

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, June 27, 2012

PRIORITY FUNDING PROCESS REGULATORY AMENDMENTS

PURPOSE OF REPORT

To clarify the priority funding process and to present proposed amendments to the School Facility Program (SFP) Regulations that would improve the process.

DESCRIPTION

At the February 22, 2012 State Allocation Board (Board) meeting, Office of Public School Construction (OPSC) Staff presented a report that provided a general overview of the priority funding process, highlighting the three main steps associated with priority funding: the school district's priority funding request, the apportionment and the fund release. In response to Staff's report, the Board directed the State Allocation Board Implementation Committee to discuss this topic.

Having discussed the process at the May and June 2012 Implementation Committee meetings, Staff proposes amending the SFP Regulations by adjusting the priority funding filing periods and extending the length of time that priority funding requests are valid.

AUTHORITY

See Attachment A.

BACKGROUND

At the February 22, 2012 meeting, the Board directed the Implementation Committee to discuss the priority funding process and to include the following policy questions in that discussion:

- When Staff becomes aware that funds will be available, should those funds only be apportioned to projects in that priority funding round?
- What is the procedure for districts that did not receive an apportionment during a priority funding round? Should those projects receive an apportionment before other projects during the next priority funding round because they have been "ready for their apportionment" for a longer period of time?
- When funds are returned to the SFP, are they returned to the bond source and program (New Construction, Modernization, etc.) from which they were originally apportioned?

Requests to participate in a priority funding round must be physically received by the OPSC on or before the close of each specific filing period. Filing periods begin on the second Wednesday of January and the second Wednesday of July each calendar year and last for 30 calendar days. These requests are valid until the next filing period begins. For example, a valid request submitted during the January 2012 filing period will be valid until the close of business on July 10, 2012 (the next filing period begins on July 11, 2012).

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STAFF ANALYSIS/STATEMENTS

At the May Implementation Committee meeting, the Committee discussed policy questions related to funds becoming available, methods for funding prioritization, and funds returning.

When Staff becomes aware that funds will be available, should those funds only be apportioned to projects in that priority funding round?

Staff becoming aware that funds will be available (such as through a project rescission) is only the first step in the apportionment process. Other Staff work involved in identifying available funds, and the Board apportioning those funds, includes bond fund account reconciliation with the State Controller's Office and other fiscal reviews. The intent of the regulations is that Staff must complete its work with time to publish a public meeting notice in accordance with Bagley-Keene open meeting laws in order for funds to be considered "available." Because this process takes time to complete, the point in time when Staff becomes aware that funds will be available and the point in time when the funds are considered available for the Board to apportion may be in two different priority funding rounds.

Staff has not reserved funds for projects with valid priority funding requests in one round to be apportioned to those projects during the next round. The Implementation Committee reached a consensus that this practice of not reserving funds for specific projects should continue.

What is the procedure for districts that did not receive an apportionment during a priority funding round? Should those projects receive an apportionment before other projects during the next priority funding round because they have been "ready for their apportionment" for a longer period of time?

Pursuant to SFP Regulation 1859.90.2, in the event that the amount of requests for apportionments received during a specific 30-day filing period exceeds the funds available, the Board apportions based on the SAB approval date and the application received date up to the available cash from each bond source.

Districts that do not receive an apportionment during a priority funding round may submit a new request for apportionment during the next filing period. The Implementation Committee reached consensus that, at this time, multiple priority funding requests should not result in a higher funding priority. One committee member requested that the topic of prioritizing projects based on factors other than Board unfunded approval date be discussed further.

When funds are returned to the SFP, are they returned to the bond source and program (New Construction, Modernization, etc.) from which they were originally apportioned from?

When funds are returned to the program, they are returned to the restricted fund (such as Build America Bonds) of origin. Cash returned from a New Construction project does not need to be apportioned to another New Construction project. For example, cash returned that had originally funded a Proposition 1D New Construction project may be used to fund a Proposition 1D Modernization project, provided the Modernization project can access the same restricted fund.

