

Board of Trustees of the Nebraska State Colleges

Auxiliary System

POLICY
NAME: Bond Support

POLICY
NUMBER: 9009

A. PURPOSE

To lay out the process used to select key partners to support the issuance of bonds.

B. DEFINITIONS

None

C. POLICY

1. Selection of Bond Team

1.1. Financial Advisor

The Board may contract with a firm to act as Financial Advisor to analyze and make recommendations regarding the issuance of revenue bonds by the Board. The Board will utilize the same Financial Advisor for bonds of the Nebraska State Colleges Facilities Corporation.

- Selection – The Fiscal, Facilities and Audit Committee, along with the Chancellor and Vice Chancellor for Finance and Administration, may conduct an RFP or informal process to select a Financial Advisor. If an informal process is used, the Committee shall interview at least three (3) qualified firms before making a recommendation regarding an engagement with the Board.
- Term – The initial contract term shall be a one-year period and can be extended by written agreement of the parties until the Fiscal, Facilities and Audit Committee, along with the Chancellor and Vice Chancellor for Finance and Administration, determine that it is in the Board's best interest to conduct another RFP or informal selection process.

1.2. Bond Counsel

The Board of Trustees shall designate a legal firm to represent it, draft the required bond documents, provide advice to the Board on the legal structure and related legal matters, and deliver such opinions to the Board appropriate for such bond issue.

- Selection – The Fiscal, Facilities and Audit Committee, along with the Chancellor and Vice Chancellor for Finance and Administration may conduct an RFP or informal process to select a legal firm. If an informal process is used, the Committee shall interview at least three (3) qualified firms before making a recommendation regarding the designation to the Board.
- Term – Once the selection is made for bond counsel, the firm can be used on subsequent bond deals until such time that it is deemed appropriate by the Fiscal, Facilities and Audit Committee, along with the Chancellor and Vice Chancellor for Finance and Administration, that it is in the Board's best interest to conduct another RFP or informal selection process.

1.3. Bond Trustee

When a new resolution is to be approved, the Board shall designate a Trustee to act on behalf of the bond holders affiliated with that particular indenture. When bonds are issued under supplemental resolutions, the appointment of the firm selected as Trustee under the original resolution is expected to be extended.

- Selection – The Fiscal, Facilities and Audit Committee, along with the Chancellor and Vice Chancellor for Finance and Administration, may conduct an informal process to select a Trustee. If an informal process is used, the Committee shall interview at least three (3) qualified firms before making a recommendation regarding the designation to the Board.

1.4. Bond Underwriter

When bonds are to be issued, the Board, or its Financial Advisor on behalf of the Board, may solicit proposals from firms to provide underwriting services. One or more underwriting firms may be selected that are determined to best meet the goals of the Board related to a particular bond issue.

- Selection - The Chancellor, in consultation with the Fiscal, Facilities and Audit Committee, is delegated the authority to select the underwriting firm(s) for each bond issue.

2. Contract Execution

Any contract executed pursuant to this Policy shall be signed by the Chancellor or designee.

FORMS/APPENDICES:

None

SOURCE:

Policy Adopted: January 1994

Policy Revised: November 2019, July 2023