



San Mateo High School

## Keeping Busy...

May was a busy month here at the Office of Public School Construction. We've held two subcommittee meetings, closed another Priorities in Funding round, and assisted in opening up access to the Seismic Mitigation Program.

[read more...](#)

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The Office of Public School Construction newsletter

*"To enrich the lives of California's school children as stewards of the taxpayers' commitment to education"*

**EDMUND G. BROWN JR.**  
*Governor, State of California*

**ANNA M. CABALLERO**  
*Secretary, State and Consumer Services Agency*

**FRED KLASS**  
*Director, Department of General Services*



Office of Public School Construction  
STAFF TO THE STATE ALLOCATION BOARD

## Keeping Busy...



**Lisa Silverman**  
Acting Executive Officer

May was a busy month here at the Office of Public School Construction (OPSC). We've held two subcommittee meetings, closed another Priorities in Funding round, and assisted in opening up access to the Seismic Mitigation Program. Among other projects, we're also assisting in the search for a new Assistant Executive Officer (AEO).

The State Allocation Board's (SAB) Subcommittee on Priorities in School Construction Funding/ Cash Management held its fourth hearing last

Tuesday, May 17th, 2011. Then on Wednesday, May 18th, 2011 the SAB's Subcommittee on Seismic Mitigation held its third meeting. In this edition of Building Blocks, we've included articles on both of these topics. Enjoy!

The February Priorities in Funding has come to a close with a 100 percent success rate in funding apportionments! The OPSC has received fund release requests, or has automatically released for design only, applications for all 20 apportionments (totaling approximately \$87.8 million) made in February. So far, we have released approximately \$84.8 million and expect to release the remaining funds soon.

For the entire the second Priorities in Funding round, the SAB approved 488 apportionments (totaling approximately \$1.632 billion from December through February). The OPSC has received fund release requests or has automatically released funds for 487 out of 488 apportionments (totaling approximately \$1.630 billion). To date, we have released approximately \$1.627 billion and expect to release the remaining funds soon. This translates to a 99.92 percent success rate for the second round of Priorities in Funding apportionments!

The AEO position is being advertised in multiple locations. One way of finding the posting is by going to the "Careers" tab on the DGS home page, then by clicking the link labeled, "See all DGS job openings" The final application filing date for the AEO position is Monday, June 20, 2011.

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STAFF TO THE STATE ALLOCATION BOARD

# Meet Assembly Member Curt Hagman

## State Allocation Board Member



There are many in our state with an interest in maintaining and constructing quality schools for our children. The role of the State Allocation Board (SAB), I feel, is to ensure the State bond funds are allocated in accordance with the intent of both the voters and the legislature while still being fair and timely with the school districts. I also feel that we, as a board, have an opportunity to be innovative in the way we fund school projects.

A new action that the SAB could take is to look into the feasibility of public/private partnerships that can be mutually beneficial in many districts. We should use all of the resources that are available to us and keep jobs in the state.

My experience as a parent with children in the public school system prompted my first interest in the way schools were run and how the buildings were constructed. I felt compelled to join the Parent-Teacher Association and work with the local schools. Later, when I was elected to the Chino Hills City Council I gained a much broader view of the education system. What I have taken from these experiences is a desire to find solutions that work. Not all students or communities are the same. We should have the flexibility as a state to allow our solutions and processes to work with the needs of the locals.

I'm honored to have the opportunity to serve on the SAB, providing much needed facilities and construction funding to the school districts of California. If there is any way I may be of help to you in this process, please do not hesitate to contact me.

State Capitol (916) 319-2060  
Chino Hills Office (909) 627-7021

For more information on Assembly Member Curt Hagman, please visit his [website](#).

