

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE MEETING
April 13, 2012

Methods for Accepting School Facility Program Applications
Once Bond Authority is Exhausted

PURPOSE OF REPORT

To continue discussion on methods for accepting, processing, and tracking School Facility Program (SFP) project funding applications once bond authority is exhausted.

DESCRIPTION

The State Allocation Board (Board) directed the Office of Public School Construction (OPSC) staff to bring a discussion of methods for accepting, processing, and tracking SFP project funding applications once bond authority is exhausted to the Implementation Committee (Committee).

This item provides background information on the following:

- (1) The history of Board unfunded lists;
- (2) A summary of the March Implementation Committee discussion; and
- (3) Potential lists that could be created of projects received by the OPSC beyond bond authority.

AUTHORITY

SEE ATTACHMENT A

BACKGROUND

Diminishing Bond Authority

As of the March 2012 Board meeting, approximately \$91.3 million remained in New Construction (NC) bond authority. Based on the typical processing timeline of applications and the average monthly drawdown on authority, NC bond authority will soon be exhausted; however, the NC bond authority will increase when the remaining Critically Overcrowded School bond authority is transferred to the NC bond authority, pursuant to EC Code Section 17078.30(a)(2). A good portion of these funds could be committed with projects that are currently waiting for new construction bond authority.

The OPSC sent an email to local educational agencies (LEAs) on March 2, 2012 advising LEAs that “the value of New Construction funding application requests currently on file with the Office of Public School Construction (OPSC) exceeds remaining bond authority for the New Construction program.” The OPSC is continuing to receive NC applications, as directed by the Board at the February 2012 Board meeting.

These applications are placed on the [New Construction Funding Applications Received Past Existing Authority](#) list which can be viewed on the [OPSC website](#). There is no guarantee that State funds will become available for the applications placed on this list.

At the September 2011 Board meeting, the Board created a sub-committee to consider the future of the SFP. In particular, members wished to discuss how to address the diminishing NC bond authority until the next potential school facilities bond that could be placed on the ballot. The New Construction Sub-committee (Sub-committee) met on November 7, 2011, and January 11 and February 14, 2012. The Sub-committee's recommendations were presented to the full Board at the February 23, 2012 Board meeting.

In order to demonstrate ongoing school facility needs in the State, the Sub-committee recommended that once the NC existing authority runs out, the Board should continue to accept applications and develop a method for tracking these projects. The Board directed Staff to discuss these issues at the Committee.

Lease Purchase Program to School Facility Program Unfunded List

In 1998 voters approved the Kindergarten-University Public Education Facilities Bond Act of 1998 (Proposition 1A), creating the SFP. At that time, there was a list of Board-approved projects from the previous Lease Purchase Program (LPP) which had not received funding because the program had exhausted its bond authority. Proposition 1A specified that LPP construction projects that were approved by the Board but had not received funding would be funded from the new bond, subject to program criteria and priorities.

School Facility Program Unfunded List

The Board also created unfunded lists in 1999, 2000, 2001, and 2006, when either SFP NC or Modernization bond authority was exhausted. The OPSC continued to accept and process SFP applications and presented them to the Board for approval.

When voters approved Proposition 47, the Kindergarten-University Public Education Facilities Bond Act of 2002, the act specified funds for NC and Modernization projects for which LEAs had filed applications on or before February 1, 2002 (those on the unfunded list).

In December 2008, due to the State's fiscal crisis, the Pooled Money Investment Board—which had made short term loans to the State School Facilities Fund between bond sales—could no longer provide interim funding for SFP allocations. As a result, the Board created in regulations a system where Board approved applications are placed on an “Unfunded List (Lack of AB 55 Loans)”. When cash becomes available, projects on the list are apportioned based on the priority system establish in SFP Regulation 1859.90.2.

The following chart summarizes the history of SFP unfunded lists, including a breakout of those projects currently on the unfunded list:

Unfunded List Creation Date	Date Range on Unfunded List	Reason for Unfunded List	Apportionment Date
5/26/1999	5/26/1999 - 5/24/2000	Lack of Cash (Modernization)	7/5/2000
9/27/2000	9/27/2000 - 11/6/2002	Lack of Authority (Modernization)	12/18/2002
1/3/2001	1/3/2001 - 11/6/2002	Lack of Authority (New Construction)	12/18/2002
4/26/2006	4/26/2006 - 12/6/2006	Lack of Authority (Modernization)	1/24/2007
1/28/09 (2009 Grant Projects)	8/26/2009 - 1/27/10	Lack of Cash*	Ongoing
1/28/09 (2010 Grant Projects)	4/28/10 - 12/15/10	Lack of Cash*	Ongoing
1/28/09 (2011 Grant Projects)	1/26/11 - 12/14/11	Lack of Cash*	Ongoing

* Caused by the inability of the Board to access AB 55 loans

Workload List vs. Unfunded List

Currently, when the OPSC receives a funding application, it is processed as follows:

- The application is stamped with the date it is received.
- Staff reviews the application to ensure that the minimum necessary elements, such as the California Department of Education and Division of the State Architect approval letters, are included. If everything is present, it becomes an “Approved Application,” and is added to the OPSC Workload List.
 - The Workload List, which is posted to the OPSC website, includes the LEA and site names, the county, the OPSC application number and received date, and preliminary grant amounts.
 - Although applications on the Workload List are referred to as “Approved Applications” they have not yet received any approval from the Board, and are not guaranteed an apportionment.
- Each application on the workload is assigned to an OPSC project manager for complete review. Once the review is complete and the OPSC has determined that the application meets the program requirements, it is presented to the Board for approval.
- At the monthly Board meeting, the Board approves the application, and the application is given a position on the Unfunded List (Lack of AB 55 Loans).

- Placement on the Unfunded List (Lack of AB 55 Loans) does not guarantee that a project will receive funding, but this Unfunded List is within current remaining bond authority.
- If the LEA can certify that it will be able to submit the *Fund Release Authorization*, Form SAB 50-05, within 90 days, applications on this Unfunded List are eligible to participate in priority funding rounds through which they may be converted to actual apportionments as funds become available.

STAFF ANALYSIS

Current regulations specify that when bond authority is exhausted the OPSC will continue to accept both eligibility and funding applications for full review and presentation to the Board, pursuant to SFP Regulation Section 1859.95. Any funding applications, if approved by the Board, would then be placed on an Unfunded List (defined as an “information list”) until such time as funding became available.

The regulation excludes from this process any eligibility applications that use alternative enrollment projection, or NC funding applications based on eligibility that has been generated through an alternative enrollment projection. The alternative enrollment projection allowed LEAs to generate NC pupil eligibility without using the cohort survival method, subject to criteria specified in Education Code Section 17071.75(a)(1). A maximum of \$500 million in Proposition 47 NC bond authority was reserved for projects that generated eligibility using that method. No additional bond authority has been provided for projects generating eligibility with this method.

At the February 2012 Board meeting, some members noted that compiling a list of projects once the program has exceeded all available bond authority will help demonstrate the need for a future school facilities bond.

The Board directed staff to discuss with the Committee options for tracking and processing incoming funding applications once bond authority has been exhausted. Specifically, the Board requested the Committee to discuss whether these applications should be processed and presented to the Board for placement on a “True” Unfunded List, or create a new type of list of applications that are not processed to the Board for approval until bond authority becomes available.

The table on the following page lists some of the project application lists that currently exist or that would be created pursuant to SFP Regulation 1859.95:

	Workload List	Unfunded List	Unfunded List (Lack of AB 55 Loans)	Apportionment
Application Status	Application has been accepted by the OPSC	Application has been approved by the Board but not apportioned	Application has been approved by the Board but not apportioned	Application has been apportioned by the Board
Funding Determination	Includes projected (estimated) grant amount	The per pupil grant and site development amounts are determined based on the amounts in effective at the time of approval	The per pupil grant and site development amounts are determined based on the amounts in effective at the time of approval	Grant amount is Full and Final
Apportionment Status	*Not fully processed by OPSC; *Not approved by the Board; and *No guarantee of funding.	Implies the project will receive an apportionment once additional bond authority becomes available. If funded through a future bond, may need additional review as a result of any program changes.	Unfunded approval is within current bond authority and will be converted to an apportionment as bond funds become available, (through "priorities in funding" rounds)	Through priorities in funding rounds, LEA has 90 days to request a fund release or authority returns to the program (prior to priorities in funding, LEA had 18 months)

March 2012 Implementation Committee Discussion

At the March 2012 Committee meeting, many Committee members expressed a desire for the creation of a "True" Unfunded List. In addition, the following primary reasons:

- SAB approval provides project validation and a final grant amount
- Keeps SFP active until a future bond is passed
- Projects could be quickly apportioned if authority becomes available
- Indicates need for a future bond

SAB Action Provides Project Validation and Final Grant Amount

Committee Members desired projects to be SAB approved for an Unfunded List because it provides a level of certainty that allows local districts to continue using local funds for construction projects. A project funding application could be accepted by the OPSC but, after a comprehensive review is completed, is later determined not to be an eligible project for State funding. A project on an SAB Unfunded List

provides assurance that the project meets State funding criteria and what the actual State funding would be if bond authority becomes available. Both of these elements are important for school districts in construction planning and cash management.

Keeps the SFP Active Until a Future Bond is Passed

Committee members also stated that continuing to fully process funding applications for a “True” Unfunded List helps to keep a State school construction program and its processes active until bond authority is available in a future bond.

Faster Project Apportionments

Additionally, it was noted that the projects could be funded faster if the applications are fully processed for an Unfunded List, once bond authority is available. In addition, projects placed on the list establish a date in line for funding, if it becomes available.

Indicates Need for a Future State Bond

An SAB “True” Unfunded List would demonstrate the number of projects and the State share amount of project costs. Both of which could be used to demonstrate the need for a future State school facilities bond.

Level 2 Developer Fees

Whether or not a district must have an SAB-approved *Application For Funding* (Form SAB 50-04) prior to charging the “Level 2” developer fee amount, pursuant to Government Code Section 65995.5 (b)(1), was also discussed at the March 2012 Implementation Committee. That paragraph lists two requirements for school district governing boards:

- 1) “Make a timely application to the SAB for new construction funding.....”
- 2) “Be determined by the board (SAB) to meet the eligibility requirements for new construction funding as set forth in the EC Code Sections that define the “Existing School Building Capacity” (Article 2) and “New Construction Eligibility Determination” (Article 3) processes.

The only SAB approval specified in the GC Section is for the district’s “eligibility requirements” for new construction funding. This requirement refers to a district establishing an unmet need for unhoused pupils and would therefore be eligible for SFP NC funds. A district’s ability to submit an application for a specific project is outlined in Articles 4 and 5 of Chapter 12.5 in Part 10 of the EC.