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STAFF ANALYSIS/STATEMENTS (cont.)

In reviewing the priority funding process, improvements to the process were discussed at the May and June Implementation Committee meetings. The improvements, as described below, are demonstrated in Attachments D and E.

Increase Opportunities for Apportionments

Current regulations identify districts' certifications as being valid until the next filing period begins. Therefore, the Board was not able to approve apportionments at its January 2012 meeting because the previous round's requests were no longer valid and the current round's filing period had not yet ended. Additionally, Staff was not able to present apportionments for the Board to approve at its February 2012 meeting because the end of the filing period (February 9) and the Board meeting (February 22) did not leave enough time to analyze the requests and to prepare apportionment recommendations for the February Board meeting.

In order to increase the opportunities the Board has to approve apportionments, Staff recommends amending SFP regulations to provide that priority funding requests remain valid until beyond the end of the next filing period deadline. As a result, every Board meeting may contain apportionment items.

New 30-day filing periods

The first filing period of the year begins on the second Wednesday of January and ends in mid-February. The second period begins on the second Wednesday of July and ends in mid-August.

Bond sales typically occur during spring and fall. A mid-May to mid-June filing period would allow Staff time to provide up-to-date information to the Department of Finance (DOF) on July 1; thus assisting DOF in making projections of cash needs for potential fall bond sales. A mid-November to mid-December filing period would allow Staff time to provide information to DOF on January 1; thus assisting DOF in making projections for potential spring bond sales.

In addition to the improvements to the priority funding process described above, Staff is also recommending technical, nonsubstantive amendments to the priority funding regulations.

PROPOSED AMENDMENTS

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

SFP REGULATION SECTION 1859.90.2.

Staff recommends amending SFP regulations so that:

- one filing period begins in mid-May and ends in mid-June. Requests filed during this period will be eligible for an apportionment between July 1 and December 31 of that year.

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STAFF ANALYSIS/STATEMENTS (cont.)

- the next filing period begins in mid-November and ends in mid-December. Requests filed during this period will be eligible for an apportionment between January 1 and June 30 of the following year.

Because the proposed filing periods and priority funding rounds would overlap with the current filing periods and priority funding rounds, Staff recommends a transition period in 2013. The transition would include the current January to February filing period. Requests filed during that period would be eligible to receive an apportionment until June 30 instead of the current July 9. Requests filed during the new May to June filing period would be eligible to receive an apportionment starting July 1.

The proposed regulations were discussed at the June 2012 Implementation Committee meeting and the Implementation Committee reached a consensus that the proposed regulations would improve the process.

FUND RELEASE AUTHORIZATION (FORM SAB 50-05)

The Form SAB 50-05 has an outdated reference that Staff proposes updating.

RECOMMENDATIONS

1. Adopt the proposed regulations as shown on Attachments B and C.
2. Authorize the Executive Officer to file the proposed regulations with the Office of Administrative Law.

This Item was approved by the State Allocation Board on June 27, 2012.

ATTACHMENT A

AUTHORITY

Budget Letter 10-09 requires that if there are insufficient bond proceeds, departments and agencies are responsible for prioritizing the projects that will be funded consistent with the prioritization criteria outlined (including job creation). It also indicates that if bond proceeds are not managed efficiently, additional bonds may not be sold for the program.

Government Code Section 15503 states:

Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Education Code Section 17070.35(a) states:

In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following:

- (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter...
- (2) Establish and publish any procedures and policies in connection with the administration of this chapter as it deems necessary...

SFP Regulation Section 1859.90.2 states:

The priority funding process allows the Board to distribute available funds to districts or charter schools who request an Apportionment or an advance release of funds from a Preliminary Apportionment or Preliminary Charter School Apportionment during specific 30-calendar day filing periods beginning with July 27, 2011 and continuing with the 2nd Wednesday of January and the 2nd Wednesday of July each calendar year. Certifications are valid until the next filing period begins. Requests must be physically received by the OPSC by the 30th calendar day to be considered valid. During any priority funding process a district or charter school must submit the Form SAB 50-05 within a specified time period of the Apportionment or approved advance release of funds request, pursuant to (a)(2) or (b)(2) of this section. Projects receiving an apportionment as part of the priority funding process for which the OPSC does not physically receive an original signature copy of the Form SAB 50-05 within the appropriate time limit shall be rescinded without further Board action.