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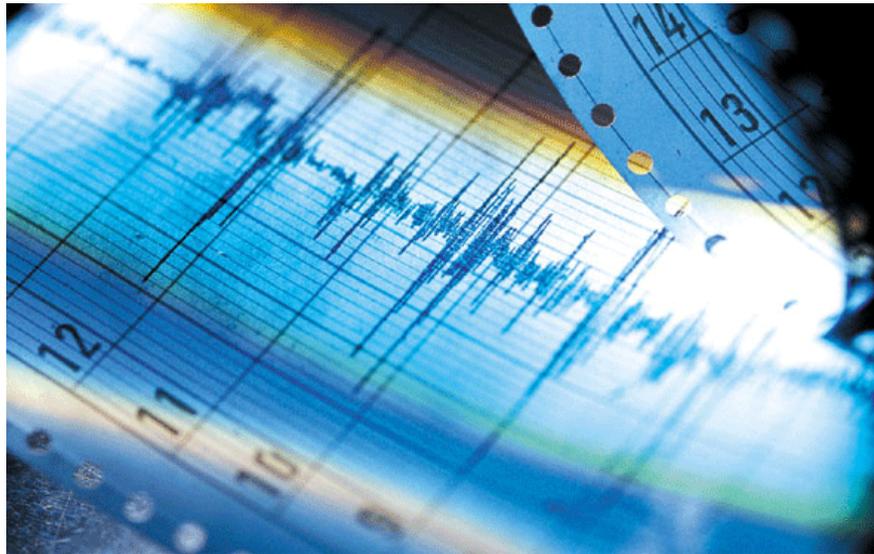
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# Update on the Seismic Mitigation Program

By Alan Shoemaker



In an effort to increase participation, the State Allocation Board (SAB) approved amended requirements for the Seismic Mitigation Program (SMP) at the May 25, 2011 meeting. The Office of Public School Construction (OPSC) will work with the SAB Seismic Mitigation Subcommittee on proposed regulatory amendments.

The approved SMP requirements include:

- Projects must contain a building with any "Category 2" construction type as defined in Assembly Bill 300.
- Projects must have been designed for occupancy by students and staff.
- Application must have an accompanying structural engineer's report identifying the building deficiencies and reason for concluding that the building has a potential for catastrophic collapse in a seismic event, including, but not limited to, ground shaking, liquefaction, faulting, landslide or other identified site risks identified by a geological engineer's report.
- The DSA must provide concurrence with the structural engineer's report.

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To date, four SMP projects have been approved by the SAB. These projects total approximately \$19 million out of \$199.5 million set aside by the Kindergarten-University Public Education Facilities Bond Act of 2006 (Proposition 1D) for seismic repair, reconstruction, or replacement of the most vulnerable school facilities.

The recommendation resulted from three SAB Seismic Mitigation Subcommittee meetings and OPSC’s collaboration with the California Seismic Safety Commission and the Division of the State Architect. The goal was to assess impediments to accessing the SMP and to develop recommendations in order to provide greater accessibility to the SMP.

Meeting agendas and webcasts are available on the OPSC’s [Meeting Archives](#) webpage.

If you are interested in the SMP Facility Hardship grant, please contact: Darlene Newman at (916) 375-4269 or [darlene.newman@dgs.ca.gov](mailto:darlene.newman@dgs.ca.gov) Alan Shoemaker at (916) 376-5359 or [alan.shoemaker@dgs.ca.gov](mailto:alan.shoemaker@dgs.ca.gov)

### Did You Know?

The Office of Public School Construction has been tracking project delivery methods that districts use when construction contracts are let. Since of January 31, 2005:

Method	Projects
Design-Bid-Build	1,793
Design-Build	22
Developer-Built	7
Leas-Lease Back	389
Energy Performance	13
Piggyback	22
Other	152

For detailed information, see the [Construction Delivery Methods](#) item presented at the May SAB Meeting.

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# Cash Management

By Travis Williams

At the May 25, 2011 State Allocation Board (SAB) meeting an item was presented detailing the recommendations of the Subcommittee on Cash Management (Committee). The item was split into three main topics: Fiscal Crisis Regulations, Bond Authority and Cash Management.

