

STATE ALLOCATION BOARD AGENDA

Meeting Date: January 23, 2013

**State Capitol
Room 447
4:00 p.m.**

Revision date: 01/23/2013

Consent – Insert pp. 161a – 161h

Thank you,

Ron Koepl
Office of Public School Construction
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REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 23, 2013

SCHOOL DISTRICT DATA

School District:	OAKLAND UNIFIED	County:.....	ALAMEDA
Application Number:.....	58/61259-00-01	School Name:.....	MONTERA MIDDLE
Total District Enrollment:.....	46,472	Project Grade Level:.....	6-8
Financial Hardship:.....			NO

PURPOSE OF REPORT

Type of Request	State Allocation Board (Board) unfunded approval for a School Facility Program (SFP) Facility Hardship Seismic Mitigation Program (SMP) Rehabilitation project.
Estimated Total Project Cost	\$669,382
Estimated Cost to the State	\$334,691

DESCRIPTION

Description of Health and Safety Threat	The District’s structural engineer found the gymnasium building at Montera Middle was in need of seismic upgrades to avoid the potential for catastrophic collapse in the event of seismic activity. The building was originally constructed in 1957. The report prepared by ZFA Structural engineers dated January 28, 2011 concludes that load path and wall anchorage deficiencies are associated with the building having a high potential for local or global collapse in the event of seismic activity. The building qualifies for the SMP based on the qualifying criteria in Education Code Section 17075.10 and SFP Regulation Section 1859.82.
Scope of Project	The scope of the project includes the seismic rehabilitation of the gymnasium building.
Status of School Site	The rehabilitation work for the gymnasium is complete and the building is currently in use.

QUALIFYING CRITERIA

Government/State Level Concurrence	The gymnasium building was a Most Vulnerable Category 2 Building type as defined in SFP regulations and has met qualifying criteria of the SMP. The Division of the State Architect has approved the District for Phase One (Eligibility Evaluation), Phase Three (Seismic Rehabilitation Pre-Application) and Phase Four (Project Application - final plan approval) for the SMP. These approvals enable the District to apply for funding from the Board.
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QUALIFYING CRITERIA (cont.)

Staff Supports the District's Request	Yes
Site Visit Completed by Staff	Staff accepted reports by industry specialists and DSA approval in lieu of a site visit.

AUTHORITY

See Attachment A

RECOMMENDATIONS

1. Approve the District's request for an unfunded approval for the seismic rehabilitation of the gymnasium at the Montera Middle School site, pursuant to the SFP Regulation Section 1859.82, as provided on Attachment B.
2. Provide that the State portion of any and all project savings realized from the funding of this rehabilitation project must be returned to the State.

ATTACHMENT A

AUTHORITY

Education Code Section 17075.10(a) states,

A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

SFP Regulation Section 1859.82 states, "A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils.

SFP Regulation Section 1859.82 further states, "A district may request a determination of eligibility for facility hardship funding in advance of project funding."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when,

The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

SFP Regulation Section 1859.82(a)(1)(B) states,

If the request is for replacement facilities that included structural and/or seismic deficiencies, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain DSA approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the DSA. For seismic deficiencies of the Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

(C) The seismic mitigation projects must meet all of the following requirements:

1. The construction contract was executed on or after May 20, 2006;
2. The project funding provided shall be for the minimum work necessary to obtain DSA approval;
3. The building is designed for occupancy by students and staff; and
4. The DSA concurs with a report by a structural engineer, which identifies structural deficiencies that pose an unacceptable risk of injury to its occupants in a seismic event. If the unacceptable risk of injury is due to the presence of faulting, liquefaction or landslide, these hazards must be documented by a geologic hazards report prepared by an engineering geologist in accordance with California Building Code, Part 2, Chapter 18, section 1803A and with the concurrence of the California Geological Survey.

The structural engineer's report shall conform to the guidelines prepared by the DSA, in accordance with Education Code Section 17310.

SCHOOL DISTRICT DATA

Application No: 58/61259-00-001 County: Alameda
 School District: Oakland Unified School Name: Montera Middle

PROJECT DATA

Type of Project: Elementary School Application Filing Basis: Site Specific
 Pupils Assigned Under 50 Yrs: K-6:
 7-8:
 9-12:
 Non-Severe:
 Severe:
 Financial Hardship Requested: No Recommended Acres: 15
 Alternative Education School: No Existing Acres: 19

ADJUSTED GRANT DATA

Rehabilitation	\$ 334,273.00
Prevailing Wage Monitoring	418.00
Total State Share (50%)	334,691.00
District Share (50%)	334,691.00
Total Project Cost	<u>\$ 669,382.00</u>

PROJECT FINANCING

<u>State Share</u>	
This Project	\$ 334,691.00
<u>District Share</u>	
Cash Contribution	334,691.00
Financial Hardship	
Total Project Cost	<u>\$ 669,382.00</u>

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
<u>State Share</u>					
Modernization/Additional Grant	957-570	1D	\$	\$ 334,691.00	\$ 334,691.00
<u>District Share</u>					
Cash Contribution				334,691.00	
Total			\$	<u>\$ 669,382.00</u>	<u>\$ 334,691.00</u>

Funding Source: Proposition 1D Bonds/2006-Nov.

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List. This approval does not constitute a guarantee or commitment of future State funding.

The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

Provide that the State portion of any and all project savings realized from the funding of a facility hardship/rehabilitation project must be returned to the State.