GC Section 65995.5(b)(1) also states that a district may levy the “Level 2” fees if the SAB does not notify the district of the district’s eligibility determination within 120 days of receiving the application. Therefore, districts are able to charge the Level 2 developer fees whether or not a Form SAB 50-04 is processed and approved by the SAB.

Concerns Raised at the SAB

The March 2012 Implementation Committee discussion included some potential ways to address concerns raised at the SAB meeting regarding creating a “True” Unfunded List. For example, some suggested that the list be renamed to avoid potential State liability for projects on the list. It was also suggested that districts could certify that projects on the Unfunded List are not guaranteed of State funding, as with prior SFP Unfunded Lists.

Program Changes

Another concern raised at the February 2012 SAB meeting was that projects on an “True” Unfunded List may not qualify for future funding if a future State bond’s program has different requirements compared to the existing program.

It was noted that program changes have occurred in the past. For example, the Kindergarten-University Public Education Facilities Act of 2002 (Proposition 47) changed the state and district match requirement. The legislation stated that the new 40% district matching share requirement would only apply to funding applications submitted after a specified date (March 15, 2002). Any applications received prior to that date still retained the 20% district matching share requirement.

One member noted that having projects on an SAB approved Unfunded List would warrant their consideration in any future bond that would change the program rules.

Options for Applications Accepted after Bond Authority is Exhausted

The following options are for lists that could be created of projects received by the OPSC beyond bond authority. These options are illustrated in Attachment B.

Option 1: Current Workload List

The OPSC workload list currently being published would show the projects and the estimated eligible State funds, if bond authority becomes available:

- Accept applications but not processed for SAB approval.
- Applications would only be processed and SAB approved if bond authority becomes available.

Because the applications are not fully processed by the OPSC, the project funding amounts on the list are estimates only and would likely be different if finalized. This option would require a regulation change and would not create a potential liability for the State.

Option 2: SAB "Acknowledged" Workload List

The SAB would acknowledge the current OPSC workload as a Board action:

- Accept applications but not processed for final grant determination.
- Applications would only be processed and SAB approved if bond authority becomes available.

Because the applications are not fully processed by the OPSC, the project funding amounts on the list are estimates only and would likely be different if finalized. This option would require a regulation change and would not create a potential liability for the State.

Option 3: Process the applications but without SAB approval.

- OPSC would accept the applications and process them using the current 15 Day and 4 Day letter process.
- Applications would only be presented to the SAB for approval if bond authority becomes available.

With OPSC review, the estimated State funding amounts would be more accurate for most applications than the OPSC Workload List. This option would require a regulation change and would not create a potential liability for the State.

Option 4: Unfunded List, pursuant to SFP Regulation 1859.95

- Fully processed with SAB Approval
- Potential State funding amounts would be accurate but subject to potential future program changes.
- Applications would only be placed on the Unfunded List (Lack of AB 55 Loans) if bond authority becomes available.

This option would not require a regulation change and could create a liability for the State.

Option 5: "SAB Project List"

- Fully processed with SAB Approval
- Potential State funding amounts would be accurate but subject to potential future program changes.

- Applications would only be placed on the Unfunded List (Lack of AB 55 Loans) if bond authority becomes available.
- Districts would submit school board resolution acknowledging that placement on the list does not constitute a guarantee of State funding.

This option would require a regulation change and could create a liability for the State.

Applicable Type of Projects

While the discussions related to determining a process for SFP applications have been focused on NC applications, the above options could also be applied to Modernization applications. Districts submitting an application that includes NC or Modernization Financial Hardship funding would be processed in the same manner as other NC or Modernization applications.

However, some programs that require applications be submitted and processed through filing rounds, such as the Overcrowded Relief Grant and Charter Schools. Therefore, a different process may need to be developed for those programs. Please note that the OSPC is not currently accepting applications for the Career Technical Education Facilities Program and Joint Use programs.

ADMINISTRATION COSTS

The School Facility Program administration costs are drawn from the SFP bond authority. These costs cover the administrative expenses of the OPSC, the California Department of Education, the California School Finance Authority, and the State Controller's Office. Because future administrative costs will potentially limit the number of projects funded through a particular program, the Board asked the topic of administrative cost funding be raised at the Committee.

When discussed at the March 2012 Committee meeting, Members acknowledged that the administrative costs are a necessary component for continuing to process SFP applications. No objections were raised to potentially reserving the necessary bond authority amount sufficient to cover the program administrative costs for the next several years until a future bond is passed. This issue will be discussed at a future Board meeting.

ATTACHMENT A

AUTHORITY

Education Code

Section 100410 (a) “Three billion three hundred fifty million dollars (\$3,350,000,000) of the proceeds of bonds issued and sold pursuant to this part shall be deposited in the 1998 State School Facilities Fund, which is established by Section 17070.40, and allocated by the State Allocation Board pursuant to this chapter. Before requesting the sale of bonds pursuant to Section 100432 for deposit in the State School Facilities Fund, the State Allocation Board shall request, pursuant to Section 100432, the sale of bonds sufficient to finance all projects for which application was made pursuant to the Leroy F. Greene State School Building Lease-Purchase Law of 1976 (Chapter 12 (commencing with Section 17000) of Part 10) and for which an application was approved for construction, but funding was not available, prior to November 4, 1998.”

Section 100620(a)(3) “The amount of two billion nine hundred million dollars (\$2,900,000,000) for new construction of school facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 for those school districts that have filed an application with the Office of Public School Construction on or before February 1, 2002, including, but not limited to, hardship applications. If the amount made available for purposes of this paragraph is not needed and expended for the purposes of this paragraph, the State Allocation Board may allocate the remainder of these funds for purposes of paragraph (1).”

Section 100620(a)(4) “The amount of one billion nine hundred million dollars (\$1,900,000,000) for the modernization of school facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10, for those school districts that have filed an application with the Office of Public School Construction on or before February 1, 2002, including, but not limited to, hardship applications. If the amount made available for purposes of this paragraph is not needed and expended for the purposes of this paragraph, the State Allocation Board may allocate these funds for purposes of paragraph (2).”

Section 17009.5. “(a) Except as set forth in Section 17052, on and after November 4, 1998, the board shall only approve and fund school facilities construction projects pursuant to Chapter 12.5 (commencing with Section 17070.10).

(b) A school district with a first priority project that has received a construction approval by the Department of General Services, Division of the State Architect, or a joint-use project approval by the board, prior to November 4, 1998, for growth or modernization pursuant to this chapter shall receive funding pursuant to this chapter for all unfunded approved project costs as it would have received under this chapter, and the increased capacity assigned to the project shall be included in calculating

the district's capacity pursuant to Chapter 12.5 (commencing with Section 17070.10). Funds received for projects described in this subdivision shall constitute the state's final and full contribution to these projects. The board shall not consider additional project funding except when otherwise authorized under Chapter 12.5 (commencing with Section 17070.10).

(c) A school district with a second priority project that has received a construction approval by the Department of General Services, Division of the State Architect prior to November 4, 1998, for growth or modernization pursuant to this chapter shall elect to do either of the following:

(1) Withdraw the application under this chapter, submit an initial report and application pursuant to Chapter 12.5 (commencing with Section 17070.10), and receive per pupil allocations as set forth in Chapter 12.5 (commencing with Section 17070.10). If the district withdraws the application, any funds previously allocated under this chapter for the project shall be offset from the first grant to the district under Chapter 12.5 (commencing with Section 17070.10).

(2) Convert the second priority project approved under this chapter to a first priority status and receive funds in accordance with this chapter.

(d) Notwithstanding priorities established pursuant to Chapter 12.5 (commencing with Section 17070.10), projects authorized for funding as set forth in this section shall be funded by the board pursuant to this chapter prior to funding other projects pursuant to Chapter 12.5 (commencing with Section 17070.10).

(e) For purposes of funding priority for modernization grants under Chapter 12.5 (commencing with Section 17070.10), a district that applies under subdivision (b) or paragraph (1) of subdivision (c) shall retain its original project approval date.

(f) Notwithstanding Section 17017.1, West Contra Costa Unified School District shall be eligible for state facilities funds beginning November 4, 1998.

(g) The State Allocation Board shall adopt regulations to ensure that an appropriate offset is made from funds approved pursuant to this chapter, for funds awarded to school districts pursuant to Chapter 12 (commencing with Section 17000) prior to November 4, 1998.”

School Facility Program Regulations

Section 1859.2. Definitions.

...

“Approved Application(s)” means a district has submitted the application and all documents to the Office of Public School Construction that are required to be submitted with the application as identified in the General Information Section of Forms SAB 50-01, *Enrollment Certification/Projection*; SAB 50-02, *Existing School Building Capacity*; SAB 50-03, *Eligibility Determination*, (Revised 03/09); and SAB 50-04, *Application for Funding*, as specified in Section 1859.2 “Form SAB 50-04”, and the Office of Public School Construction has completed and accepted a preliminary approval review pursuant to Education Code Section 17072.25(a).

...

“Ready for Apportionment” means a final review of an Approved Application has been completed by the OPSC and it has been determined that it meets all requirements of law for an apportionment or eligibility determination, and the OPSC will recommend approval to the Board.

...

“Unfunded List” means an information list of unfunded projects, with the exception of the unfunded list defined below as “Unfunded List (Lack of AB 55 Loans)”.

...

“Unfunded List (Lack of AB 55 Loans)” means an information list of unfunded projects that was created due to the State’s inability to provide interim financing from the Pooled Money Investment Account (AB 55 loans) to fund school construction projects as declared in the Department of Finance Budget Letter #33 issued on December 18, 2008.

Section 1859.10. Lease-Purchase Program and School Facility Program.

Projects approved under the LPP are subject to the regulations contained in Title 2, California Code of Regulations, commencing with Section 1865.1, and the SFP transition rules contained in this Article 2.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.11. Previously Approved Joint Use Projects.

Joint Use projects that were approved by the Board prior to November 4, 1998, shall be eligible for funding pursuant to the LPP for all remaining approved but unfunded project costs.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.12. Priority One New Construction.

Priority One new construction projects will be funded under the provisions of the LPP if the project received either: 1) Phase C approval by the Board prior to November 4, 1998; or 2) either Phase P or Phase P and Phase S, approvals, and DSA plan approval prior to November 4, 1998.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.13. Priority Two New Construction.

Districts with Priority Two new construction projects which received either: 1) Phase C approval by the Board prior to November 4, 1998; or 2) either a Phase P or a Phase P and Phase S approval with DSA plan approval prior to November 4, 1998, must declare to the Board that it intends to

convert the entire project to Priority One status by January 31, 1999 to receive funding for all remaining costs in accordance with the LPP provisions.

