

## Proposition 39 Project Review Implementation Procedures

February 19, 2014

The approval of Proposition 39 by the voters of the State of California will have significant effect on the energy efficiency of schools and community colleges throughout the state over the next five years. The directive of the proposition is to improve the efficiency of buildings such that money is spent on education rather than energy usage, as well as to create jobs. Funding available should approach a total of \$2.5 billion dollars over 5 years, at an average of \$500 million per year. The implementation of Proposition 39 is authorized and will be carried out in accordance with SB 73.

DSA has worked with the CEC staff, who are the lead in developing guidelines for the overall program. We have examined and identified likely energy efficiency improvement projects that may be exempt from review by DSA, per statute and/or regulation. We have attached tables that list and describe these Exemptions/Exceptions. Projects which do not qualify for these exemptions/exceptions could likely trigger accessibility and structural upgrades. SB 73 is mute on these potential additional *non*-energy expenditures; however, any additional costs incurred by these triggers may have to be funded by other non-Prop. 39 sources, such as local bond funds. Some smaller school districts may not have additional sources of funding, so it is critical that they have a clear understanding of what work they can do with Proposition 39 funding without triggering the need for other moneys.

It is the intent of DSA to implement energy-efficiency improvement projects as cost-effectively and expeditiously as possible. Therefore, we have developed a procedure by which an applicant may request and receive an Over the Counter (OTC) review to confirm/acknowledge that a project does in fact comply with the Exemptions/Exceptions in statute and regulations, and does not need formal submittal/review and approval from DSA. A flat Fee of \$400 will be charged for this process.

To engage in this procedure, an applicant will do the following:

- Visit the DSA website for information and instructions
- Contact the Regional Office to request an appointment (contact info on website)
- Download and complete DSA Form 39-1 from website
- Submit plans and Form 39-1 electronically to DSA
- Bring check for \$400 to appointment
- If project complies with DSA Exemptions/Exceptions, DSA will issue a signed DSA Review Acknowledgment and place in Proposition 39 DSAbox with plans

- If minor items need to be excluded from the scope of work to avoid any above-mentioned triggers, said changes can be noted on the plans electronically at the OTC appointment, using BlueBeam software loaded on the DSA computer used for review
- At the completion of construction, any of these Exempt projects will need to have Form 999 submitted by the Project Inspector.

**NOTE:** The above procedure will be completed outside of eTracker; these projects will **not** receive an 'A#'.

- If a project does need **minor** Structural, Fire/Life Safety or Access review, it may still be possible to do so through an OTC appointment. Said minor review and corrections must be able to be completed within a 2-hour time period. Prior to setting an OTC appointment for this level of review, an applicant will need to submit the proposed project to the DSA Proposition 39 Plan Reviewer to confirm that the scope of work can be completed with two hours.

Projects expedited through this OTC procedure **will be issued** an 'A#' and be entered into eTracker. Upon approval, they will be issued an Inspection Card and proceed as a normal DSA project through construction.