(a) In order to be considered for an Apportionment, approved advance release of design funds from a Preliminary Charter School Apportionment, or approved advance release of environmental hardship site acquisition funds from a Preliminary Apportionment, the district or charter school must provide a written statement signed by an authorized representative that includes each of the project application numbers, and the type of apportionment request (e.g., Apportionment, separate apportionment for design or site acquisition), within the 30 calendar day filing period that contains all of the following:

- (1) Request to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and
- (2) Concurrence with a 90 calendar day time limit on fund release; and
- (3) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within the 90 calendar day time limit and failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and
- (4) For those receiving an Apportionment, acknowledgement that by participating in the priority funding

process, the district or charter school is waiving its right to a standard 18 month timeline for fund release submittal.

(b) In order to be considered for an approved advance release of site acquisition funds from a Preliminary Charter School Apportionment, the district or charter school must provide a written statement signed by an authorized representative within the 30 calendar day filing period that contains all of the following:

- (1) Request to convert the advance release of funds to an approved advance release of funds request; and,
- (2) Concurrence with a 180 calendar day time limit on fund release; and
- (3) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within the 180 calendar day time limit and failure to do so will result in the rescission of the approved advance release of funds request without further Board action; and
- (4) Acknowledgement that it must provide evidence that it has entered into the Charter School Agreements within 90 calendar days of approval of the advance release of funds request and failure to do so will result in the rescission of the approval without further Board action.

In the event that the amount of requests received during a specific 30-day filing period exceeds the funds available, the Board shall apportion based on the unfunded approval date and the application received date up to the available cash from each bond source. Projects that have requested to participate in the priority funding process for which an Apportionment cannot be provided shall retain their date order position on the Unfunded List. Request letters of projects not converted to apportionments will not be returned to the district or kept by the Office of Public School Construction.

For purposes of this section “rescinded” or “rescission” shall mean that the apportionment or approved advance release of funds request returns to unfunded approval status with a new unfunded approval date. The new unfunded approval date will be 90 calendar days after the apportionment date. The district or charter school will not be required to re-submit the application and no further application review will be required.

SFP Regulation Section 1859.129(b)(2) states:

Has 18 months from the date the [Division of State Architect] DSA and [California Department of Education] CDE approved plans were submitted to the OPSC to submit a completed Form SAB 50-05 or the apportionment will 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.”

SFP Regulation Section 1859.197 (b)(2) states:

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.

ATTACHMENT B

Section 1859.90.2. Priority Funding Process.

The priority funding process allows the Board to distribute available funds to districts or charter schools ~~who that~~ request, pursuant to (a) or (b) below, as applicable, an Apportionment or an advance release of funds from a Preliminary Apportionment or Preliminary Charter School Apportionment, during specific 30-calendar day filing periods beginning with July 27, 2011 and continuing with the 2nd Wednesday of January and the 2nd Wednesday of July ~~each calendar year of 2012~~. ~~Certifications~~ Requests submitted during the filing periods described above are valid until the next filing period begins. The specific 30-calendar day filing periods subsequent to 2012 begin with January 9, 2013 and continue with the 2nd Wednesday of May and the 2nd Wednesday of November, each calendar year. Requests submitted during the filing period beginning with January 9, 2013 are valid until June 30, 2013. Requests submitted during a filing period beginning with the 2nd Wednesday of May are valid from July 1 until December 31 of that year. Requests submitted during a filing period beginning with the 2nd Wednesday in November are valid from January 1 until June 30 of the following year. Requests must be physically received by the OPSC by the 30th calendar day of each filing period to be considered valid.

During ~~the any~~ priority funding process a district or charter school must submit a valid, original signature copy of the Form SAB 50-05 within a specified time period of the Apportionment or approved advance release of funds request, pursuant to (a)(2) or (b)(2) of this section, as applicable.