Assembly Bill 436 (Solorio), Chapter 378, Statutes of 2011, requires school districts to notify the Department of Industrial Relations (DIR) of School Facility Program projects with a public works contract on or after January 1, 2012. Except for projects exempt pursuant to Labor Code Section 1771.3(b)(3), the DIR is required to provide prevailing wage monitoring services for the projects.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 23, 2013

SCHOOL DISTRICT DATA

School District: OAKLAND UNIFIED County:.....ALAMEDA
 Application Number:..... 58/61259-00-03 School Name:.....OAKLAND TECHNICAL HIGH
 Total District Enrollment:.....46,472 Project Grade Level:.....9-12
 Financial Hardship:.....NO

PURPOSE OF REPORT

Type of Request	State Allocation Board (Board) unfunded approval for a School Facility Program (SFP) Facility Hardship Seismic Mitigation Program (SMP) Rehabilitation project.
Estimated Total Project Cost	\$480,244
Estimated Cost to the State	\$240,122

DESCRIPTION

Description of Health and Safety Threat	The District’s structural engineer found the auditorium building at Oakland Technical High was in need of seismic upgrades to avoid the potential for catastrophic collapse in the event of seismic activity. The report prepared by ZFA Structural engineers dated February 2, 2011 concludes that wall anchorage deficiencies are associated with the building having a high potential for local or global collapse in the event of seismic activity. The building qualifies for the SMP based on the qualifying criteria in Education Code Section 17075.10 and SFP Regulation Section 1859.82.
Scope of Project	The scope of the project includes the seismic rehabilitation of the auditorium building.
Status of School Site	The campus is currently open. The seismic retrofit work for the auditorium is complete but other non-seismic related work is still being completed.

QUALIFYING CRITERIA

Government/State Level Concurrence	The auditorium building is a Most Vulnerable Category 2 Building type as defined in SFP regulations and has met qualifying criteria of the SMP. The Division of the State Architect has approved the District for Phase One (Eligibility Evaluation), Phase Three (Seismic Rehabilitation Pre-Application) and Phase Four (Project Application - final plan approval) for the SMP. These approvals enable the District to apply for funding from the Board.
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QUALIFYING CRITERIA (cont.)

Staff Supports the District's Request Yes

Site Visit Completed by Staff Staff accepted reports by industry specialists and DSA approval in lieu of a site visit.

AUTHORITY

See Attachment A

RECOMMENDATIONS

1. Approve the District's request for an unfunded approval for the seismic rehabilitation of the auditorium at the Oakland Technical High school site, pursuant to the SFP Regulation Section 1859.82, as provided on Attachment B.
2. Provide that the State portion of any and all project savings realized from the funding of this rehabilitation project must be returned to the State.

ATTACHMENT A

AUTHORITY

Education Code Section 17075.10(a) states,

A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

SFP Regulation Section 1859.82 states, "A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils.

SFP Regulation Section 1859.82 further states, "A district may request a determination of eligibility for facility hardship funding in advance of project funding."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when,

The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

SFP Regulation Section 1859.82(a)(1)(B) states,

If the request is for replacement facilities that included structural and/or seismic deficiencies, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain DSA approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the DSA. For seismic deficiencies of the Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

(C) The seismic mitigation projects must meet all of the following requirements:

1. The construction contract was executed on or after May 20, 2006;
2. The project funding provided shall be for the minimum work necessary to obtain DSA approval;
3. The building is designed for occupancy by students and staff; and
4. The DSA concurs with a report by a structural engineer, which identifies structural deficiencies that pose an unacceptable risk of injury to its occupants in a seismic event. If the unacceptable risk of injury is due to the presence of faulting, liquefaction or landslide, these hazards must be documented by a geologic hazards report prepared by an engineering geologist in accordance with California Building Code, Part 2, Chapter 18, section 1803A and with the concurrence of the California Geological Survey.

The structural engineer's report shall conform to the guidelines prepared by the DSA, in accordance with Education Code Section 17310.

SCHOOL DISTRICT DATA

Application No: 58/61259-00-003 County: Alameda
 School District: Oakland Unified School Name: Oakland Technical High

PROJECT DATA

Type of Project: Elementary School Application Filing Basis: Site Specific
 Pupils Assigned Under 50 Yrs: K-6:
 7-8:
 9-12:
 Non-Severe:
 Severe:
 Financial Hardship Requested: No Recommended Acres: 50
 Alternative Education School: No Existing Acres: 14

ADJUSTED GRANT DATA

Rehabilitation	\$ 239,822.00
Prevailing Wage Monitoring	300.00
Total State Share (50%)	240,122.00
District Share (50%)	240,122.00
Total Project Cost	<u>\$ 480,244.00</u>

PROJECT FINANCING

<u>State Share</u>	
This Project	\$ 240,122.00
<u>District Share</u>	
Cash Contribution	240,122.00
Financial Hardship	
Total Project Cost	<u>\$ 480,244.00</u>

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
<u>State Share</u>					
Modernization/Additional Grant	957-570	1D	\$	\$ 240,122.00	\$ 240,122.00
<u>District Share</u>					
Cash Contribution				240,122.00	
Total			\$	<u>\$ 480,244.00</u>	<u>\$ 240,122.00</u>

Funding Source: Proposition 1D Bonds/2006-Nov.

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List. This approval does not constitute a guarantee or commitment of future State funding.

The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

Provide that the State portion of any and all project savings realized from the funding of a facility hardship/rehabilitation project must be returned to the State.

Assembly Bill 436 (Solorio), Chapter 378, Statutes of 2011, requires school districts to notify the Department of Industrial Relations (DIR) of School Facility Program projects with a public works contract on or after January 1, 2012. Except for projects exempt pursuant to Labor Code Section 1771.3(b)(3), the DIR is required to provide prevailing wage monitoring services for the projects.