If the district has not declared its intention to convert the entire project to Priority One status by January 31, 1999, the project shall be deemed withdrawn under the provisions of the LPP and the district must submit a new application under the provisions of the SFP, pursuant to Section 1859.20. If the project is eligible for further funding under the SFP, the New Construction Adjusted Grant provided under the SFP will be reduced by any previous apportionments, with the exception of apportionments made for site acquisition, made under the LPP.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.14. Priority One Modernization.

Priority One modernization projects that have either Phase C approval by the Board prior to November 4, 1998, or have Phase P approval by the Board and DSA plan approval prior to November 4, 1998, may proceed under either (a) or (b). Districts may either:

- (a) Receive funding under the provisions of the LPP; or,
- (b) By January 31, 1999, withdraw the Priority One modernization LPP project and submit a new application for funding under the provisions of the SFP, pursuant to Section 1859.20. The project approval date under the LPP will be retained for the project approval date under the SFP. If the project is eligible for further funding under the SFP, the Modernization Adjusted Grant provided under the SFP will be reduced by any previous apportionments made under the LPP.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.15. Priority Two Modernization.

Districts with Priority Two modernization projects that have either Phase C approval by the Board prior to November 4, 1998, or have Phase P approval by the Board and DSA plan approval prior to November 4, 1998, must declare to the Board that it intends to convert the entire project to Priority One status by January 31, 1999 to receive funding for all remaining costs in accordance with the LPP provisions.

If the district has not declared its intention to convert the entire project to Priority One status by January 31, 1999, the project shall be deemed withdrawn under the provisions of the LPP and the district must submit a new application under the provisions of the SFP pursuant to Section 1859.20. The project approval date under the LPP will be retained for the project approval date under the SFP. If the project is eligible for further

funding under the SFP, the Modernization Adjusted Grant provided under the SFP will be reduced by any previous apportionments made under the LPP.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.15.1. Application Deadline.

Districts with LPP or SFP conversions from LPP new construction and modernization projects that meet the provisions of Sections 1859.12, 1859.13, 1859.14 or 1859.15 shall receive first funding priority upon submittal of a complete eligibility and funding application through July 5, 1999. After this date, LPP or SFP conversions from LPP new construction and modernization projects shall be funded in the order of the date of receipt of a complete application which complies with all pertinent LPP and SFP statutes and regulations.

Note: Authority cited: Section 17070.35, Education Code and Section 15503, Government Code.

Reference: Sections 17009.3 and 17009.5, Education Code.

Section 1859.16. Projects Not Eligible for Further LPP Funding.

A district with projects not meeting the requirements of Sections 1859.11, 1859.12, 1859.13, 1859.14 and 1859.15 must submit a new application under the provisions of the SFP pursuant to Section 1859.20 in order to receive funding. If the project is eligible for further funding under the SFP, the

- (a) New Construction Adjusted Grant provided under the SFP will be reduced by any previous apportionments, with the exception of apportionments made for site acquisition, made under the LPP.
- (b) Modernization Adjusted Grant provided under the SFP will be reduced by any previous apportionments made under the LPP.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Section 17009.5, Education Code.

Section 1859.95. Acceptance of Applications When Funding Is Unavailable.

When the Board has no funds to apportion or the application does not qualify for funding because of the Board's priority point mechanism pursuant to Sections 1859.91 and 1859.92, the Board will continue to accept and process applications for eligibility determination, with the exception of applications that include a request for review of an Alternative Enrollment Projection method. The Board will also accept and process applications for apportionment for purposes of developing an Unfunded List based on the date the application is Ready for Apportionment, with the exception of New Construction funding applications that utilize eligibility generated by the Alternative Enrollment Projection.

IMP 14

The Board will return any applications for the review of the Alternative Enrollment Projection method and New Construction applications that utilize eligibility generated by the Alternative Enrollment Projection once the funding apportioned for these projects reaches \$500 million or the Board has no funds to apportion from the Kindergarten-University Public Education Facilities Bond Act of 2004.

If either the Executive Officer of the Board, the State Architect, the Director of School Facilities Planning Division within the CDE or the Chief of the School Property Evaluation and Cleanup Division within the Department of Toxic Substances Control certify to the OPSC that the district's application was delayed for a specified number of calendar days in relation to other similar applications submitted to that agency at the same time, the application may, at the discretion of the Board, receive a date on the Unfunded List or receive funding pursuant to Section 1859.91 based on the date the application is ready for Apportionment, adjusted back in time for the number of calendar days the application was delayed.

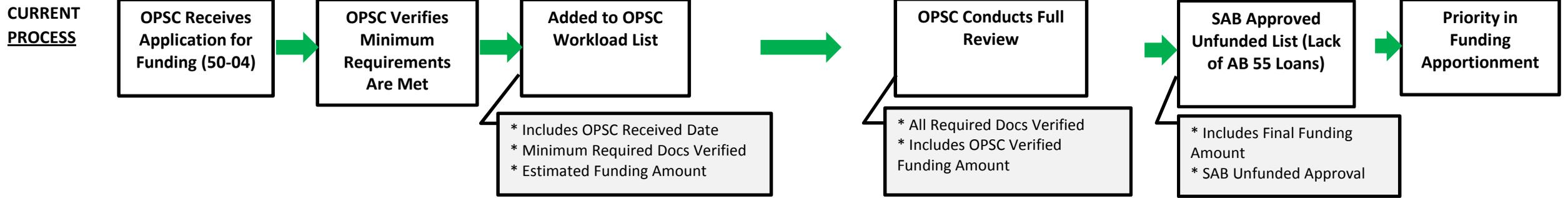
Applications for New Construction Adjusted Grants for a project where the site was apportioned pursuant to Section 1859.75.1 shall receive a date on the Unfunded List based on the date the environmental hardship site apportionment was made for the project.

With the exception of financial hardship eligibility, a district with an application included on an Unfunded List shall not be required to re-establish eligibility for that application prior to apportionment.

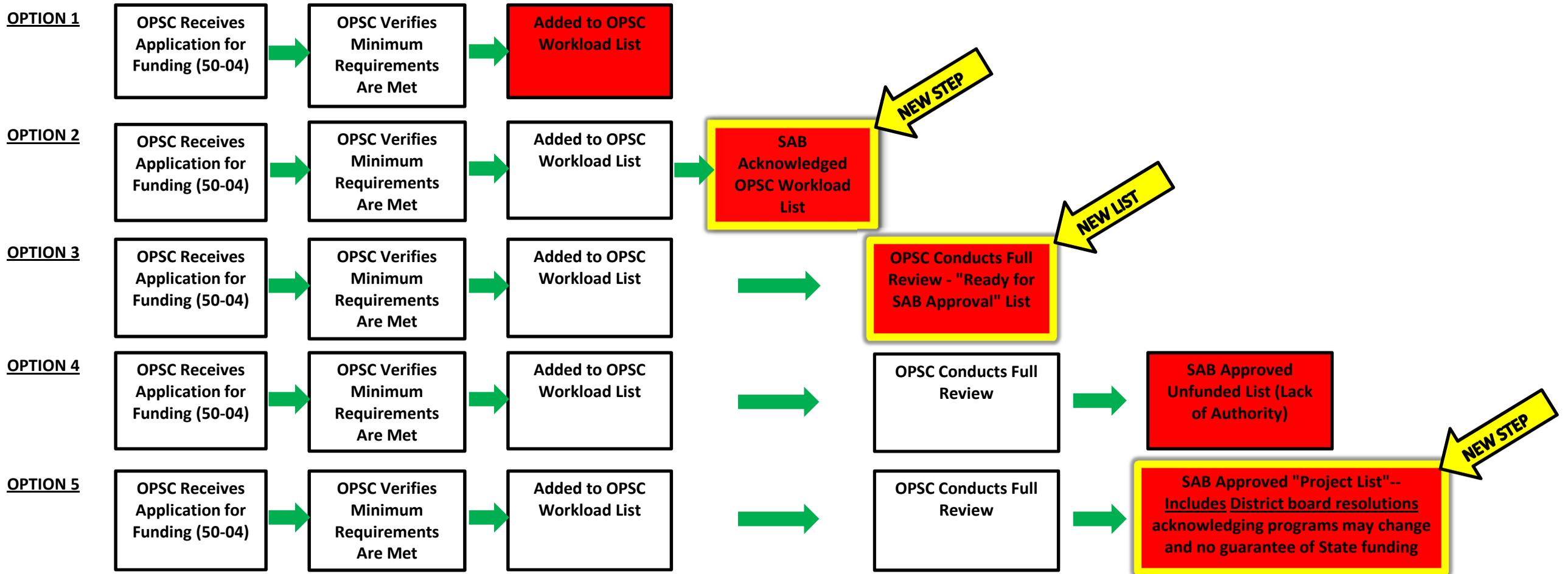
An application for funding included on an Unfunded List is eligible for reimbursement subject to adjustments in the New Construction Grants amount pursuant to Section 1859.77.

Note: Authority cited: Sections 17070.35 and 17072.25, Education Code.
Reference: Sections 17070.35 and 17071.75, Education Code.

CURRENT PROCESS FOR ACCEPTING APPLICATIONS (Assumes Existing Authority)



OPTIONS FOR ACCEPTING APPLICATIONS AFTER BOND AUTHORITY IS EXHAUSTED



STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE MEETING
April 13, 2012

SB 128: High Performance Incentive grants for Career Technical Education Facilities Program projects

PURPOSE OF REPORT

To present a proposal to implement Chapter 622, Statutes of 2011 (Senate Bill (SB) 128 – Lowenthal).

AUTHORITY

See Attachment C.

BACKGROUND

SB 128 amended Education Code to allow school districts with School Facility Program (SFP) Career Technical Education Facilities Program (CTEFP) projects to request High Performance Incentive (HPI) grant funds, including HPI grant funds above the CTEFP per-project maximum grant allowances.

Career Technical Education Facilities Program

Chapter 35, Statutes of 2006 (Assembly Bill (AB) 127 – Nunez) and 2006's Proposition 1D allocated \$500 million for the CTEFP. As of March 28, 2012, \$3.3 million in bond authority remained in the CTEFP account.

At the May 25, 2011 State Allocation Board (Board) meeting, the Board decided to continue providing unfunded approvals to CTEFP applicants in the third funding cycle using all available bond authority and to keep the third funding cycle open. 74 CTEFP applications totaling approximately \$103.6 million in State funds have been received by the Office of Public School Construction (OPSC), but have not been approved by the Board. These applications are referred to as being "in-house."

An additional 73 CTEFP Board-approved projects totaling \$94.4 million in State funds are currently on the Unfunded List (Lack of AB 55 Loans).

CTEFP projects may receive an apportionment without DSA-approved plans and specifications. In these cases, districts have up to 12 months after this "reservation of funds" apportionment to submit the plans. This 12 month deadline relates to apportionments, not projects on the Unfunded List (Lack of AB 55 Loans).