## Fiscal Crisis Regulations:

Staff presented the Committee with options on the fiscal crisis regulations for the Charter School Facility Program (CSFP), the Critically Overcrowded Schools (COS) Program and Financial Hardship Re-Reviews. Below are the Committee recommendations:

**CSFP:** The original Committee discussions concerning extending the CSFP fiscal crisis regulations stems from the impact of the funding freeze on the CSFP, as most charter schools do not have the capital to move forward with projects until receiving advance fund releases from the State. Over the course of the Committee meetings, several options were suggested to “level the playing field” between charter schools and districts. To keep things equitable, the SAB approved the Committee recommendation to reserve approximately \$73.5 million out of the next bond sale to provide advance fund releases for site and design for the remaining inactive charter school applications.

**COS:** The SAB approved the Committee recommendation to remove the “inactive” status from the 33 remaining “inactive” COS Preliminary Apportionments. The reactivated projects have approximately ten months to convert or rescind their reservation of bond authority. The fiscal crisis regulations will be allowed to sunset as of July 1, 2011.

**Financial Hardship Re-Reviews:** The SAB approved the Committee recommendation that financial hardship re-reviews should resume. In order to lessen any related workload created for Districts or Staff, re-reviews will be based only on district financial information on or after July 1, 2011 for projects added to the unfunded list between February 25, 2009 and June 30, 2011. In the event that a financial hardship district that was added to an unfunded list prior to July 1, 2011 receives an Apportionment, only the financial information from July 1, 2011 until the Apportionment date will be

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reviewed. For example, if a financial hardship district added to the unfunded list in January 2011 received an Apportionment on November 1, 2011, the re-review would be based on updated information during the time period beginning July 1, 2011, until November 1, 2011 (four months).

**Bond Authority:**

The SAB approved the Committee recommendation that no bonding authority from the Seismic Mitigation Program, the Overcrowding Relief Grant program and the Modernization program should be transferred to alternate programs at this time.

**Cash Management:**

Over the course of the Committee meetings there was strong support by both the Committee and Stakeholders to continue using the current priority funding system. This system has proven to be highly successful during the first two funding rounds.

The SAB approved the Committee recommendation to create two certification filing periods per year. Each period will have a 30-day certification submittal window. The certification will be valid for six months beginning the second Wednesday in January and the second Wednesday in July each year. If a bond sale takes place and cash becomes available, districts that have submitted a certification within the appropriate six-month window will be eligible for priority funding apportionments.

In addition, the SAB will be able to provide ongoing monthly priority funding apportionments from cash returning to the SFP through rescissions, return of savings, or sources of cash other than bond sales. The ongoing apportionments are available to districts that submitted a priority funding certification within the 30-day certification window.

Next Steps: The OPSC will submit regulation updates to Sections 1859.81 (financial hardship) and 1859.90.2 (priority funding process) to the Office of Administrative Law. Once the regulations become effective, updates will be posted on the OPSC website and notifications will be sent to all applicable parties.

Information concerning priority funding filing periods will be posted on the OPSC website as the filing period approaches. Additionally, email notifications will be sent to all districts providing information on upcoming priority funding certification periods.

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# Overcrowding Relief Grant Program Status

By Brigitte Baul

The Overcrowding Relief Grant (ORG) Program has just completed its seventh funding cycle. The ORG program enables districts to reduce the number of portable classrooms on eligible overcrowded school sites by replacing them with permanent classrooms. Since its inception, the ORG program has replaced 1,135 portables with permanent classrooms at 83 overcrowded school sites.

Out of the eight applications received for the seventh cycle, six projects in the amount of \$29,386,360 received unfunded approvals from the State Allocation Board (SAB) at the May meeting. These six projects will replace 72 portable classrooms. The remaining two applications will be presented at a future SAB meeting.

