

## **DSA: Changing Culture & Changing Processes**

The Division of the State Architect (DSA), which is celebrating 106 years of service to the citizens of California, is focused on the continuous improvement of both our culture and our processes. While the economy has been a challenge to both the educational community and to the design/construction industry, the reduction in work load has afforded DSA an opportunity for introspection and reevaluation. We have concluded that it is the right time to institute specific changes to our construction oversight process. The changes outlined below are designed to increase the quality of DSA's service to all of our stakeholders and to better reflect the financial, technological and educational reality of our times.

### **Changes in Culture**

DSA has always had, and continues to be very proud of, a talented and dedicated staff. The staff and DSA's leadership team are committed to building a culture where quality communication, consistent actions and commonality of purpose are guiding principles.

- First and foremost, we are focusing on ensuring that our clients, and their design/construction team, are successful. Our aim is to be contributing partners in the development of great environments for education and we are working closely with all staff members to achieve this goal.
- Secondly, we will endeavor to streamline and improve our processes and our service. Our goal is to continuously search for ways to reduce costs, to improve quality and to make the process easier.
- Finally, integrity and accountability are core values for all members of the DSA Team. We are committed to both doing the right thing for the right reason and to holding ourselves accountable for our actions.

### **Changes in Processes**

Building design and construction is always a complicated process involving a variety of management, design, and technical skills. Building design and construction under the oversight of DSA adds still another dimension of complication. Over the years, statute and regulations, interpretations, procedures and "tradition" have sometimes made the process difficult for all concerned. We cannot easily change the requirements of statute or regulation, but we are working diligently to simplify and focus our process. Rather than allowing "the perfect to get in the way of the good", DSA is making changes on the basis of a "continuous improvement" process. If required for future improvements, we will have an option to pursue either statutory or regulatory modifications.

## Construction Oversight Process

### ***Background***

Between 1980 and December 2011, over 16,000 projects were completed and occupied without Certification. The root cause of this inability to close projects is the postponement of document submission until the end of the construction process as opposed to concurrent submissions.

### ***Process & Implementation***

We are implementing a significant change to our Construction Oversight Process designed to ensure that projects are closed with DSA certification. DSA will soon utilize an inspection card process that is used by virtually every building department throughout the country and will guarantee concurrent submission and therefore certification of all future projects.

Rather than attempting to gather all approved documents, forms and test reports, etc. after the completion of construction, we will implement a process that establishes specific construction milestones that must be approved by the Project Inspector and the Design Professional(s) before subsequent work can be started.

An inspection(s) card will be placed at every K-12 and Community College project construction site. This card(s) and its electronic counterpart will be continuously monitored, signed and dated by the Project Inspector when each significant construction milestone has been approved. The Project Inspector is obligated to inform the Design Professional and the DSA Field Engineer of any deviations from the approved design. The Design Professional(s) will also be required to provide a *Verified Report* at each construction milestone. Although hopefully rarely used, DSA maintains the ability to file an *Order to Comply* or a *Stop Work Order* and call for the uncovering of any, and all, questionable work installed without the appropriate milestone approval.

An example of this concept is the requirement of the inspection and the approval of installed steel reinforcing (along with the submission of all relevant approved special inspection reports) in a floor slab before concrete is poured. The current practice allows the concrete to be poured without confirmation that the materials meet the requirements, set forth in the approved construction documents. The new process is designed to allow for the incremental approval of slab pours and the incremental commencement of framing.

### ***Certification***

Use of this inspection card process will allow DSA to promptly provide the equivalent of Structural Certification once the structural work (along with the submission of all relevant approved special inspection reports) has been completed and prior to allowing the building

frame to be covered. A similar process would provide for the equivalency of Certification of Fire/Life Safety elements and Structural Certification for structural components related to the installation of mechanical, electrical, plumbing and miscellaneous equipment.

Access Requirements sometimes take an extended period of time for completion. As an example, all access work specific to the building itself might be completed, yet some walkways, parking or other adjacent items required to meet the Accessibility Code are still under construction. If the equivalent of Structural and Fire/Life Safety Certification has been completed and, under certain additional circumstances, DSA will issue a **Temporary Certification for Accessibility** listing the specific items that must be completed within a designated time frame and requiring the District to maintain a temporary solution to each specific item. These items would be posted on the DSA website. If the listed specific access items are not completed in accordance with the DSA approved design and within the designated timeframe, Certification of the project will be withdrawn and the status will be posted on the DSA website until the entire project meets all requirements.

To strengthen the construction oversight process, DSA will require that all work associated with a specific building be identified under a separate inspection card for the purpose of project review and certification. We will, as part of the "in-take" process, assist the district in linking these projects for funding purposes and/or separating these projects for phasing purposes.

The Inspection Card will be issued to the Architect of Record, School District or Inspector upon notification that the project is about to commence construction and DSA's approval of the submitted Form 102.IC. A current and updated paper copy of the card will be posted at the project site and simultaneously posted electronically in DSAbbox.

On May 1, 2013 all documents for the Inspection Card will be posted and on June 1, 2013 all new projects will be converted to the Inspection Card System:

- Projects starting construction on or after June 1, 2013 will be constructed in their entirety utilizing all appropriate milestones identified on the Inspection Card.
- Projects that have commenced construction prior to June 1, 2013 will be rolled out to the Inspection Card system based on project milestones. These projects will be converted to the Inspection Card system by the end of 2013.