High Performance Incentive Grant

Chapter 35, Statutes of 2006 (AB 127 – Nunez) and 2006's Proposition 1D allocated \$100 million for the HPI grant. As of March 28, 2012, \$60.7 million remained in HPI bond authority.

For projects accepted by the DSA using the 2009 Edition of the California-Collaborative for High Performance Schools Criteria, SFP projects require a minimum of 27 HPI points for New Construction (new site) projects or 20 HPI points for New Construction (existing site) and Modernization in order to receive HPI grants.

DISCUSSION

OPSC staff's proposal, presented at the March 2012 Implementation Committee meeting, to apply only the existing High Performance Base Incentive Grant (HP BIG) to the CTEFP has not changed. The methodology for receiving HPI points, the minimum number of points necessary to receive the HP BIG, and the amount of the HP BIG remains the same. Like the proposal presented last month, the HPI percentage increase is not included.

At the March 2012 Implementation Committee meeting, options for applying the HPI grant to CTEFP projects on the Unfunded List (Lack of AB 55 Loans), including "reservation of funds," and CTEFP "in-house" applications was discussed.

In this proposal, both projects on the Unfunded List (Lack of AB 55 Loans) and "in-house" applications would be eligible for the HPI grant while retaining their original OPSC received date.

In order to provide the HPI additional grant to districts after an *Application for Career Technical Education Facilities Funding* (Form SAB 50-10) has already been submitted, in this proposal, districts would submit a second Form SAB 50-10. The second Form SAB 50-10 would only relate to the HPI grant. No other CTEFP funding would be amended as a result of submitting a second Form SAB 50-10.

PROPOSED AMENDMENTS

For the complete proposed regulatory changes, see Attachment A.
For the complete proposed form changes, see Attachment B.
The proposed changes are summarized below.

SFP REGULATION SECTION 1859.71.6

Section 1859.71.6 applies the HPI grant to new construction projects on new sites.

The proposed amendment would add a paragraph to apply the HP BIG to CTEFP new construction projects on new sites.

SFP REGULATION SECTION 1859.77.4

Section 1859.77.4 applies the HPI grant to new construction projects on existing sites and to modernization projects.

The proposed amendment would add a paragraph to apply the HP BIG to CTEFP new construction projects on existing sites and to CTEFP modernization projects.

SFP REGULATION SECTION 1859.107

Section 1859.107 details how school districts with specified funding applications may amend those applications while retaining the OPSC processing date.

The proposed amendment would add a paragraph to allow a school district that has submitted a CTEFP funding application to amend its application to add a request for the HPI grant while retaining its OPSC processing date. The ability to add the HPI grant request while retaining the original OPSC processing date is intended to apply to school districts whether the application:

- has a project on the Unfunded List (Lack of AB 55 Loans), or
- is “in-house.”

SFP REGULATION SECTION 1859.193

Section 1859.193 outlines how the CTEFP grants are determined.

The proposed amendment would add a paragraph to add the HPI grant to the CTEFP grant after the existing CTEFP grant determinations are made. The HPI grant would be added to the CTEFP grant whether or not the CTEFP grant reaches the per-project maximum grant amounts.

SFP REGULATION SECTION 1859.194

Section 1859.194 describes districts’ CTEFP matching share requirements.

The proposed amendment would add language to clarify that the HPI grant matching share requirement is on a dollar-for-dollar basis (50 state/50 district) for both CTEFP new construction projects and CTEFP modernization projects.

Without the language, there was a concern that, because CTEFP and HPI funds are allocated from different funding sources, school districts may have thought that different matching share requirements applied. But the 50/50 matching share should apply to both grants because the HPI grant is an additional grant, and additional grants take on the matching share requirements of the program they are being added to.

SFP REGULATION SECTION 1859.197

Section 1859.197 describes the CTEFP fund release process.

The proposed amendment would add a paragraph requiring districts with a CTEFP project on the Unfunded List (Lack of AB 55 Loans) that request to add the HPI grant and to participate in a Priority in Funding round to submit all the approvals necessary for fund release at least 90 days prior to submitting the certifications necessary to become eligible for priority funding apportionments. The new deadline will help ensure that the list of projects that will receive priority funding apportionments is developed quickly and accurately.

Application for Career Technical Education Facilities Funding (Form SAB 50-10)

School districts currently submit one Form SAB 50-10 per CTEFP project. “Reservation of funds” apportionments by the Board are not adjusted after districts submit DSA-approved plans.

The proposed amendments would add language to the Form SAB 50-10 so that districts that have already submitted the Form SAB 50-10 may receive the HPI grant. Those districts would submit a second Form 50-10 indicating that they would like to add the HPI grant to their funding request. Districts would not revise any funding information that was completed on the first 50-10. Therefore, the CTEFP funding will not change based on the DSA-approved plans submitted after a “reservation of funds.”

Districts would also certify that the HPI grant will be rescinded if they request the HPI grant prior to submitting DSA-approved plans, but then do not attain the necessary HPI points to receive the grant.

ATTACHMENT A

Section 1859.71.6. New Construction Additional Grant for High Performance Incentive.

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in ~~Subsections~~ Subsection (b) or (c), as applicable, if all the following are met:

(1) The project meets the mandatory measures of the California Green Building Standards, California Code of Regulations Title 24, Part 11, as applicable.

...

(b) Excluding Career Technical Education Facilities Projects, to ~~To~~ determine the High Performance Incentive grant, multiply the New Construction Grant by the percentage allowance in accordance with the eligible high performance points as follows:

(1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(8), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction Grant will be multiplied by:

(A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or

...

(c) For Career Technical Education Facilities Projects accepted by the DSA utilizing the 2009 CA-CHPS Criteria, in which the level of high performance attained as concurred by the DSA is a minimum of 27 points, the Board shall provide \$150,000 one time per school site as a High Performance Base Incentive Grant.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in ~~Subsections~~ Subsection (b) or (c), the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School Account or continue with the new construction project and accept a full and final apportionment without the additional grant authorized by ~~Subsections~~ Subsection (b) or (c).

Any funds apportioned pursuant to this Section shall be expended only on high performance related costs (and components as approved by the OPSC.)

Note: Authority cited: ~~Section~~ Sections 17070.35; and 17078.72(1), Education Code.
Reference: Section 101012(a)(8), Education Code.

Section 1859.77.4. Addition to a Site and Modernization Grant for High Performance Incentive.

(a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in ~~Subsections~~ Subsection (b) or (c), as applicable, if all the following are met:

(1) The project meets the mandatory measures of the California Green Building Standards, California Code of Regulations Title 24, Part 11, as applicable.

(b) Excluding Career Technical Education Facilities Projects, to ~~To~~ determine the High Performance Incentive grant, multiply the New Construction or Modernization Grant, as appropriate, by the percentage allowance in accordance with the eligible high performance points as follows:

(1) For those projects accepted by the DSA prior to October 1, 2007, pursuant to (a)(8), in which the level of high performance attained, as concurred by the DSA, is a minimum of 23 points, the New Construction or Modernization Grant, as appropriate, will be multiplied by:

(A) Two percent at 23 points plus 0.03 percent for each point attained from 24 through 33 points; or

...

(c) For Career Technical Education Facilities Projects accepted by the DSA utilizing the 2009 CA-CHPS Criteria, in which the level of high performance attained as concurred by the DSA is a minimum of 20 points, the Board shall provide \$250,000 one time per school site as a High Performance Base Incentive Grant.

If there are no funds remaining in the High Performance School Account or the funds remaining are insufficient to fully fund the additional grant authorized in **Subsections** ~~Subsection~~ (b) **or (c)**, the district may either withdraw its application and resubmit it should additional funds be made available in the High Performance School Account or continue with the addition to an existing site/modernization project and accept a full and final apportionment without the additional grant authorized by **Subsections** ~~Subsection~~ (b) **or (c)**.

Any funds apportioned pursuant to this Section shall be expended only on high performance related costs (and components as approved by the OPSC.)

Note: Authority cited: ~~Section~~ **Sections** 17070.35; **and 17078.72(1)**, Education Code.
Reference: Section 101012(a)(8), Education Code.

Section 1859.107. Amending and Withdrawal of Applications.

...
A funding application, with the exception of funding applications identified in Subsection (a) below, submitted to the OPSC that has not received an approval will receive funding under the provisions of the regulations that were in effect when the application was submitted to the OPSC and any funding adjustment authorized by Sections 1859.71.2(c) or 1859.78.4(b). If the funding adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date. At the option of the district, a funding application submitted to the OPSC that has not received an approval may be withdrawn and resubmitted for SAB approval under the provisions of any amended or new regulation once it is effective. The district must request that the application be withdrawn and removed from the OPSC workload list. The resubmitted application will receive a new processing date by the OPSC.

At the option of the district, an Approved Application for Career Technical Education Facilities Project Funding submitted to OPSC prior to January 1, 2012 may be resubmitted for the purpose of requesting the funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable. To request that funding, the district must submit an amended Form SAB 50-10 at least 90 days prior to requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 or receiving an Apportionment pursuant to Section 1859.195. The amended application shall retain its original OPSC processing date.

...
Note: Authority cited: ~~Section~~ **Sections** 17070.35; **and 17078.72(1)**, Education Code.
Reference: Sections 17070.35, 17070.63, 17074.15, 17074.16 and 17074.56, Education Code.

Section 1859.193. Career Technical Education Facilities Grant Determination.

A Career Technical Education Facilities Project may construct a new facility or modernize or Reconfigure an existing school building. The application for Career Technical Education Facility funding may accompany an application for new construction funding pursuant to Section 1859.70 or may be submitted independently.

(a) For new construction of a Career Technical Education Facilities Project included in a qualifying New Construction Grant, the Career Technical Education Facilities grant amount shall be the lesser of either (1) or (2):

(1) The sum of the costs uniquely related to facilities required to provide Career Technical Education as determined below:

(A) 50 percent of the cost of construction of the Career Technical Education Facilities Project, as determined by the project architect, subject to OPSC review and approval.

...
(2) \$3 million per Career Technical Education Facilities Project.

...

(d) If an applicant meets the eligibility criteria in Section 1859.192, but does not have the necessary approvals from the DSA and/or the CDE at the time of apportionment, the Board may apportion funds for the Career Technical Education Facilities Project and reserve them for a period of up to 12 months. The grant amount to be reserved for the project will be the maximum funding as determined above in (a), (b), or (c).

(e) Funding provided as prescribed in Sections 1859.71.6 and Section 1859.77.4 shall not be affected by the maximum funding determinations listed above.

Note: Authority cited: Sections 17070.35, and 17078.72(k), **and 17078.72(l)**, Education Code.
Reference: Section 17078.72, Education Code.