There is still approximately \$421 million in ORG Program bond authority that will be available for an eighth funding cycle. Applications for the eighth funding cycle must be received by the OPSC by July 29, 2011.

For more information, please contact:  
Brigitte Baul at (916) 375-5984 or [Brigitte.Baul@dgs.ca.gov](mailto:Brigitte.Baul@dgs.ca.gov)

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# Career Technical Education Facilities Program Bonding Authority

by Lina Lyda

The State Allocation Board (SAB) approved, at the May 25, 2011 meeting, keeping the third funding cycle of the Career Technical Education Facilities Program (CTEFP) open, allowing applicants to receive all remaining bond authority.

Through project rescissions and loan repayments from the first two funding cycles of the CTEFP have resulted in the return of approximately \$29.4 million in bonding authority. The full \$29.4 million in bond authority will become available at the June 2011 meeting and will be awarded at a future SAB meeting. In addition, the SAB requested that any new bond authority returned be made available to other projects awaiting approval.

The third funding cycle was oversubscribed by 97 applications (over \$135 million). The additional bond authority will be awarded to these projects. At the October 2010 meeting, the SAB awarded unfunded approvals to 77 applications totaling \$94.9 million for the third CTEFP funding cycle.

For more information, please contact:  
Lina Lyda at (916) 375-4027 or [Lina.Lyda@dgs.ca.gov](mailto:Lina.Lyda@dgs.ca.gov).

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**OPSC Webinar Series**

# How to Apply for School Facilities Funding

By Nate Gargiulo

The Office of Public School Construction’s (OPSC) “How to Apply for School Facilities Funding” webinar series has concluded.

Archives, materials, and Q & A sheets for the webinars are available on the [OPSC’s webinar webpage](#).

**Part I: Elements of a Complete Application**

- Overview of the application intake process
- Comprehensive list of required documents for various application types:
  - New Construction eligibility and funding
  - Modernization eligibility and funding
  - District representative update

Recap: The Application Review Team conducted the first OPSC webinar on the application intake process on April 11th, 2011.

**Part II: Site Development Funding**

- Technical and practical tips for design professionals and cost estimators to maximize site development funding for new construction projects.

Recap: The Plan Verification Team conducted the second OPSC webinar on site development costs on April 18th, 2011.

**Part III: New Construction Eligibility and Funding**

- Statutory and regulatory requirements
- Tips for maximizing program eligibility
- Tips to maximize eligibility for supplemental grant funding
- Overview of the OPSC review process

Recap: The New Construction Eligibility and Funding Team conducted the third OPSC webinar on site development costs on April 25th, 2011.

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**Part IV: Modernization Eligibility and Funding**

- Statutory and regulatory requirements
- Tips for maximizing program eligibility
- Tips to maximize eligibility for supplemental grant funding
- Overview of the OPSC review process

Recap: The Modernization Eligibility and Funding Team conducted the fourth OPSC webinar on site development costs on May 2nd, 2011.

**Part V: Site Acquisition Funding**

- Statutory and regulatory requirements
- Documents required to maximize site acquisition funding

Recap: The Site Acquisition Team conducted the fifth OPSC webinar on site acquisition costs on May 9th, 2011.

**Part VI: Financial Hardship**

- Overview of the Financial Hardship review process
- Documents needed to submit a complete Financial Hardship application
- Examples of specific documents to expedite review

Recap: The Financial hardship Team conducted the sixth OPSC webinar on May 16th, 2011.

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# Labor Compliance Program Update

By Tracy Sharp and Bryan O'Dell

## Current Developments:

On Monday, May 2, 2011, the Office of Administrative Law (OAL) suspended the Department of Industrial Relations' (DIR) Senate Bill X2 9 (Chapter 7, Statutes of 2009) regulations for an additional 90 days. These regulations implemented the DIR Compliance Monitoring Unit that administered a Labor Compliance Program (LCP) for State bond funded public works projects.