Projects receiving an apportionment as part of the priority funding process for which the OPSC does not physically receive ~~an a valid~~, original signature copy of the Form SAB 50-05 within the ~~appropriate~~ time limit pursuant to (a)(2) or (b)(2) of this section, as applicable, shall be rescinded without further Board action.

- (a) In order to be considered for an Apportionment, approved advance release of design funds from a Preliminary Charter School Apportionment, or approved advance release of environmental hardship site acquisition funds from a Preliminary Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative that includes each of the project application numbers, and the type of apportionment request (e.g., Apportionment, separate apportionment for design or site acquisition), within the 30-calendar day filing period, and shall contain ~~that contains~~ all of the following:
- ~~(1)~~ Statement that the request is Request to convert the unfunded approval to an Apportionment or to receive an approved advance release of funds; and
 - ~~(2)~~ Concurrence with a 90 calendar day time limit on fund release; and
 - ~~(3)~~ (2) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within the 90 calendar day days time limit of Apportionment or approved advance release of funds request and that failure to do so will result in the rescission of the Apportionment or approved advance release of funds request without further Board action; and
 - ~~(4)~~ (3) For those receiving an Apportionment, acknowledgement that by participating in the priority funding process, the district or charter school is waiving its right to a standard the 18 month timeline for fund release submittal described in Section 1859.90.
- (b) In order to be considered for an approved advance release of site acquisition funds from a Preliminary Charter School Apportionment, the district or charter school must provide a priority funding request in the form of a written statement signed by an authorized representative within the 30-calendar day filing period, and shall contain ~~that contains~~ all of the following:
- ~~(1)~~ Statement that the request is Request to convert the advance release of funds to an approved advance release of funds request; and,
 - ~~(2)~~ Concurrence with a 180 calendar day time limit on fund release; and
 - ~~(3)~~ (2) Acknowledgement that a valid, original signature Form SAB 50-05 must be submitted and physically received by the OPSC within the 180 calendar day days time limit of the approved advance release of funds request and that failure to do so will result in the rescission of the approved advance release of funds request without further Board action; and

~~(4)~~(3) Acknowledgement that it must provide evidence that it has entered into the Charter School Agreements within 90 calendar days of approval of the advance release of funds request and that failure to do so will result in the rescission of the approval without further Board action.

In the event that the amount of requests received during a specific 30-calendar day filing period exceeds the funds available, the Board shall apportion based on the unfunded approval date and the application received date up to the available cash from each bond source. Projects that have requested to participate in the priority funding process for which an Apportionment cannot be provided shall retain their date order position on the Unfunded List. ~~Request~~ Requests ~~letters of projects~~ not converted to apportionments will not be returned to the district or kept by the Office of Public School Construction OPSC.

For purposes of this section “rescinded” or “rescission” shall mean that the apportionment or approved advance release of funds request returns to unfunded approval status with a new unfunded approval date. The new unfunded approval date will be 90 calendar days after the apportionment date. The district or charter school will not be required to re-submit the application and no further application review will be required.

Note: Authority cited: Section 17070.35, Education Code.

Reference: Sections 17072.12, 17072.30, 17074.16, 17076.10, 17077.40, 17077.42 and 17077.45, Education Code.

GENERAL INFORMATION

(Refer to Title 2, California Code of Regulations, Sections 1859.90 and 1859.91)

After a School Facility Program (SFP) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the district has completed and submitted this form to the OPSC. Design funds will automatically be released to the district within 30 days of the apportionment, with the exception of Preliminary Apportionments.