Section 1859.194. Career Technical Education Facilities Program Matching Share Requirement.

Any funding provided by these regulations, **including funding as prescribed in Sections 1859.71.6 and 1859.77.4**, shall require an applicant matching share contribution on a dollar-for-dollar basis. The applicant matching share may come from any source including, but not limited to, private industry groups, school districts, county offices of education, and joint powers authorities.

If the applicant's available matching share does not equal the grant amount or the matching share is not immediately available, a loan may be made to the applicant. The amount of the loan shall be determined by compliance with (a) below. If the need for a loan is substantiated, it shall be paid over time through loan payments authorized by the Board.

...

Note: Authority cited: Sections 17070.35, and 17078.72(k), **and 17078.72(l)**, Education Code.
Reference: Sections 17076.10 and 17078.72, Education Code.

Section 1859.197. Fund Release Process.

The OPSC will release State funds that have been apportioned by the Board pursuant to Sections 1859.195 and 1859.196 after submittal by the applicant of the Form SAB 50-05.

(a) If an apportionment was made for a Career Technical Education Facilities Project, the applicant must submit a Form SAB 50-05 within 18 months of the Apportionment as outlined in Education Code Section 17076.10 or the apportionment shall be rescinded without further Board action.

(b) If Career Technical Education Facilities funds were reserved for the applicant pursuant to Section 1859.193(d) of these Regulations, the applicant:

(1) Has one year from the date of apportionment to submit the CDE plan approval and DSA-approved plans and specifications, as required, to the OPSC for the Career Technical Education Facilities Project, otherwise the apportionment shall be rescinded without further Board action.

(2) Has 18 months from the date the CDE plan approval and DSA-approved plans and specifications, as needed, are submitted to the OPSC to submit a completed Form SAB 50-05 or the apportionment shall be rescinded without further Board action. If the district is requesting an apportionment pursuant to Section 1859.90.1 or 1859.90.2, the Board will require that this time limit be reduced to no more than 90 days from the date of the apportionment.

(c) If the applicant requires a loan for the entire matching share requirement pursuant to Section 1859.194(b) of these Regulations:

(1) Subject to the availability of financing provided by the Pooled Money Investment Board for bond-funded projects, the OPSC will release ten percent of the Career Technical Education Facilities grant to the applicant within 30 calendar days of the apportionment.

(2) The applicant has one year from the date of apportionment to submit the CDE plan approval and DSA-approved plans and specifications, as required, to the OPSC for the Career Technical Education Facilities Project, otherwise the apportionment shall be rescinded without further Board action.

(3) The applicant has 18 months from the date in (c)(2) to submit a completed Form SAB 50-05 or the apportionment shall be rescinded without further Board action.

(d) If the district is requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 and if the district is requesting funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable, then the district must submit the necessary approvals from the DSA and/or the CDE, as applicable, at least 90 days prior to requesting an Apportionment.

(e) If the district receives an Apportionment pursuant to (a) or (b) and if the district is requesting funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable, then the district must submit the necessary approvals from the DSA and/or the CDE, as applicable, at least 90 days prior to receiving an Apportionment.

~~(d)~~ **(f)** The applicant is subject to substantial progress time limit on the apportionment as outlined in Education Code Section 17076.10(b).

~~(e)~~ **(g)** In the event the Board determines there is a fiscal emergency or crisis on the part of the State of California, the Board may grant an extension not to exceed 12 months to the time limit prescribed in (b)(1) and (c)(2) above and Section 1859.193(d). Regulation Section 1859.197(e) shall become inoperative January 1, 2010.

Note: Authority cited: Sections 17070.35, **17078.72(i)**, and 17078.72(k), Education Code.
Reference: Sections 17078.72 and 17076.10 Education Code.

GENERAL INFORMATION

This form is to be used by a school district/joint powers authority (JPA) to request a Career Technical Education Facilities Program (CTEFP) grant. Requests for funding may be made as follows:

New Construction or Modernization project pursuant to Regulation Section 1859.190. The following documents must be submitted with this form for purposes of this apportionment:

- California Department of Education's (CDE) Career Technical Education (CTE) score letter.
- A copy of the submitted CTEFP application that complies with the requirements of Education Code Section 17078.72.
- If applicable, Plan Approval letter from the CDE School Facilities Planning Division.
- If applicable, Plans and Specifications (P&S) for the project that were approved by the Division of the State Architect (DSA) and the DSA Approval letter. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
- Detailed cost estimate of proposed site development, if requesting site development funding.
- Detailed construction cost estimate, if requesting construction funding.
- Itemized list of equipment including cost, if requesting equipment funding.
- If requesting a loan, the applicant must attach the completed CTEFP Funding Availability Worksheet.

SPECIFIC INSTRUCTIONS

A Project Tracking Number must be assigned by the applicant for all applications submitted to the OPSC, the DSA, or the CDE. This number may be obtained from the OPSC Web site at www.dgs.ca.gov/opsc or the DSA or the CDE Web sites under "Project Tracking Number Generator." The locale must be entered for all CTE applications submitted to the OPSC. [If the district is amending its High Performance Incentive \(HPI\) grant request, complete sections 1 and 14 only.](#)

1. Type of Application

Check the box that indicates the type of CTEFP funding requested. Refer to Section 1859.192 for the eligibility criteria.

2. CTE Industry Sector and Pathway(s)

Enter the name of the Industry Sector and Pathway(s).

3. Reservation of Funds

Check the box "Yes" if requesting a reservation of funds pursuant to Section 1859.193(d). Otherwise, check the box "No."

4. Loan Request

Check the box "Yes" if requesting a loan pursuant to Section 1859.194. Otherwise, check the box "No."

5. Number of CTE Classrooms

Enter the number of CTE classrooms specified in the CDE CTE Application.

6. Qualifying SFP Project Application Number

If the request is for a CTEFP Project that is part of a qualifying SFP project, indicate the SFP application number or the project tracking number of the qualifying SFP project. Refer to Section 1859.193.1 for a definition of a qualifying SFP project.

7. CDE Application Overall Score

Enter the score from the CDE CTE score letter for this project. (The applicant must have received a score of at least 105 points, as determined by the CDE pursuant to Section 1859.192(c).)

8. CTE Facility Square Footage

Enter the total eligible square footage of the CTE Facility in the project.

9. Eligible Costs

- a. Enter 50 percent of the construction cost if constructing new building area, or modernizing or reconfiguring an existing building.
- b. Enter 50 percent of the equipment cost pursuant to Education Code Section 17078.72(a).
- c. If the request is for a CTEFP Project that is not a part of a qualifying SFP project, enter 50 percent of the site development costs that meet the requirements of Section 1859.193.
- d. If the CTEFP Project is part of a qualifying SFP Project, enter 50 percent of the total SFP allowance for New Construction Grants for CTE classrooms pursuant to Section 1859.193(a)(1)(C).
- e. Enter the total of a plus b plus c minus d.

10. Cost Per Square Footage

Enter the cost per square foot by dividing the total eligible costs in Item 9 at 100 percent by the CTE facility square footage noted in Item 8.

11. Project Assistance

Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. This grant is available only to a new construction or modernization CTE project that is not part of a qualifying SFP New Construction or Modernization project.

12. Project Progress Dates

Complete this section for new construction/modernization projects:

- a. Enter the date(s) the construction contract(s) was awarded for this project(s).
If a construction contract has not been executed, enter N/A. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
- b. Enter the issue date for the Notice to Proceed for the construction phase of the project, or enter N/A if a Notice to Proceed has not been issued.

13. Prevailing Wage Monitoring and Enforcement Costs

If the construction contract for this project was or will be awarded on or after January 1, 2012, check the appropriate box to indicate which of the following methods will be used to meet the requirement for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3:

- The Department of Industrial Relations (DIR) Compliance Monitoring Unit (CMU)
- A DIR-approved internal LCP
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3).

14. Additional Grant for High Performance Incentive

Check the box if the district is requesting an Additional Grant for HPI pursuant to Subdivision (I) of Education Code Section 17078.72. If the district has received the necessary approvals of the plans and specifications from the DSA, enter the number of high performance points as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable.

15. Certification

The district representative must complete this section.

ATTACHMENT B

STATE OF CALIFORNIA

APPLICATION FOR CAREER TECHNICAL EDUCATION FACILITIES FUNDING SCHOOL FACILITY PROGRAM

SAB 50-10 (REV ~~12/11~~04/12)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 3 of 4

The school district/JPA named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Article 13, Chapter 12.5, Part 10, Division 1, commencing with Section 17078.70, et seq, of the Education Code and the Regulations thereto.

SCHOOL DISTRICT/JOINT POWERS AUTHORITY		APPLICATION NUMBER
SCHOOL NAME		PROJECT TRACKING NUMBER
COUNTY	LOCALE	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

1. Type of Application—Check Only One

- New Construction Project—construct new school buildings and/or equipment
- Modernization Project—reconfigure existing school buildings and/or equipment
[Separate HPI grant request \[Section 1859.107\]](#)
- [Add the HPI grant](#)
- [Remove the HPI grant](#)

2. CTE Industry:

Sector: _____

Pathway(s): _____

3. Reservation of Funds: Yes No

4. Loan Request: Yes No

5. Number of CTE Classrooms in the CTEFP application _____

6. Qualifying SFP Project Application Number

Application Number: # _____

Project Tracking Number: # _____

7. CDE Application Overall Score: _____

Minimum Score: 105

8. CTE Facility Square Footage: _____

9. Eligible Costs

- a. 50 Percent Construction: \$ _____
- b. 50 Percent Equipment: \$ _____
- c. 50 Percent Site Development: \$ _____
- d. 50 Percent SFP Allowance (New Construction Only) \$ _____
- e. Total (a+b+c-d): \$ _____

10. Cost Per Square Foot: \$ _____

11. Project Assistance

- CTE Project Only—not part of a qualifying SFP project

12. Project Progress Dates

- a. Construction Contract signed on: _____
 - b. Notice to Proceed issued on: _____
- (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

13. Prevailing Wage Monitoring and Enforcement Costs

- If the Construction Contract(s) was or will be awarded after January 1, 2012, please indicate which method will be used to meet the prevailing wage monitoring requirements, pursuant to Labor Code Section 1771.3:
- DIR CMU Administered
 - DIR Approved Internal LCP
 - Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3)

14. High Performance Incentive Additional Grant Request

- HPI - If the district has received the necessary approvals of the plans and specifications from the DSA, indicate HPI Points: _____

14.5. Certification

I certify, as the Representative for the School District or JPA, that the information reported on this form is true and correct and that: I am the authorized representative of the District or JPA as authorized by the governing board of the district or JPA; and,