The regulations went into effect on August 1, 2010 and were temporarily repealed on November 4, 2010. Without the extension of the repeal, the regulations would have come back into effect on May 2, 2011. The extension was requested by the DIR and will expire on August 2, 2011.

According to the Notice of Proposed Extension of Emergency Action, the DIR intends to request that the regulations be permanently repealed in anticipation of future legislation that will require the DIR to further revise the regulations. However, this request would have to be approved by the OAL prior to taking effect. Please read the entire [NOTICE](#) for the full details.

## How does this effect projects?

As a result of the temporary repeal extension, school districts will continue to be subject to the LCP requirements specified in Assembly Bill 1506 (Chapter 868, Statutes of 2002). AB 1506 requires a DIR approved LCP to be administered for every school construction project funded partially or in full from Proposition 47 or Proposition 55. The program can be administered by a third party or directly by a school district, if approved by the DIR. Districts are required to provide verification of LCP compliance when submitting the *Fund Release Authorization* (Form SAB 50-05). Projects funded from Proposition 1D are not subject to the AB 1506 LCP requirements.

For more information, please contact your project manager or Bryan O'Dell at (916) 375-4271 or [Bryan.ODell@dgs.ca.gov](mailto:Bryan.ODell@dgs.ca.gov).

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# Bond Proceeds Released

By Michael Watanabe

The Office of Public School Construction has processed the following fund releases from 2009 and 2010 bond sales as of May 25, 2011:

**March 2009 Bond Sale:**

Total funds released: \$528.73 million of \$528.8 million — 99 percent  
Total projects: 234 projects have received funds

**April 2009 Bond Sale:**

Total funds released: \$1.375 billion of \$1.438 billion — 96 percent  
Total projects: 397 projects have received funds

**October 2009 Bond Sale and November 2009 Commercial Paper:**

Total funds released: \$434.3 million of \$509.5 million — 85 percent  
Total projects: 207 projects have received funds

**November 2009 Bond Sale and December 2009 Commercial Paper:**

Total funds released: \$83.9 million of \$111.4 million — 75 percent  
Total projects: 33 projects have received funds

**March 2010 Bond Sale:**

Total funds released: \$1.157.6 billion of \$1.351.3 billion — 86 percent  
Total projects: 249 projects have received funds

**November 2010 Bond Sale:**

Total funds released: \$1.342.8 million of \$1.483.1 billion — 91 percent  
Total projects: 429 projects have received funds

See [Status of Funds](#) for more details.