The following documents must be submitted with this form (as appropriate):

1. Signature page of the contract(s) that meets the requirement for a fund release (Part V and/or VII).
2. Notice(s) to Proceed.
3. For projects for which construction contracts were awarded prior to January 1, 2012, and that require a Labor Compliance Program pursuant to Labor Code Section 1771.7:
 - All school district and/or third party provider Department of Industrial Relations approval letters (initial, extension(s) and/or final).
 - Third party contract(s).
4. For all projects for which construction contracts are awarded on or after January 1, 2012:
 - Acknowledgement from the Department of Industrial Relations (DIR) of receipt of the district's notice. However, if the construction contract was awarded between January 1, 2012 and July 1, 2012, a copy of the Notice to DIR from the district with proof of mailing will be accepted in lieu of the DIR acknowledgement. The district understands that if it fails to meet the requirements in Labor Code Section 1771.3, it will be required to repay all state bond funds received including interest.
5. For new construction projects that complete Part V attach:
 - Accepted bid documents including additive/deductive alternates.

For the purposes of completing this form to obtain a fund release for a Final Charter School Apportionment, a charter school shall be treated as a school district.

For the purposes of completing this form to obtain a fund release for a Final Career Technical Education Facilities Apportionment, a joint powers authority shall be treated as a school district.

SPECIFIC INSTRUCTIONS

Part I. Preliminary Apportionment—Design Only

Check the boxes if the district has current financial hardship status pursuant to Section 1859.81 and is requesting release of Preliminary Apportionment funds for design, engineering, and other preconstruction project costs. Attach to this form the California Department of Education (CDE) Letter pursuant to Section 1859.149(a)(2).

Part II. Preliminary Charter School Apportionment

Check the boxes if the charter school is requesting a release of a Preliminary Charter School Apportionment for design and/or separate site apportionment pursuant to Section 1859.164.2. Attach to this form the Charter School Agreements.

Part III. Separate Site Apportionment

Check the box, for release of a separate site apportionment provided pursuant to Sections 1859.75.1 or 1859.81.1 or for release of Preliminary Apportionment site only acquisition pursuant to 1859.153(b) or (c).

Part IV. Overcrowding Relief Grant - Advance Site Funds

Check the boxes if the district is requesting an advance release of funds pursuant to Section 1859.184.1.

Part V. New Construction/Modernization/Charter School Rehabilitation

Check the box(es) for release of new construction, modernization or rehabilitation funds and enter the following:

- a. Date of written approval by the Division of the State Architect (DSA).
- b. Enter the percent of the construction the district has under binding contract(s).
- c. Issue date of the Notice to Proceed for the construction phase of the project(s); and,
- d. Award date(s) of the construction contract(s) entered into by the district for this project. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

For Final Charter School Apportionment attach to this form the Charter School Agreements if not previously submitted or if since revised.

Part VI. New Construction—Site Acquisition Only

Check the boxes if the district is requesting a separate release of site acquisition funds as part of a new construction project.

Part VII. Joint-Use Projects

Check the boxes if the district is requesting release of joint-use project funds.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

Check the appropriate box(es) that identify the district funding sources that have or will be used for the district's share of the project.

Part IX. Career Technical Education Facilities Projects

Check the appropriate box(es) in Part VIII if the district is requesting a release of Career Technical Education Facilities funds.

Part X. Identify District's Construction Delivery Method

Check the appropriate box that identifies the construction delivery method that the district utilized for this project.

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

Part I. Preliminary Apportionment—Design Only

- The district certifies it has complied with Section 1859.149(a).
- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- The district certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

Part II. Preliminary Charter School Apportionment

A. Design Only

Pursuant to Section 1859.164.2(a), must be able to check all boxes:

- The Charter School certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the Charter School for the project
 - will be expended by the Charter School prior to the Notice of Completion for the project
- The Charter School certifies it has current financial soundness status from the California School Finance Authority.
- The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

B. Separate Site Apportionment

Pursuant to Section 1859.164.2(b), must be able to check all boxes:

- Release site acquisition funds. The Charter School certifies the funds are needed to place on deposit in order to secure the site acquisition.
- The Charter School certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the Charter School for the project
 - will be expended by the Charter School prior to the Notice of Completion for the project
- The Charter School certifies it has current financial soundness status from the California School Finance Authority.
- The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

Part III. Separate Site Apportionment

- RA on additions to existing school sites pursuant to Section 1859.74.4.

