

September 12-13, 2018

ITEM 180-2802-R0918**Request for approval of lease of athletic facilities to MSUN Foundation, Montana State University Northern**

THAT

The Board of Regents approves the executed lease of athletic facilities from MSU-Northern to the MSUN Foundation as previously authorized in item 178-2801-R0318 and as required in Board of Regent Policy 1003.6 and MCA Annotated 20-25-309.

EXPLANATION

The following was approved at the March 2018 Board of Regents Meeting (ITEM 178-2801-R0318):

1. The 60th Montana Legislature (SB412, 2007 Session) promulgated MCA §20-25-309, which allows the Board of Regents to lease land and/or facilities to a private non-profit foundation for the purpose of constructing or renovating athletic facilities.
 2. The MSU Northern Foundation is a private non-profit foundation as described by MCA §20-25-309. MSUN proposes to have the MSU Northern Foundation engage architects and contractors for the purpose of providing design and construction services to complete anticipated athletic facilities' improvements.
 3. The MSU Northern Foundation plans to execute the Football Field and Health & Wellness Complex project in several phases over the coming years. The first phase will consist of all-purpose turf and goal posts, scoreboard, landscaping, and site work with utilities. The value of phase I is anticipated to be approximately \$2.5M but will likely cost less due to in-kind contribution of services.
 4. The authorizations for these projects will be requested in multiple phases. With this Item, MSUN is requesting Regent approval for phase 1 of this project and of the lease, after which the MSU Northern Foundation will take action to finalize contracts with the Architect and General Contractor/Construction Manager. Subsequent phases will be presented to the Board of Regents as fundraising expectations, project schedules, and budgets are finalized.
 5. No commitment of state appropriations for design, construction, operations, or maintenance is expressed or implied. Work to be completed under this authorization will be financed with non-state funds including gifts, grants, donations, in-kind contributions, and facility revenues.
 6. This lease will represent MSUN's official request of the MSU Northern Foundation to move forward immediately to negotiate a final contract with the Architect and General Contractor/Construction Manager. Attachment 1 provides a draft summary of the proposed lease agreement.
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ATTACHMENTS

Attachment #1-MSUN Athletic Facilities Phase 1 Agreement and Lease