	\$29,703.95	\$29,703.95	\$0.00	\$0.00
\$33.00 St's Atty & Sheriffs	Two Telephone Systems	\$5,919.62	09/13/09		\$5,919.62	\$5,937.38	\$5,937.38	\$0.00	\$17.76
\$16.00 Tax Department	Telephone System	\$7,694.50	12/13/00		\$7,377.00	\$7,399.13	\$7,399.13	\$0.00	\$317.50
\$2.00 Dev & Community Affairs	Computer Equipment	\$27,500.00	10/05/09		\$27,500.00	\$27,582.50	\$27,582.50	\$0.00	\$82.50
\$14.00 VT Lottery Commission	Computer Upgrade	\$213,984.00	02/07/09		\$213,984.00	\$214,625.95	\$214,625.95	\$0.00	\$641.95
\$1.00 Veterans Home	Optic Character Reader	\$75,950.00	08/25/09		\$75,950.00	\$76,177.85	\$76,177.85	\$0.00	\$227.85
	Misc Items	\$16,135.00	03/09/02		\$12,804.00	\$12,842.41	\$12,842.41	\$0.00	\$3,291.61
\$16.00 Vets Home(Phone)	Telephone System	\$38,800.00	03/11/09		\$15,395.00	\$15,441.19	\$15,441.19	\$0.00	\$13,408.81
\$18.00 Environmental Conserv	Computer Equipment	\$69,401.64	01/11/00		\$62,841.64	\$63,030.16	\$63,030.16	\$0.00	\$6,569.50
\$5.00 Human Rights Commission	Office Automation	\$22,000.00	02/22/09		\$12,559.07	\$12,596.75	\$12,596.75	\$0.00	\$5,312.92
\$24.00 Corrections	Telephone System	\$5,184.00	08/21/00		\$5,184.00	\$5,199.55	\$5,199.55	\$0.00	\$15.55
	(2) Vehicles/Equip	\$31,992.96	04/07/02		\$31,992.96	\$32,088.94	\$32,088.94	\$0.00	\$95.98
	Rehab/Aging	\$13,684.00	01/16/00		\$13,684.00	\$13,705.00	\$13,705.00	\$0.00	\$21.00
\$17.00 SRS	Computer Equipment	\$197,000.00	12/21/09		\$196,286.22	\$196,875.08	\$196,875.08	\$0.00	\$713.78
	Corrections-Brattleboro	\$5,885.00	06/24/02		\$5,884.00	\$5,881.68	\$5,881.68	\$0.00	\$2.32
	Joint Fiscal Office	\$35,000.00	05/01/01		\$34,904.00	\$35,098.98	\$35,098.98	\$0.00	\$95.98
\$12.00 Social Welfare	Misc Items	\$190,000.00	05/23/00		\$187,844.00	\$188,407.53	\$188,407.53	\$0.00	\$1,552.50
	Desk/Top Publishing	\$113,452.00	11/14/01		\$113,505.81	\$113,546.33	\$113,546.33	\$0.00	\$42.52
	Lifting Devices	\$10,362.94	01/23/00		\$10,208.00	\$10,238.62	\$10,238.62	\$0.00	\$154.94
	Computer System	\$85,000.00	01/23/02		\$82,928.46	\$83,177.25	\$83,177.25	\$0.00	\$2,071.54
	Computer Equipment	\$5,398.00	09/01/02		\$5,123.43	\$5,123.43	\$5,123.43	\$0.00	\$268.57
	Development/Travel Div.	\$43,657.00	01/07/03		\$43,657.00	\$43,787.97	\$43,787.97	\$0.00	\$130.97
	Motor Vehicle	\$144,488.00	03/16/04		\$143,614.52	\$144,072.52	\$144,072.52	\$0.00	\$463.50
	Public Safety	\$183,867.08	04/03/02		\$183,867.08	\$184,418.68	\$184,418.68	\$0.00	\$551.60
	Public Safety (COPS)	\$58,300.00	06/11/03		\$26,634.26	\$26,714.16	\$26,714.16	\$0.00	\$31,665.74
	SRS (Social Services)	\$12,724.00	02/17/00		\$12,724.00	\$12,762.17	\$12,762.17	\$0.00	\$38.17
	Tax Department	\$100,000.00	09/01/02		\$96,245.00	\$96,533.74	\$96,533.74	\$0.00	\$3,755.00
	SRS-PLANNING	\$175,000.00	03/16/02		\$158,944.91	\$159,421.74	\$159,421.74	\$0.00	\$1,055.09
	Health	\$372,032.00	08/15/02		\$364,592.00	\$365,685.78	\$365,685.78	\$0.00	\$7,440.00