- A resolution or other appropriate documentation supporting this application under Article 13, Chapter 12.5, Part 10, Division 1, commencing with Section 17078.70, et. seq., of the Education Code was adopted by the applicant's Governing board on _____; and,
- The district has established a "Restricted Maintenance Account" for the exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Sections 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); if the applicant is a joint powers authority that is not required to establish a "Restricted Maintenance Account" under the provisions of Education Code Section 17070.75, the applicant certifies that it can maintain its facilities with a lesser annual deposit (refer to Section 1859.101); and,
- The matching funds required pursuant to Section 1859.194 has either been received and expended by the district, deposited in the County School Facility Fund or will be received and expended by the district prior to the notice of completion for the project; and,
- The participant has or will receive the necessary approval of the plans and specifications from the Division of the State Architect; and,
- The participant has or will receive the necessary approval of the plans and specifications from the CDE; and,

ATTACHMENT B

- The participant has complied with the provisions of Section 1859.76 and that the portion of the project funded by the State does not contain work specifically prohibited in that section; and,
- If the SFP grants will be used for a CTEFP project on school facilities on leased land, the participant has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The participant has complied with the CTEFP eligibility criteria as outlined in Section 1859.192; and,
- The participant will comply with all laws pertaining to the construction of its CTE school building; and,
- The participant understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.197); and,
- The participant understands that by reserving funds, the applicant must submit the necessary approvals and/or Plans and Specifications within one year of apportionment; otherwise the funds will be rescinded without further Board action (refer to Section 1859.197); and,
- The participant understands that the lack of substantial progress within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.198); and,
- The participant understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105 and 1859.106, and that the portion of the project funded by the State does not contain work specifically prohibited; and,
- All contracts for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- The participant has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- If this request is for modernization of CTE facilities, contracts for construction were executed on or after May 20, 2006; and,
- All equipment was purchased on or after May 20, 2006, unless the project is combined with a qualifying SFP new construction project pursuant to Section 1859.193.1; and,
- If this request is for new construction projects, the CTE classrooms constructed were not occupied prior to May 20, 2006; and,
- If the applicant is requesting a loan for the matching share, a CTEFP Loan Agreement will be executed pursuant to the requirements in Section 1859.194; and,
- The district will contract with the DIR for Prevailing Wage Monitoring and Enforcement, pursuant to Labor Code Section 1771.3(a), if the construction contract is awarded on or after January 1, 2012 and the district has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b). The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest; and,
- The applicant has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- Funds reserved pursuant to Subdivision (l) of Education Code Section 17078.72 shall be rescinded if, when the necessary Plans and Specifications are submitted, the district has not attained the necessary points pursuant to Section 1859.71.6 or 1859.77.4, as applicable; and,
- The district has considered the feasibility of using designs and materials for the new construction or modernization project that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools; and,
- If the district is requesting an additional grant for high performance incentive funding, the school district governing board must have a resolution on file that demonstrates support for the high performance incentive grant request and the intent to incorporate high performance features in future facilities projects; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief.

SIGNATURE OF DISTRICT OR JPA REPRESENTATIVE		DATE
NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)	TITLE	TELEPHONE
E-MAIL ADDRESS		

ATTACHMENT C

AUTHORITY

SB 128 adds paragraph (l) to Education Code (EC) Section 17078.72:

17078.72

(a) The Career Technical Education Facilities Program is hereby established to provide funding to qualifying local educational agencies for the purpose of constructing new facilities or reconfiguring existing facilities, including, but not limited to, purchasing equipment with an average useful life expectancy of at least 10 years, to enhance educational opportunities for pupils in existing high schools in order to provide them with the skills and knowledge necessary for the high-demand technical careers of today and tomorrow.

...

(d) Grants shall be allocated on a per-square-foot basis for the applicable type of construction proposed or deemed necessary by the board consistent with the approved application for the project.

(e) New construction grants shall not exceed three million dollars (\$3,000,000) per project per schoolsite, inclusive of equipment, and shall only be allocated to comprehensive high schools that have an active Career Technical Advisory Committee pursuant to Section 8070, in either of the following methods:

(1) For a stand-alone project on a per-square-foot basis for the applicable type of construction proposed, based on the criteria established pursuant to subdivision (b), consistent with the approved application for the project.

(2) For new school projects, as a supplement to the per pupil allocation pursuant to Section 17072.10. The supplement is intended to cover excess costs uniquely related to the facilities required to provide the career technical education program or programs.

(f) Modernization grants shall not exceed one million five hundred thousand dollars (\$1,500,000) per project per schoolsite, inclusive of equipment and may be awarded to comprehensive high schools or joint power authorities currently operating career technical education programs that have an active Career Technical Advisory Committee pursuant to Section 8070 for the purpose of reconfiguration. For comprehensive high schools, the grant shall be supplemental to the per pupil allocation pursuant to Section 17074.10. The supplement is intended to cover excess costs uniquely related to the facilities required to provide the career technical education program or programs.

(g)(1) A school district shall contribute from local resources a dollar amount that is equal to the amount of the grant of state funds awarded under subdivisions (d), (e), and (f). The required local contribution may be provided by private industry groups, the school district, or a joint powers authority....

...

(l) Notwithstanding paragraphs (e) and (f), a project approved pursuant to this section is also eligible for an incentive grant from the funds specified in paragraph (8) of

subdivision (a) of Section 101012 if the project meets the criteria prescribed in that section.

EC Section 101012

(a) The proceeds from the sale of bonds, issued and sold for the purposes of this chapter, shall be allocated in accordance with the following schedule:

...

(4) The amount of five hundred million dollars (\$500,000,000) for the purposes set forth in Article 13 (commencing with Section 17078.70) of Chapter 12.5 of Part 10, relating to facilities for career technical education programs.

...

(8) The amount of one hundred million dollars (\$100,000,000) for incentive grants to promote the use of designs and materials in new construction and modernization projects that include the attributes of high-performance schools, including, but not limited to, the elements set forth in Section 17070.96, pursuant to regulations adopted by the State Allocation Board.

...

SFP Regulation Section 1859.193. Career Technical Education Facilities Grant Determination.

...

(a) For new construction of a Career Technical Education Facilities Project included in a qualifying New Construction Grant, the Career Technical Education Facilities grant amount shall be the lesser of either (1) or (2):

(1) The sum of the costs uniquely related to facilities required to provide Career Technical Education as determined below:

(A) 50 percent of the cost of construction of the Career Technical Education Facilities Project, as determined by the project architect, subject to OPSC review and approval.

(B) 50 percent of the cost to equip the Career Technical Education Facilities Project with necessary equipment.

(C) Minus an allowance for New Construction Grants provided for Career Technical Education classrooms, determined by:

1. Multiplying 960 square feet by the number of classrooms in the Career Technical Education Facilities Project that were included in the New Construction project.

2. Multiplying the amount determined in (a)(1)(C)1 by 50 percent of the Current Replacement Cost for non-Toilet Facilities.

(2) \$3 million per Career Technical Education Facilities Project.

...

Note: Authority cited: Sections 17070.35 and 17078.72(k), Education Code.
Reference: Section 17078.72, Education Code.

SFP Regulation Section 1859.199. Program Accountability

...

An applicant district may not retain savings realized by a Career Technical Education Facilities Project.

Note: Authority cited: Sections 17070.35 and 17078.72(k), Education Code.
Reference: Section 17078.72, Education Code.

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE MEETING
April 13, 2012

Improvements to the Project Information Worksheet (PIW)

PURPOSE OF REPORT

To present steps to streamline the PIW and to discuss using the PIW to collect information for additional SFP projects, such as modernization. The steps to streamline the process being considered by the OPSC include reducing the number of required submittals and auto-populating those fields for which the Office of Public School Construction (OPSC) already has information.

DESCRIPTION

The State Allocation Board (Board) directed OPSC staff to discuss improvements to the PIW at the Implementation Committee (Committee). This item details the steps that the OPSC can take without regulation change and Office of Administrative Law (OAL) approval, to reduce the number of required submittals and to auto-populate several fields in the current PIW. (Improvements to the actual data collected on the worksheet will need to be part of potential future discussions).

AUTHORITY

Education Code (EC) Section 17072.11 (b) states, "On or after January 1, 2008, the [Board] shall increase or decrease the per-unhoused-pupil grant eligibility determined pursuant to subdivision (a) by amounts it deems necessary to cause the grants to correspond to costs of new school construction, provided that the increase in any fiscal year pursuant to this section shall not exceed 6 percent."

School Facility Program (SFP) Regulation Section 1859.71 states, "The new construction per-unhoused-pupil grant amount, as provided by (EC) Section 17072.10(a), may be increased by an additional amount not to exceed six percent in a fiscal year, or decreased, based on the analysis of the current cost to build schools as reported on the Project Information Worksheet (New 09/07) which shall be submitted with the Forms SAB 50-05 and 50-06 and as approved by the Board."

SFP Regulation Section 1859.104.1 states, "A school district filing a (PIW) with the best information available will not be subject to a Material Inaccuracy for that information."

BACKGROUND

The Board approved the PIW in September 2007 and modified it in May 2010 (see Attachment A). The worksheet was approved by the Board for the following purposes:

- To analyze the relationship between the pupil grant eligibility and the cost of new construction pursuant to EC Section 17072.11(b).
- To demonstrate bond accountability
- To identify the changes in the bid climate over time.
- To evaluate the High Performance Incentive (HPI) Grant.

The PIW is based largely on a survey developed by a new construction grant adequacy ad hoc committeeⁱ assembled by the Board in December 2005. The PIW incorporates the Committee's input and was tested by a sample of districts prior to Board approval. At the time of development, stakeholders commented that the PIW should be independent of the *Expenditure Report* (Form SAB 50-06). Various stakeholders/districts provided additional input that the collection of data for the PIW should also include all locally funded expenditures because districts only report the minimum expenditures necessary to establish compliance with the local match requirement on the Form SAB 50-06.

At the March 2011 Board meeting, the Board requested that a discussion of the PIW be placed on the Board Agenda. At the June and July 2011 Board meetings, OPSC staff presented information on 567 new construction projects apportioned from 2008 to 2011, representing 84 percent of all new construction projects that have received a full apportionment during this time. The data presented included pupils housed, square footage built (by construction type), facility component types, and expenditures.

At the January 2012 Board meeting, the Board directed staff to bring a discussion of improvements to the PIW to the Committee, specifically to explore:

- Ways to streamline the PIW.
- Reducing the number required submittals for individual projects.
- The possibility of applying the PIW to programs other than New Construction.

Staff brought the PIW to the February 2012 Committee meeting to seek input and suggestions for improvement from Committee members and other stakeholders. At the March 2012 Committee meeting, staff presented a summary of the input and suggestions received at the meeting along with other feedback from various stakeholders for Committee review, and asked

ⁱ Grant adequacy ad hoc committee consisted of school districts, architectural, construction, and construction management firms, consultants, the California Building Industry Association, the Department of Finance, the CDE and the Office of Public School Construction.

the Committee to provide considerations to be taken in to account in revising the various sections of the PIW.