Pursuant to Sections 1859.75.1 or 1859.81.1, district must be able to check both boxes:

- Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.
- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund

Part IV. Overcrowding Relief Grant - Advance Site Funds

Pursuant to Section 1859.184.1, districts that have received Financial Hardship approval that are acquiring sites through condemnation must be able to check all boxes:

- Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.
- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- The district certifies that it will produce an order of prejudgement possession once obtained from the court, and prior to any additional fund releases for the project.

Part V. New Construction/Modernization/Charter School Rehabilitation

District/Charter School must be able to check all boxes:

- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- The district certifies it has entered into a binding contract(s) for ____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), which received written DSA approval on _____, and has issued the Notice(s) to Proceed on _____ for that contract(s) awarded on _____.
 (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
- If the district certified compliance with Education Code Section 17070.955 on its Application for Funding (Form SAB 50-04) and if it was not previously sent with the Form SAB 50-04, then the district must submit written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.

The Charter School must also be able to check the following box:

- The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

The amount of State funds released for new construction shall be 100 percent of the total SFP New Construction Adjusted Grant, less any site acquisition funds previously released in Part III.

The amount of State funds released for modernization shall be 100 percent of the SFP Modernization Adjusted Grant.

Part VI. New Construction—Site Acquisition Only

District must be able to check both boxes:

- The district certifies it has entered escrow for the site (attach copy of escrow instructions).
- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project

The amount of State funds released shall be equal to the additional grant provided for site acquisition.

Part VII. Joint-Use Projects

- The district certifies that the Joint-Use Partners' financial contribution has either:
 - been received and deposited in the County School Facility Fund
 - has been received and expended by the district
 - will be received and expended by the district prior to the Notice of Completion for the project
- The district certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), and has issued the Notice to Proceed on _____ for that contract signed on _____.

The amount of State funds released for new construction shall be 100 percent of the Joint-Use Grant.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

- Available bond funds such as general obligation, or Mello-Roos.
- Available developer fees, proceeds from the sale of surplus property, or federal grants.
- Other funds available (identify)
- Funds already expended by the district for the project.
- Funds already expended by the Joint-Use Partners for the project.
- Future revenue sources to be used for the project (identify)

Part IX. Career Technical Education Facilities Projects

- The district certifies that its applicable matching share has either:
 - been deposited in the County School Facility Fund
 - has already been expended by the district for the project
 - will be expended by the district prior to the Notice of Completion for the project
- If the district requested a loan for its matching share pursuant to Section 1859.194, the district certifies that it has entered into a loan agreement with the State.

Part X. Identify District's Construction Delivery Method

- Design-Bid-Build
- Design-Build
- Developer Built
- Lease Lease-Back
- Energy Performance Contract
- This project includes or will include piggyback contract(s), as defined in Section 1859.2
- Other: _____

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am an authorized representative of the district as authorized by the governing board of the district; and
- The site where buildings will be modernized or rehabilitated must comply with Education Code Sections 17212, 17212.5, and 17213; and,
- The grant amount provided by the State, combined with local matching funds or the Joint-Use Partner's financial contribution, are sufficient to complete the school construction project, unless the request is for a separate site and/or design apportionment; and,
- The district has or will comply with the Public Contract Code regarding the use of force account labor; and,
- This project for which the grant amount is provided complies with Education Code Sections 17070.50 and 17072.30; and,
- The district shall certify at the time of a fund release for the project that it complies with Section 1859.90.13.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC). In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- If required by Labor Code Section 1771.7, the district has initiated and enforced a Labor Compliance Program that has been approved by the DIR.
- If required by Labor Code Section 1771.3(a), the district will contract with the DIR for the required Prevailing Wage Monitoring and Enforcement, or the requirement is waived 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.

