

**Chapter 255-02 WAC
CAPITAL PROJECTS FUND**

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WAC 255-02-010 Purpose. The purpose of the capital projects fund is to support capital needs and facilities of heritage organizations, tribal governments, public development authorities, and local government agencies that interpret and preserve Washington's history and heritage.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-010, filed 5/7/98, effective 6/7/98.]

WAC 255-02-020 Authority. The capital projects fund is authorized by RCW 27.34.330.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-020, filed 5/7/98, effective 6/7/98.]

WAC 255-02-030 Organization. The fund is administered by the heritage resource center, which is an outreach program of the Washington state historical society.

(1) The director of the heritage resource center shall be the administrator of the fund.

(2) The director of the Washington state historical society and the director of the heritage resource center shall be the authorizing officials for the agency.

(3) There shall be an advisory panel, appointed by the authorizing officials, to determine grant guidelines and review grant applications. The panel shall be comprised of individuals whose expertise can address specific issues.

(a) The panel will meet at least two times per year to review procedures and to evaluate grant applications.

(b) Panel members may be reimbursed for travel expenses.

(c) The advisory panel shall have at least one representative from the Washington museum association, the eastern Washington state historical society, the office of the secretary of state, and the office of archaeology and historic preservation.

(d) Panel members shall refrain from making recommendations if there is a conflict of interest involving an applicant or specific application.

(4) The panel will make recommendations and provide a ranked list of these recommendations to the office of financial management, the office of the governor, and state legislature.

(5) The capital projects fund shall be housed at the Heritage Resource Center, Washington State Historical Society, at 211 West 21st Ave., Olympia WA 98501.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-030, filed 5/7/98, effective 6/7/98.]

WAC 255-02-040 Definitions. The following definitions shall apply throughout this title:

- (1) "Agency" means the Washington state historical society.
- (2) "Applicant" means any nonprofit organization, local government agency, public development authority, or tribe that submits an application to the fund.
- (3) "Cash match" is money from the applicant organization or from other sources, which can include grants from foundations, nonstate governmental agencies, individuals, corporations and others.
- (4) "Cost share" are those costs, including cash and in-kind, that the applicant will incur from its own resources or from other cooperating organizations to complete the project described in the proposal.
- (5) "Heritage organization" is a group whose purpose is to collect, preserve, or interpret history, heritage, and culture.
- (6) "Capital heritage project" is any project that involves the physical plant of an organization or the acquisition of property by an organization. (See eligible projects)
- (7) "In-kind contributions" are those contributions to a project that are not part of the cash match. They may include contributions of materials and supplies, professional consultation, legal and accounting services, architectural design fees, volunteer time, labor.
- (8) "Local government agency" is any city or county agency, or port district. State and federal agencies are not eligible to apply.
- (9) "Nonprofit organization" is an organization which has a 501 (c)(3) IRS tax determination by the Internal Revenue Service (IRS) and is incorporated under the nonprofit laws of the state of Washington.
- (10) "Total project costs" include the amount sought from the fund and what the applicant will provide as cost share.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-040, filed 5/7/98, effective 6/7/98.]

WAC 255-02-050 Eligible projects. Funds may assist in, but will not be limited to, the following types of projects;

- (1) Construction of new facilities or improvements to existing facilities.
- (2) Purchase, restoration and/or preservation of such fixed assets as historic buildings and structures, historic ships, locomotives, airplanes and other transportation conveyances.
- (3) Acquisition of unimproved property for the purpose of construction of a new facility that will have a heritage mission.
- (4) Acquisition, protection, stabilization, and/or development of historic or archaeological sites that are culturally or historically significant [significant].
- (5) Physical improvement of interior facility spaces for exhibitions, programs, and/or preservation activities. The program does not provide funds for any part of an exhibition or education program.

(6) Construction-related design, architectural, and engineering expenses.

(7) Purchase of equipment when necessary to accomplish the project. Documentation will be required.

(8) Bridge loans, or financing, but only if the loan is obtained after the application is approved for funding by the legislature.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-050, filed 5/7/98, effective 6/7/98.]

WAC 255-02-060 Ineligible projects. Ineligible projects and costs include:

(1) General facility maintenance, routine repairs, consumable supplies, operating expenses, salaries, or programs.

(2) Equipment not directly related to the project.

(3) Leasing of equipment of automotive vehicles.

(4) Indirect cost reimbursement for administrative functions. The fund also does not allow indirect cost rates to be used as part of a cost share.

(5) Fund-raising expenses

(6) Projects completed prior to the start of the biennium for which funding is made.

(7) Retirement of operational debts nor for construction, facility improvement, or purchase loans that are incurred prior to award date of grant or date of legislative approval.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-060, filed 5/7/98, effective 6/7/98.]

WAC 255-02-070 Application form. Application forms shall be available from the agency. Applications shall be sent by direct mail to those who have requested placement on the capital projects fund mail list or to those who request an application. All applications must be completed and submitted in the format prescribed by the agency and must be submitted by the deadline established by the agency.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-070, filed 5/7/98, effective 6/7/98.]

WAC 255-02-080 Application review process. The evaluation and review of applications shall be based on the written response and support materials provided in the application. Applications are reviewed initially by the staff of the heritage resource center for eligibility. Once eligibility is determined, applications are then reviewed by a panel that makes funding recommendations.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-080, filed 5/7/98, effective 6/7/98.]

WAC 255-02-090 Contracting. Applicants who have been approved for funding will be issued contracts based on a fiscal biennium beginning July 1 and ending June 30.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-090, filed 5/7/98, effective 6/7/98.]

WAC 255-02-100 Disbursement of funds. Applicants should be prepared to finance their projects until reimbursed by the agency. Requests for payment shall be made on invoice vouchers provided by the agency.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-100, filed 5/7/98, effective 6/7/98.]

WAC 255-02-110 Appeal procedure. There shall be a procedure for applicants to appeal the panel's decisions when there is evidence that information available at the time of the panel's action was, in the opinion of the appellant, either not included in the review or was not clearly understood.

(1) Appeals may not be made based on new information not available at the time of the original decision.

(2) Appeals must be presented in writing to the director of the heritage resource center, outlining the nature of the appeal.

(3) The director, in consultation with the director of the Washington state historical society and the chairperson of the panel, shall reject or accept the appeal.

(4) Upon acceptance of the appeal the director shall notify the panel and arrange a special meeting. The appeal may be presented by the applicant at that time. The appeal must be presented in its entirety at that time and shall be considered final.

(5) The panel shall have five business work days to make a decision on the appeal.

(6) After final panel action on the appeal, the director shall notify the applicant of the decision in writing, within five working days after the date of the decision.

[Statutory Authority: RCW 27.34.330. WSR 98-11-005, § 255-02-110, filed 5/7/98, effective 6/7/98.]