CONSIDERATIONS

At the March 9, 2012 Committee meeting, members provided the following suggestions in addition to those listed in the item:

- Add questions regarding Labor Compliance Programs (LCPs) or use of the Department of Industrial Relations (DIR) Compliance Monitoring Unit (CMU) for prevailing wage monitoring and enforcement.
- Create a more direct link on the OPSC website to make it easier to find the completed PIWs available on the Bond Accountability website.
- Make a blank PIW available online that districts can use to gather the information they will need to complete the PIW online.
- Use a universal record number to link OPSC, Division of the State Architect, (DSA), and California Department of Education (CDE) records.
- Use data already collected by the State on other forms, through the DSA and the CDE as well as the OPSC, to automatically populate the PIW. Here are some of the possible data sources identified:

Information Reported on PIW	CDE	DSA	OPSC
Project Funding			
State Apportionment			X
Local Contribution Beyond Required Match			
Costs Covered by Joint Use Partner			
Project Costs			
Total Costs for Site Acquisition			X ⁱⁱ
Building Construction Costs in Contract(s) - Broken out Separately			
Site Development Costs – Broken Out Separately			X ⁱⁱ
Soft Costs (Tests, Inspections, Architect Fees, Consultant Fees)			
Other Hard Construction Costs (Interim Housing, Demolition, General Conditions Costs)			
Soft Costs (Tests, Inspections, Architect Fees, Consultant Fees)			
Construction Management Costs			
Contingency Costs			
Additive/Deductive Alternates including Description			
Bid Date/Number of Bidders			
Modifications Due to Cost			
Lump Sum Construction Contract Amount		X	

ⁱⁱⁱThe *Application for Funding*, Form SAB 50-04, captures the estimated site acquisition and development costs eligible for SFP new construction grants. The PIW captures the actual site acquisition and site development costs, even if the costs are not eligible for SFP new construction grants.

Information Reported on PIW		CDE	DSA	OPSC
Project Information				
Square Footage by Facility Component Type (Classrooms, Library, etc.)	Initial Plan Submittal	X ⁱⁱⁱ		
	Final Construction Contracts			
Square Footage by Building Construction Type (Permanent, Portable, Modular)				
Number of Outdoor & Sporting Facilities by Type; Parking Lot Square Footage				
Re-Use of Architectural Plans				
Local Requirements Not Funded by State				
School Type (Example: Elementary, Charter, Special Education, Etc.)		X		X ^{iv}
Net Useable Site Size				X
Master Plan Site Capacity of Project (Students)				
High Performance Incentive Grant				
Differential Costs of Achieving High Performance				
Energy Savings Information				
Student Achievement Information				
Other High Performance Benefits Realized				

- Allow for the addition of data from Modernization projects for PIWs for projects that include components funded through the Modernization program.
- Reduce the number of required PIW submittals for each project. Some members recommended requiring the PIW only once with the final expenditure report. Members noted that:
 - The first submittal, required with the Fund Release Authorization, SAB Form 50-05, is the least accurate.
 - If the number of required submittals is reduced to one with the final Expenditure Report, SAB Form 50-06, there will be a significant gap (three to four years) from the time the project is funded to the time that the reporting comes in.

Members also expressed several concerns:

- It can often be challenging to provide accurate information because of the preliminary nature of information available at the times of the first and second submittals, and because some questions are difficult to answer; e.g. separating site development from the building costs, given that contractors such as plumbers or electricians bid a whole job, not discrete sections based on where the pipes or wires are located.
- The general public might interpret Project Costs Section 2.b, “Amount of accepted additive/deductive alternates,” as nonessential project scope changes that needlessly increase costs.

ⁱⁱⁱThe CDE requests square footage for educational facilities in the initial plan submittal. Some square footage, such as janitorial space, restroom square footage, etc., may not be collected.

^{iv}The school type information collected on the *Application for Funding*, Form SAB 50-04, is limited to grade levels and severe or non-severe, and does not necessarily capture the level of detail included in the PIW.

- The project cost information provided in the PIW may be misinterpreted by the public. For example, two schools in different parts of the State may appear to have similar project scopes, but factors beyond district control may increase project costs in one part of the State compared to the other. This public misinterpretation could create challenges for districts attempting to pass a local school construction bond.

In addition to the members' concerns, OPSC staff notes that the PIW, as a reporting requirement in SFP regulations, requires OAL approval. Therefore, any changes to the PIW must be first approved by the SAB and then must undergo the same OAL approval process required for regulatory amendments.

SHORT TERM ACTIONS

Because the process for amending the PIW is lengthy, OPSC staff is initiating those changes which are possible without OAL approval, including:

- Adding a direct link to the page of the Bond Accountability website that allows the public to search for individual project information, including PIWs if available, on the OPSC website under "Bond Accountability."
- Working with Information Technology (IT) staff to identify PIW fields, including any in the "Project Funding" section, that can be automatically populated with information that districts provide on the Funding Application, SAB Form 50-04 (Attachment A).
- Working with IT staff to identify additional fields, such as the "Total Square Feet All Facilities" and the "Total Building Cost Per Square Foot", that can be automatically calculated using information provided in other PIW fields.

Additionally, OPSC staff will be taking an item to the SAB to propose reducing the number required PIW submittals per project from three times to two times.

Options include the following:

Option 1

Eliminate the first SAB Form 50-06 PIW submittal requirement (only submit along with the SAB Form 50-05 and the final SAB Form 50-06)

Pro:

- Provides information to help demonstrate bond accountability as soon as possible.
- Does not require a regulatory change, and thus could be implemented immediately.
- Final Project Costs are reported

Con:

- Some of the project cost and change order information is estimated.
- May be difficult for some districts to complete both the PIW and the 50-05 to meet the 90-day Priorities in Funding submittal deadline.

Option 2

Eliminate the first SAB Form 50-06 PIW submittal requirement and, if the project is a reimbursement, also eliminate the PIW submittal for the final SAB Form 50-06

Pro:

- Provides information to help demonstrate bond accountability as soon as possible.
- Eliminates the requirement of multiple PIW submittals for reimbursement projects.
- Final Project Costs are reported

Con:

- If the project is not a reimbursement, some of the project cost and change order information is estimated.
- May be difficult for some districts to complete both the PIW and the 50-05 to meet the 90-day Priorities in Funding submittal deadline
- Requires amending the Form SAB 50-05.

Option 3

Eliminate submittal with the SAB Form 50-05, submittal with the first and final Expenditure Report, SAB Form 50-06.

Pro:

- The information may be more accurate than at the PIW information submitted along with the first Form SAB 50-05.

Con:

- Much of the information may still be estimated.
- Project information is provided one year after State funds are released.

APPLYING THE PIW TO OTHER PROGRAMS

At the January 2012 Board meeting, the Board did direct OPSC staff to discuss the possibility of applying the PIW to other programs. Currently, the PIW is required for New Construction (NC), Facility Hardship (replacement), Critically Overcrowded Schools, Charter Schools, Overcrowding Relief Grant Program, and certain Modernization (Mod) projects which have received the HPI grant. The PIW is not required for most Mod projects. Currently, Facility Hardship (Rehabilitation), Joint Use, and Career Technical Education (CTE) projects do not require a PIW.

Because the data collected through the PIW are designed for new construction projects, some of the questions would likely not be relevant for Modernization projects. For example, the classroom square footage and building costs may not be as relevant as the project scope (roofing, electrical, etc.) and the costs associated with Americans with Disabilities Act compliance.

If the PIW is to be used to capture other programs, it appears the form may need to be expanded. Perhaps entire categories exclusive to Mod, Joint Use, and/or CTE project scope could be added to the worksheet. If so, this could make it easier for districts to complete the PIW if the project included both SFP NC and Mod funding components.

The OPSC requests input from the Committee on how expanding the PIW to other programs could be implemented.

ATTACHMENT A

PROJECT INFORMATION WORKSHEET
(rev 5/2010)

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES
STATE ALLOCATION BOARD

The information collected using this form is necessary in order to conduct an analysis of the relationship between the per-unhoused-pupil grant eligibility and the per-pupil cost of new school construction for grades K - 12 pursuant to Education Code Section 17072.11, to meet the requirements for bond accountability, and status of the bid climate.

COMPLETED BY	TITLE
PHONE NUMBER	DATE COMPLETED
APPLICATION NUMBER(S) 10-001	
SCHOOL DISTRICT	COUNTY
SCHOOL DISTRICT NAME	COUNTY NAME
PROJECT TRACKING NUMBER	PROJECT NAME
REPORTING PERIOD <input type="checkbox"/> FUND RELEASE (FORM SAB 50-05) <input type="checkbox"/> ANNUAL REPORTING PERIOD (FORM SAB 50-06) PERCENT COMPLETED _____	

re:
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PROJECT FUNDING

1. Is this a Financial Hardship Project? Yes No

2. Funds Available:

	AMOUNT	ESTIMATE	ACTUAL
a. Total Amount of State Apportionment(s):	\$ 20,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Project:	\$ 23,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Joint-Use (if applicable):	\$ 100,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Interest Earned on State Apportionment for this project:	\$	<input type="checkbox"/>	<input type="checkbox"/>
c. Total District Match:	\$ 20,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Project:	\$ 23,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Joint-Use (if applicable):	\$ 100,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Additional Local Funds Necessary to Complete State Funded Project:	\$	<input type="checkbox"/>	<input type="checkbox"/>

PROJECT COSTS

	AMOUNT	ESTIMATE	ACTUAL
1. Total cost for site acquisition (State share & District amount):	\$	<input type="checkbox"/>	<input type="checkbox"/>
2. Bid/Construction Contract Data:			
a. Accepted Base Bid Amount Prior to additive/deductive alternates:	\$	<input type="checkbox"/>	<input type="checkbox"/>
b. Amount of accepted additive/deductive alternates:	\$	<input type="checkbox"/>	<input type="checkbox"/>
c. Total Construction Cost:	\$ 30,200,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) Building Cost in Contract(s):	\$ 30,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Site Development in Contract(s):	\$ 100,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Other (Interim Housing, Demolition, General Conditions, if applicable):	\$ 100,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Soft Costs (e.g., tests and inspections, architect fees, etc.):	\$ 3,700,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Estimated Remaining Project Cost Not Yet Contracted (Hard Costs):	\$ 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Construction Management Fees (General Conditions, if applicable):	\$ 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Contingency:	\$ 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Furniture and Equipment:	\$ 1,400,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Total Project Cost (Sum of 2c, 3, 4, 5, 6 and 7):	\$ 35,300,000		