SIGNATURE OF DISTRICT OR JPA REPRESENTATIVE	DATE
NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER

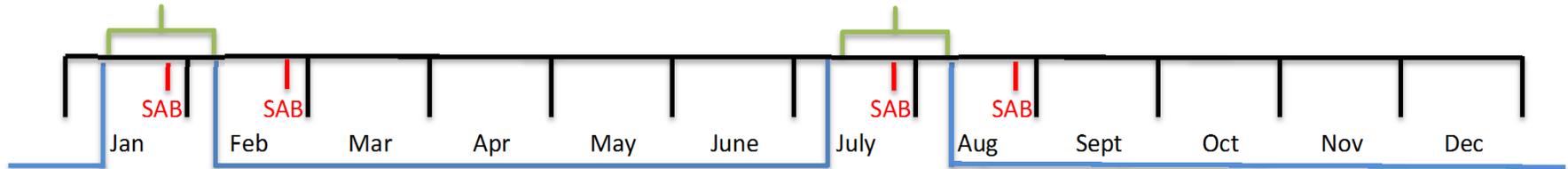
ATTACHMENT D

2013

Priority Funding Round Timelines - Current Process

Request Filing Period
1/9/13 - 2/7/13
Eligible for Apportionments
until 7/9/13

Request Filing Period
7/10/13 - 8/8/13
Eligible for Apportionments
until 1/7/14



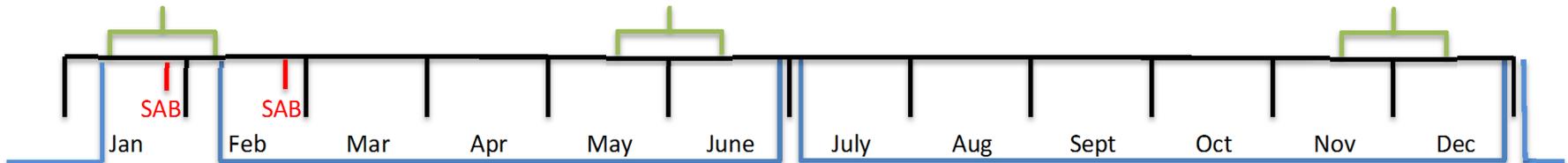
No apportionments in January, February, July, or August.

Priority Funding Round Timelines - Proposed Process

Request Filing Period
1/9/13 - 2/7/13
Eligible for Apportionments
until 6/30/13

Request Filing Period
5/8/13 - 6/6/13
Eligible for Apportionments
7/1/13 - 12/31/13

Request Filing Period
11/13/13 - 12/12/13
Eligible for Apportionments
1/1/14 - 6/30/14



No apportionments in January or February.

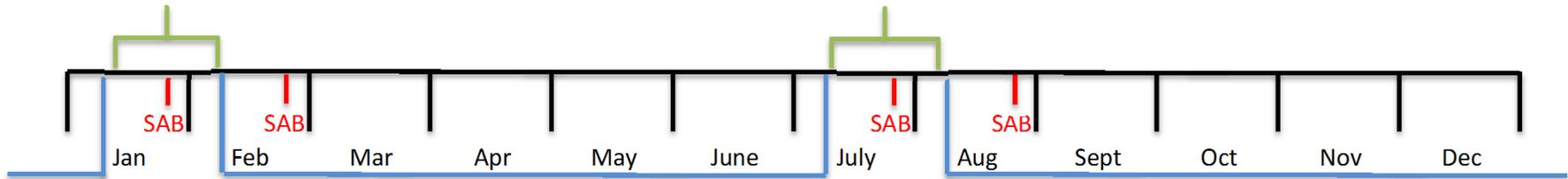
ATTACHMENT E

2014

Priority Funding Round Timelines - Current Process

Request Filing Period
1/8/14 - 2/6/14
Eligible for Apportionments
until 7/8/14

Request Filing Period
7/9/14 - 8/7/14
Eligible for Apportionments
until 1/13/15



No apportionments in January, February, July, or August.

Priority Funding Round Timelines - Proposed Process

Request Filing Period
5/14/14 - 6/12/14
Eligible for Apportionments
7/1/14 - 12/31/14

Request Filing Period
11/12/14 - 12/11/14
Eligible for Apportionments
1/1/15 - 6/30/15