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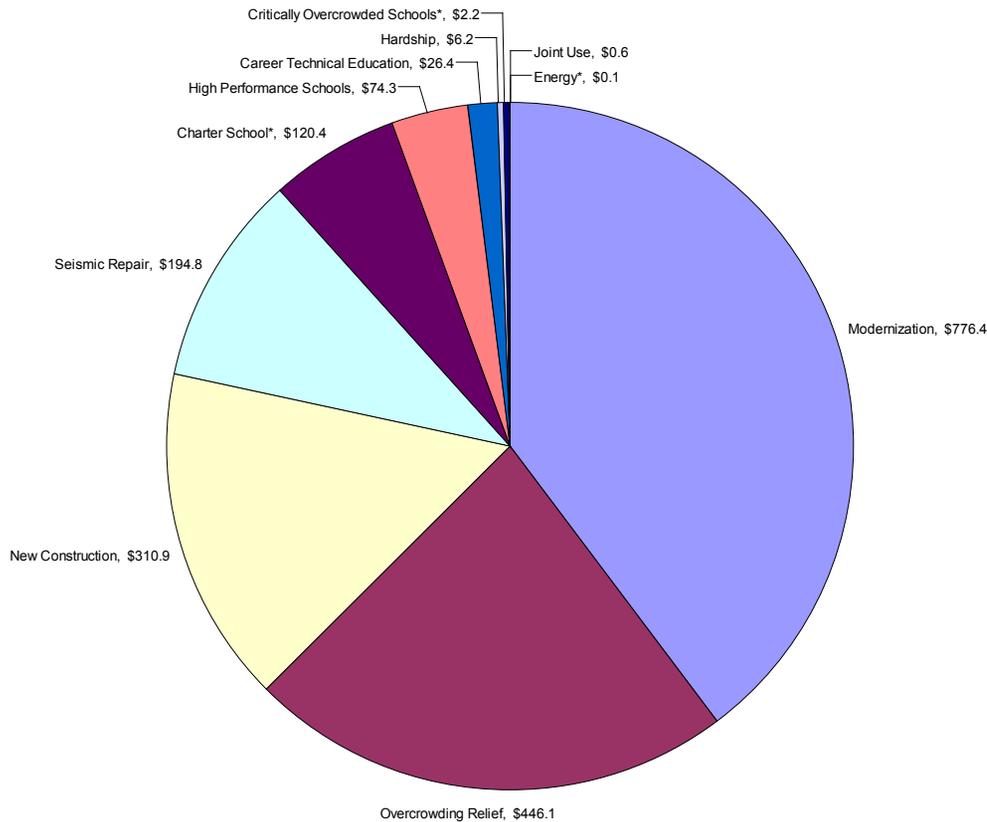
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## Remaining Bond Authority - \$1.958 billion

(by program, in millions)  
as of May 25, 2011



\* These funds could be transferred.

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# Regulatory Update

## Geographic Percentage Factor for Santa Catalina Island

- Adopted at the December 15, 2010 State Allocation Board (SAB) meeting.
- Proposed regulatory amendment allows for 50 percent for excessive cost due to geographic location for Santa Catalina Island only.
- Amends School Facility Program (SFP) Regulations Section 1859.83.
- Submitted to the Office of Administrative Law on 04/06/11.

## Labor Compliance Program Compliance Deadline Regulations

- Adopted on an emergency basis at the February 23, 2011 SAB meeting.
- Proposed regulations provide that school districts that awarded construction contracts between August 1, 2010 and November 4, 2010 and that were funded from Propositions 47 or 55, must have a labor compliance program in place by May 1, 2011.
- Amends SFP Regulations Sections 1859.90 and 1859.106 and the Fund Release Authorization (Form SAB 50-05).
- Review process continues.

Note: Regulations become effective upon review and approval of the Office of Administrative Law.

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# Building Blocks

The Office of Public School Construction newsletter

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*E-mail this newsletter.*

**Lisa Silverman**  
Acting Executive Officer  
State Allocation Board/OPSC  
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Office of Public School Construction  
STAFF TO THE STATE ALLOCATION BOARD

# OPSC Deadlines and Key Dates

## Upcoming Meetings

### State Allocation Board (SAB) - [View SAB calendar](#)

- June 22, 2011 (Wednesday) 4:00 p.m.
- July 12, 2011 (Tuesday) 2:00 p.m.

### OPSC/DSA/CDE Pre-SAB Meeting Forums

- June 22, 2011 (Wednesday) 9:30 a.m.
- July 12, 2011 (Tuesday) 9:30 a.m.

### Implementation Committee - [View IMP calendar](#)

- June 9, 2011 (Thursday) Cancelled
- July 14, 2011 (Thursday) 9:30 a.m. – 3:30 p.m.

### SAB Seismic Mitigation Sub-Committee Hearing, Part IV - [View notice](#)

- June 9, 2011 (Thursday) 2:00 p.m. - 4:00 p.m.

## Upcoming Deadlines

### Overcrowding Relief Grant Funding Cycle:

- Deadline to submit funding applications for the eighth funding cycle:
- July 29, 2011

### Annual Unused Site Certification:

- Certification of Unused Sites* (Form SAB 423) due:
- July 1, 2011

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