JOINT-USE INFORMATION:

- Did the project include a joint-use partner? Yes No OPSC Application Number (if applicable): _____
- Which type of joint-use partner did it include? Non-Profit Government Higher Education Other (Explain) _____
- Did the joint-use partner contribute any capital funding towards the construction of the project? Yes No
If yes, how much? \$ _____
- Which facilities were involved? Gymnasium Multi-Purpose Room Teacher Education Facility
 Library Childcare Facility Other (Explain) _____

PROJECT INFORMATION

Project Type

School Type

Master Plan Site Capacity of project (Based on single-track use and local district loading standard):	
Square footage of parking structure (if applicable):	
Net Useable Site Size (Acres):	15

Outdoor Physical Education Facilities: (Check all that apply)	
FACILITY	NUMBER
<input type="checkbox"/> Baseball Diamond	
<input type="checkbox"/> Softball Diamond	
<input type="checkbox"/> Football/Soccer Field	
<input type="checkbox"/> Playground/Hardcourt/Turf	
<input type="checkbox"/> Track	
<input type="checkbox"/> Swimming Pool	
<input type="checkbox"/> Stadium	
<input type="checkbox"/> Other: (Explain)	

Grade and Number of Pupils Served: (Check all that apply)	
GRADE	
<input type="checkbox"/> K	
<input type="checkbox"/> 1	
<input type="checkbox"/> 2	
<input type="checkbox"/> 3	
<input type="checkbox"/> 4	
<input type="checkbox"/> 5	
<input type="checkbox"/> 6	
<input type="checkbox"/> 7	
<input type="checkbox"/> 8	
<input type="checkbox"/> 9	
<input type="checkbox"/> 10	
<input type="checkbox"/> 11	
<input type="checkbox"/> 12	
<input type="checkbox"/> Non-Severe	
<input type="checkbox"/> Severe	

COMPONENT TYPES: (Complete if applicable)		CONSTRUCTION TYPE (CHOOSE FROM PULL DOWN MENU)	SQUARE FOOTAGE FROM DSA APPROVED PLAN	FUND RELEASE (FIRST REPORT) SQUARE FOOTAGE	FIRST ANNUAL REPORT	FINAL EXPENDITURE REPORT
	NUMBER				SQUARE FOOT	SQUARE FOOT
<input checked="" type="checkbox"/> Classrooms	17	Permanent	30,000			
<input checked="" type="checkbox"/> Classrooms	16	Modular	32,000			
<input checked="" type="checkbox"/> Classrooms	2	Portable	2,000			
<input type="checkbox"/> Multi-Purpose Room/Cafeteria						
<input type="checkbox"/> Cafeteria - Stand Alone						
<input type="checkbox"/> Kitchen						
<input type="checkbox"/> Library						
<input checked="" type="checkbox"/> Gym/Shower Locker Room	1	Permanent	16,000			
<input checked="" type="checkbox"/> Administration/Support	1	Permanent	5,000			
<input type="checkbox"/> Performing Arts Facility						
<input checked="" type="checkbox"/> Restroom Building	4	Portable	1,250			
<input type="checkbox"/> Other (Explain)						
Total:			86,250			

Total Square Feet All Facilities:	
Permanent:	51,000
Modular:	32,000
Portable:	3,250

Total Building Cost (Per Square Foot)	
ORIGINAL ESTIMATE	CURRENT ESTIMATE / ACTUAL
\$ 400	\$ 409

) is
ect

ADDITIONAL INFORMATION: *This information is being collected to evaluate the bid climate.*

1. How many bidders bid the project? _____
 2. What date did the bid(s) open? _____
 3. How many times was the project re-bid? _____
 4. Please describe the accepted additive/deductive alternates:
 Facilities (e.g., Multi-Purpose, Gym, Library) SQ. FT. _____
 Building Elements (e.g., metal roof, glazing)
 5. Did this contract(s) include any facilities or other construction that has not yet been identified on this form?
 Yes No Explain. _____

 6. Was the project modified due to cost? Yes No
a. What measures were taken? (e.g., permanent to portable) Explain _____

 7. Indicate which facilities or elements were eliminated to meet the project budget and/or indicate any facilities that were added to the project. Provide a brief explanation of why they were eliminated. _____

a. Answer the following question only if the project received an Adjusted Grant fund release on or after November 1, 2007. Were the facilities and/or square footage that was added or deleted approved by:
the CDE Yes No
the DSA Yes No
the SAB Yes No
Please attach the appropriate documentation.
b. Are these buildings considered deferred until a later date? Yes No
If yes, explain. _____

 8. Were there any local requirements or ordinances the district had to meet that were not funded with State funds (e.g., road, street improvements, utilities, fees)? Yes No
a. If yes, were these costs included in the contract? Yes No
b. If yes, please specify the local requirement and the associated cost. _____
_____ Cost: \$ _____
 9. Did you utilize existing architectural plans from another project? Yes No
a. If yes, how many times were these plans re-used within the district? _____ Project Name(s): _____

b. Indicate which other districts have used these plans, if known. _____
Who was the architect? _____
- Comments/Additional Information _____

HIGH PERFORMANCE INCENTIVE GRANT INFORMATION

1. Is this a Financial Hardship Project? Yes No

2. Number of HPRC Points attained: _____

3. Total State Apportionment:.....

	AMOUNT	ESTIMATE	ACTUAL
\$ 20,000,000		<input checked="" type="checkbox"/>	<input type="checkbox"/>
\$ 100,000		<input checked="" type="checkbox"/>	<input type="checkbox"/>
\$ 20,000,000		<input checked="" type="checkbox"/>	<input type="checkbox"/>
\$ 100,000		<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. State Share HPI:.....

4. Total District Match:

a. Total HPI Match:.....

5. Differential Hard Costs of achieving High Performance:

Component/Element	High Performing Cost	Standard Cost	Difference
	\$		
	\$		

6. Differential Soft Costs of achieving High Performance:

Component/Element	High Performing Cost	Standard Cost	Difference
	\$		
	\$		

ADDITIONAL HIGH PERFORMANCE INCENTIVE GRANT INFORMATION

1. Energy Savings:..... \$ _____ ESTIMATE ACTUAL

Description of Energy Savings _____

2. Student Achievement _____

3. Other Benefits realized _____

ATTACHMENT B

Option 1

Eliminate the first SAB Form 50-06 PIW submittal requirement (only submit along with the SAB Form 50-05 and the final SAB Form 50-06):

Section 1859.104. Program Reporting Requirements.

A district receiving funds in accordance with the Act shall submit the following:

....

(g) A School District receiving an Apportionment for high performance incentive grants pursuant to Section 1859.71.6 or 1859.77.4 shall submit a completed Project Information Worksheet to the OPSC for all expenditures related to the additional design and construction costs of the high performance building components. In addition, the School District shall provide information related to resulting energy savings and efficiency, as well as other resulting benefits. The Project Information Worksheet shall be submitted with the Form SAB 50-05 and the District's ~~first and final Forms~~ SAB 50-06.

Note: Authority cited: Sections 17070.35, 17072.13, and 17079.30, Education Code.

Reference: Sections 17070.35, 17070.99, 17072.12, 17072.13, 17076.10 and 17079.30, Education Code.

Option 2

Eliminate the first SAB Form 50-06 PIW submittal requirement and, if the project is a reimbursement, also eliminate the PIW submittal for the final SAB Form 50-06

Section 1859.71. Adjustment to the New Construction Grant.

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January. The base Class B Construction Cost Index shall be 1.30 and the first adjustment shall be January, 1999.

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), may be increased by an additional amount not to exceed six percent in a fiscal year, or decreased, based on the analysis of the current cost to build schools as reported on the Project Information Worksheet (~~New 09/07~~) which shall be submitted with the Forms SAB 50-05 and SAB 50-06 and as approved by the Board. The Project Information Worksheet will not be required with the submittal of the

Form SAB 50-06 for any project that is reported as 100 percent complete at the submittal of the Form SAB 50-05 and at the submittal of the first Form SAB 50-06.

For any changes or additions to the regulations adopted by the Board in 1999, those changes shall be adjusted in accordance with this Section at the time the regulations are adopted.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.10 and 17072.11, Education Code.

Section 1859.104. Program Reporting Requirements.

A district receiving funds in accordance with the Act shall submit the following:

.....

(g) A School District receiving an Apportionment for high performance incentive grants pursuant to Section 1859.71.6 or 1859.77.4 shall submit a completed Project Information Worksheet to the OPSC for all expenditures related to the additional design and construction costs of the high performance building components. In addition, the School District shall provide information related to resulting energy savings and efficiency, as well as other resulting benefits. The Project Information Worksheet shall be submitted with the Form SAB 50-05 and the District's ~~first and final Forms SAB 50-06~~, or if the project is reported as 100 percent complete at the submittal of the Form SAB 50-05 and at the submittal of the first Form SAB 50-06, with the Form SAB 50-05 only, pursuant to (a)(1) and (2) above.

Note: Authority cited: Sections 17070.35, 17072.13, and 17079.30, Education Code.

Reference: Sections 17070.35, 17070.99, 17072.12, 17072.13, 17076.10 and 17079.30, Education Code.

Option 3

Eliminate submittal with the SAB Form 50-05, submittal with the first and final Expenditure Report, SAB Form 50-06.

Section 1859.71. Adjustment to the New Construction Grant.

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January. The base Class B Construction Cost Index shall be 1.30 and the first adjustment shall be January, 1999.

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), may be increased by an additional amount not to exceed six percent in a fiscal year, or decreased, based on the analysis of the current cost to build schools as reported on the Project Information Worksheet (~~New 09/07~~ Revised 05/10) which shall be submitted with the Forms ~~SAB 50-05~~ and SAB 50-06 and as approved by the Board.

For any changes or additions to the regulations adopted by the Board in 1999, those changes shall be adjusted in accordance with this Section at the time the regulations are adopted.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.10 and 17072.11, Education Code.

Section 1859.104. Program Reporting Requirements.

A district receiving funds in accordance with the Act shall submit the following:

...

(g) A School District receiving an Apportionment for high performance incentive grants pursuant to Section 1859.71.6 or 1859.77.4 shall submit a completed Project Information Worksheet to the OPSC for all expenditures related to the additional design and construction costs of the high performance building components. In addition, the School District shall provide information related to resulting energy savings and efficiency, as well as other resulting benefits. The Project Information Worksheet shall be submitted with the ~~Form SAB 50-05~~ and the District's first and final Forms SAB 50-06 pursuant to (a)(1) and (2) above.

Note: Authority cited: Sections 17070.35, 17072.13, and 17079.30, Education Code.

Reference: Sections 17070.35, 17070.99, 17072.12, 17072.13, 17076.10 and 17079.30, Education Code.