## Change Orders

DSA has recently implemented a new Construction Change Document Process that is a significant improvement over previous change procedures. We reviewed the old change order process and determined it created a major burden to School Districts and Community Colleges, to DSA and to the design community. The process required the review of all changes to approved construction documents, regardless if they had any impact on DSA's core areas of responsibilities.

To address this, DSA proposed regulations that were approved by the California Building Standards Commission. These new regulations require us to review only construction changes that effect alterations to structural safety, fire/life safety or accessibility. In addition, as of May 1, 2012, DSA no longer reviews the cost of change orders on an individual basis. Instead, we are requiring the School District or Community College to sign a single affidavit, upon completion of the project, confirming the total cost of construction. Change Orders (C.O.s) and Field Construction Directives (FCDs) have been eliminated and integrated into a single document identified as Construction Change Documents (CCDs)

DSA Interpretation of Regulations IR A-6 addresses these changes and was released on November 1, 2012. Additional details and specific requirements are available at [http://www.documents.dgs.ca.gov/dsa/pubs/IR\\_A-6\\_rev11-21-12.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/IR_A-6_rev11-21-12.pdf) or on the DSA website.

### **Special Inspection Verified Reports Process**

Significant numbers of uncertified projects are either missing or have incomplete Special Inspector final verified reports. To address this issue, DSA proposed regulations that were approved by the Building Standards Commission. These new regulations call for the Local Educational Authority to require that the Laboratory Engineering Manager has a direct supervision role with respect to special inspection services and to be the single signatory for all special inspections. Additional details and specific requirements are available on the DSA website at [http://www.documents.dgs.ca.gov/dsa/dsaab/itc-043012\\_Agenda-Item-IV-A.pdf](http://www.documents.dgs.ca.gov/dsa/dsaab/itc-043012_Agenda-Item-IV-A.pdf).

### **Project Inspector Eligibility**

In order to eliminate any perception of a conflict of interest, new regulations relating to the engagement of Project Inspectors will be implemented by June 2013. The new regulation states that individuals and companies that provide Inspection Services (Inspector of Record or Special Inspections) on any project may not provide Laboratory/Testing, Construction Management, Program Management, or other similar services to the same district. Additional details and specific requirements are available on the DSA website:

[http://www.documents.dgs.ca.gov/dsa/dsaab/itc-052212\\_Agenda-Item-IV-A.pdf](http://www.documents.dgs.ca.gov/dsa/dsaab/itc-052212_Agenda-Item-IV-A.pdf).

### **Communication**

We recognize that the communication between the various members of the Design/Construction team, the Districts and DSA have been inconsistent at best. With the goal of establishing a transparent and consistent level of communication, we are making the following changes:

- DSA will be utilizing a cloud based system, which we are calling DSAbbox, for the management and communication of information between the School District/Community College, DSA, Project Inspectors and all members of the

Design/Construction team. DSAbbox is designed to maintain version control on documents, to automatically notify appropriate members of the team that information is awaiting their review and/or approval/action and to eliminate the possibility of documents being lost. It is currently being Beta tested and it is the system will be up and running by May 1, 2013.

- In addition to DSAbbox being available on both desk top and lap top computers, we are in the process of developing and utilizing a variety of specialized applications for tablet computer use. Each of our DSA Field Engineers is being equipped with a tablet computer that will give them the ability to have access to all project documents at the job site, and to have a direct communication link to Project Inspectors, Design Professionals and Builders. This approach, along with other changes within DSA, is also intended to increase the DSA Field Engineers ability to spend more time in the field.

### DSA Fee Structure

DSA's structural fee structure is stipulated in both statute and regulation and remains the same. We are, however, adjusting our fee structure and our policy relating to changes to previously approved project documents. While DSA currently has the authority and the obligation to be reimbursed for revisions to previously approved design documents, quite frankly, we have been erratic and remiss in meeting this responsibility.

DSA's design professional's time related to changes, addenda, revisions, deletions and substitutions to **the original approved** project documents will be subject to a fee based upon our standard hourly rate. This would include changes requested by the district or required because of conditions at the project job site. Upon completion of project construction, all increases in fees (based upon the percentages outlined in statute) shall be compared to any hourly fees charged for changes to the original approved project documents. The higher of the two fees shall be due to DSA.

DSA has, for many years, utilized a rate of \$98/ hour for these services. In a recent study, it was determined that the actual cost (including all overhead elements) is \$170/hour. DSA is obligated by statute to charge actual cost for all services.

We recognize the impact that an increase in fees would have on existing project budgets and, therefore, we will maintain the \$98/hour rate for all projects that were under construction prior to February 28, 2013. Projects that commence construction after March 1, 2013 will be billed \$170/ hour for these additional services.

As a suggestion only, and **absolutely not required or reviewed by DSA**, the district might want to categorize the various changes for your own internal use. With that in mind, we have seen a number of clients use the following categories:

- District direction to remove or add scope
- District direction to modify program and/or requirements
- Unforeseen site conditions
- Outside agency requirements (i.e. City Public Works or Health Dept.)
- “Work around” for contractor errors
- Design Professional error or omission
- Combination of above
- Other

### **Additional Relevant Documents**

DSA is in the process of reviewing and revising all documents related to the Construction Oversight Process. All currently active documents are available on the DSA website: <http://www.dgs.ca.gov/dsa/Home.aspx> and, for your convenience, are also available through the attached links. In addition, all documents scheduled to be part of the new process are also available, as drafts, on the attached links.