	Health	\$686,309.00	08/12/02		\$679,261.63	\$681,299.62	\$681,299.62	\$0.00	\$1,047.17
	Judiciary/Family Court	\$30,000.00	10/25/00		\$31,304.67	\$31,253.58	\$31,253.58	\$0.00	\$3,695.33
	Mental Health/VSH	\$203,500.00	12/29/03		\$196,770.20	\$197,270.51	\$197,270.51	\$0.00	\$6,729.30
	Public Safety	\$155,000.00	08/23/02		\$142,419.11	\$142,946.37	\$142,946.37	\$0.00	\$12,580.89
	Judiciary	\$140,000.00	10/15/02		\$138,405.00	\$138,820.22	\$138,820.22	\$0.00	\$1,595.00
	Dev & Community Affairs	\$92,735.00	05/17/04		\$92,735.00	\$93,013.21	\$93,013.21	\$0.00	\$278.21
	St. J Workcamp	\$546,465.00	12/03/00		\$546,465.00	\$546,105.00	\$546,105.00	\$0.00	\$360.00
	Attorney General	\$24,000.00	12/12/04		\$23,482.91	\$23,553.36	\$23,553.36	\$0.00	\$517.09
	Environmental Board	\$75,000.00	12/05/95		\$77,000.00	\$79,793.00	\$79,793.00	\$0.00	\$4,793.00
	Veterans Home	\$18,292.00	05/29/95		\$17,694.65	\$17,747.73	\$17,747.73	\$0.00	\$553.08
	Education	\$45,000.00	03/27/06		\$44,312.27	\$44,445.21	\$44,445.21	\$0.00	\$857.73
	Finance & Management	\$32,764.00	11/17/03		\$32,764.00	\$32,862.29	\$32,862.29	\$0.00	\$98.29
	Libraries	\$46,500.00	12/21/04		\$46,140.94	\$46,279.36	\$46,279.36	\$0.00	\$359.06
	Natural Resources	\$79,778.00	07/19/03		\$79,676.03	\$79,676.03	\$79,676.03	\$0.00	\$102.97
	Public Safety (C.O.P.s)	\$86,250.00	04/19/06		\$86,250.00	\$86,508.75	\$86,508.75	\$0.00	\$258.75
	SRS	\$18,647.00	05/03/06		\$18,647.00	\$18,702.94	\$18,702.94	\$0.00	\$55.94
	Transportation/Motor Vehicle	\$114,543.00	05/03/06		\$114,462.00	\$114,805.39	\$114,805.39	\$0.00	\$143.39
	Corrections-Newport	\$986,336.00	05/03/04		\$986,336.00	\$989,025.01	\$989,025.01	\$0.00	\$2,689.01
	Corrections-Vehicles	\$189,000.00	09/29/04		\$189,000.00	\$189,567.00	\$189,567.00	\$0.00	\$567.00
	Agriculture	\$85,000.00	04/04/05		\$77,139.00	\$77,370.42	\$77,370.42	\$0.00	\$2,231.42
	Buildings & General Svcs	\$11,820.00	03/25/07		\$9,250.63	\$9,278.38	\$9,278.38	\$0.00	\$2,569.37
	Public Safety (C.O.P.S)	\$20,813.50	10/15/97		\$20,813.50	\$20,875.94	\$20,875.94	\$0.00	\$62.44
	Dept of Public Service	\$180,000.00	10/09/06		\$179,902.14	\$180,441.85	\$180,441.85	\$0.00	\$539.71
	Secretary of State	\$18,000.00	05/05/06		\$17,622.50	\$17,675.37	\$17,675.37	\$0.00	\$532.87
	Veterans Home	\$31,517.00	5/29/06		\$30,432.10	\$30,523.39	\$30,523.39	\$0.00	\$1,084.90
	Air Pollution Devices	\$10,360.00	04/02/97		\$10,360.00	\$10,391.08	\$10,391.08	\$0.00	\$31.08
	Veterans Home	\$23,000.00	07/10/97		\$17,271.00	\$17,322.81	\$17,322.81	\$0.00	\$5,729.00
	Veterans Home	\$8,133.00			\$7,687.00	\$8,010.96	\$8,010.96	\$0.00	\$1,423.96
	Libraries	\$30,474.00	10/21/06		\$30,474.00	\$30,565.42	\$30,565.42	\$0.00	\$91.42
	Libraries	\$20,000.00	09/08/08		\$20,000.00	\$20,060.00	\$20,060.00	\$0.00	\$60.00
	Historic Preservation	\$16,574.58	06/20/07		\$16,574.58	\$16,574.58	\$16,574.58	\$0.00	\$0.00
	Attorney General	\$180,000.00	11/14/97		\$174,881.41	\$175,406.05	\$175,406.05	\$0.00	\$5,118.59
	Buildings & General Svcs	\$45,000.00	11/06/97		\$39,326.08	\$39,326.62	\$39,326.62	\$0.00	\$5,792.00
	BGS-Facilities	\$44,000.00	3/14/2001		\$25,425.00	\$25,501.28	\$25,501.28	\$0.00	\$22,575.72
	Office of Adjutant General	\$44,525.00	10/02/05		\$44,525.00	\$44,658.58	\$44,658.58	\$0.00	\$133.58
	SRS-PLANNING	\$148,368.00	07/18/06		\$131,960.75	\$132,356.63	\$132,356.63	\$0.00	\$16,407.25
	BGS-Public Records	\$50,000.00	09/17/09		\$44,659.00	\$44,792.98	\$44,792.98	\$0.00	\$5,341.00
	Agency of Human Services	\$1,594,711.00	06/11/97		\$1,287,702.48	\$1,291,565.59	\$1,291,565.59	\$0.00	\$3,908.11
	Commerce & Comm Dev	\$229,818.75	05/25/99		\$188,688.35	\$189,254.42	\$189,254.42	\$0.00	\$41,130.40
	Fire Service Trng Council	\$31,996.00	09/29/95		\$32,091.99	\$32,091.99	\$32,091.99	\$0.00	\$0.00
	Personnel Dept	\$25,000.00	12/04/97		\$22,962.01	\$23,030.90	\$23,030.90	\$0.00	\$2,079.99
	Public Safety	\$450,300.00	12/19/97		\$450,300.00	\$451,650.90	\$451,650.90	\$0.00	\$1,350.90
	Vermont Vets Home	\$63,979.00	10/26/99		\$63,979.00	\$64,170.94	\$64,170.94	\$0.00	\$191.94
	Tax Dept	\$86,500.00	08/20/97		\$78,603.10	\$78,603.10	\$78,603.10	\$0.00	\$10,132.00
	Tax Dept	\$75,000.00	01/17/01		\$75,000.00	\$75,225.00	\$75,225.00	\$0.00	\$225.00
	Personnel Dept	\$55,000.00	09/12/00		\$55,000.00	\$55,165.00	\$55,165.00	\$0.00	\$165.00
	BGS/Engineering/Admin/Info Ctr	\$60,000.00	06/01/03		\$49,892.00	\$50,041.68	\$50,041.68	\$0.00	\$10,108.00
	Commerce & Community Dev.	\$134,000.00	06/26/02		\$133,381.81	\$133,781.96	\$133,781.97	\$0.00	\$400.15
	Judiciary	\$425,000.00	05/06/03		\$424,377.30	\$425,650.43	\$425,650.43	\$0.00	\$622.70
	Public Safety	\$510,175.00	03/29/01		\$510,175.00	\$511,705.53	\$511,705.53	\$0.00	\$0.00
	Public Safety Dept	\$534,000.00	07/22/02		\$197,042.34	\$198,735.17	\$198,736.17	\$0.00	\$42,057.66
	Criminal Justice TC	\$33,200.00	03/11/02		\$31,693.26	\$31,788.94	\$31,788.94	\$0.00	\$1,506.74
	BGS/Springfield Correctional	\$85,300.00	01/17/00		\$85,000.00	\$85,059.80	\$85,059.80	\$0.00	\$240.00
	BGS Engineering	\$769,400.00	08/15/02		\$769,400.00	\$771,720.00	\$771,720.00	\$0.00	\$0.00
	BGS Engineering	\$26,404.00	08/11/06		\$26,404.00	\$26,483.21	\$26,483.21	\$0.00	\$79.21
	Rest, Parks & Recreation	\$700,000.00	10/06/07		\$700,000.00	\$702,100.00	\$702,100.00	\$0.00	\$2,100.00
	County Commissioners (Rutland Filp	\$325,000.00	3/29/2005		\$324,409.78	\$325,383.01	\$325,383.01	\$0.00	\$590.22
	AOT	\$30,134.00	6/15/2009		\$30,134.00	\$30,224.40	\$30,224.40	\$0.00	\$90.00
	1 Ricoh BW Copier	\$32,000.00	6/15/2009		\$32,000.00	\$32,044.91	\$32,044.91	\$0.00	\$44.91
	2 Color copiers/MP2000	\$26,500.00	6/15/2009		\$26,500.00	\$26,549.41	\$26,549.41	\$0.00	\$49.41
	BGS-In Centers	\$36,000.00	8/16/07						