

STATE ALLOCATION BOARD AGENDA

Meeting Date: May 28, 2014

State Capitol
Room 437
4:00 p.m.

Revision date: May 27, 2014

Tab #10 – Replace page 178

Tab #12 – Replace pages 188 and 188a

Thank you,

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9. Prevailing Wage Monitoring and Enforcement Costs:

If the Construction Contract(s) was or will be awarded on or after January 1, 2012, please indicate which method will be used to meet the prevailing wage monitoring requirements, pursuant to LC Section 1771.3:

- DIR CMU Administered
- DIR Approved District LCP
- Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3)

10. Priority Order

11. Charter School Information

- a. Current eCharter sSchool enrollment: _____
- b. Is eCharter sSchool not for profit? Yes No
- c. Enter locale code of charter school: _____
- d. Free/Reduced Lunch: _____ %
- e. Additional Application Number: # _____

12. Certification

I certify that the information reported on this form is true and correct and that:

- I am an authorized representative of the eCharter sSchool designated by the governing board or equivalent authority of the eCharter sSchool and have notified both the Superintendent and the governing board of the school district in writing, at least 30 days prior to the date of this application, of our intent to submit a preliminary application (complete Part A below); or,
- I am an authorized school district representative submitting this application on behalf of a eCharter sSchool pursuant to Education Code Section 17078.53 (c)(1) (complete Part B below). If this box is checked the following certifications shall apply to the school district.
 - A resolution or other appropriate documentation supporting this application under Article 12, Chapter 12.5, Part 10, Division 1, Title 2, commencing with Section 17078.50, et. seq., of the Education Code was adopted by the School District's Governing Board or the governing board or other equivalent authority of the eCharter sSchool on _____ and,
 - Prior to submitting this application the eCharter sSchool and school district have considered existing facilities in accordance with Education Code Section 17078.53(e); and,
 - For a eCharter sSchool applying for a rehabilitation Preliminary Apportionment on its own behalf, the eCharter sSchool and school district have entered into an agreement to rehabilitate school district existing facilities and the agreement has been discussed and approved at a regularly scheduled school board meeting; and,
 - For a eCharter sSchool applying for a new construction Preliminary Apportionment on its own behalf, the eCharter sSchool and school district have complied with Section 1859.162.1 pertaining to the certification of the number of unhouseed students the project will house; and,
 - The charter school applicant has or will establish a "Restricted Maintenance Account" for 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 Section 17070.75 and 17070.77 (Refer to Sections 1859.100 through 1859.102); and,
 - The charter school applicant has or will consider the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
 - The charter school applicant will comply with all laws pertaining to the construction of its school building; and,
 - All contracts entered 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 charter school applicant has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
 - This charter school 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,
 - The charter school applicant understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within the timelines prescribed for a Preliminary Charter School Apportionment shall be cause for rescission of the Preliminary Charter School Apportionment; and,



STAFF ANALYSIS/STATEMENTS (cont.)

In addition, the amendments stated that 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.

Since these regulation changes became effective, the Board approved 17 applications for \$33 million in SMP funding. The current OPSC workload of approximately \$17.7 million noted in the chart below represents 14 SMP-eligible buildings, which are included in seven funding applications from three school districts. Staff anticipates presenting additional funding applications for SMP unfunded approval in June and July.

In addition, the Board previously provided conceptual approvals to two school districts for six buildings (with an estimated State share total of \$45 million). Of the six buildings with a previous conceptual approval, two buildings (from one district) are currently in house as funding applications, with an estimated State share of \$2.3 million.

Status of Authority (in millions)

SMP	May 28, 2014 Consent Agenda Approvals	Remaining Authority (after May 28, 2014 Board)	Unfunded List (Lack of Authority)	Applications Received Beyond Authority List	OPSC Workload (estimated State grant within Authority)
	\$2.6	\$148.1	N/A	N/A	\$17.7

Note: Prior to the establishment of the DSA Phases/Steps of approval, the Board approved three SMP funding applications with a State share grant total of \$4.7 million that are not included in these charts.

Project Status of SMP Eligible Buildings

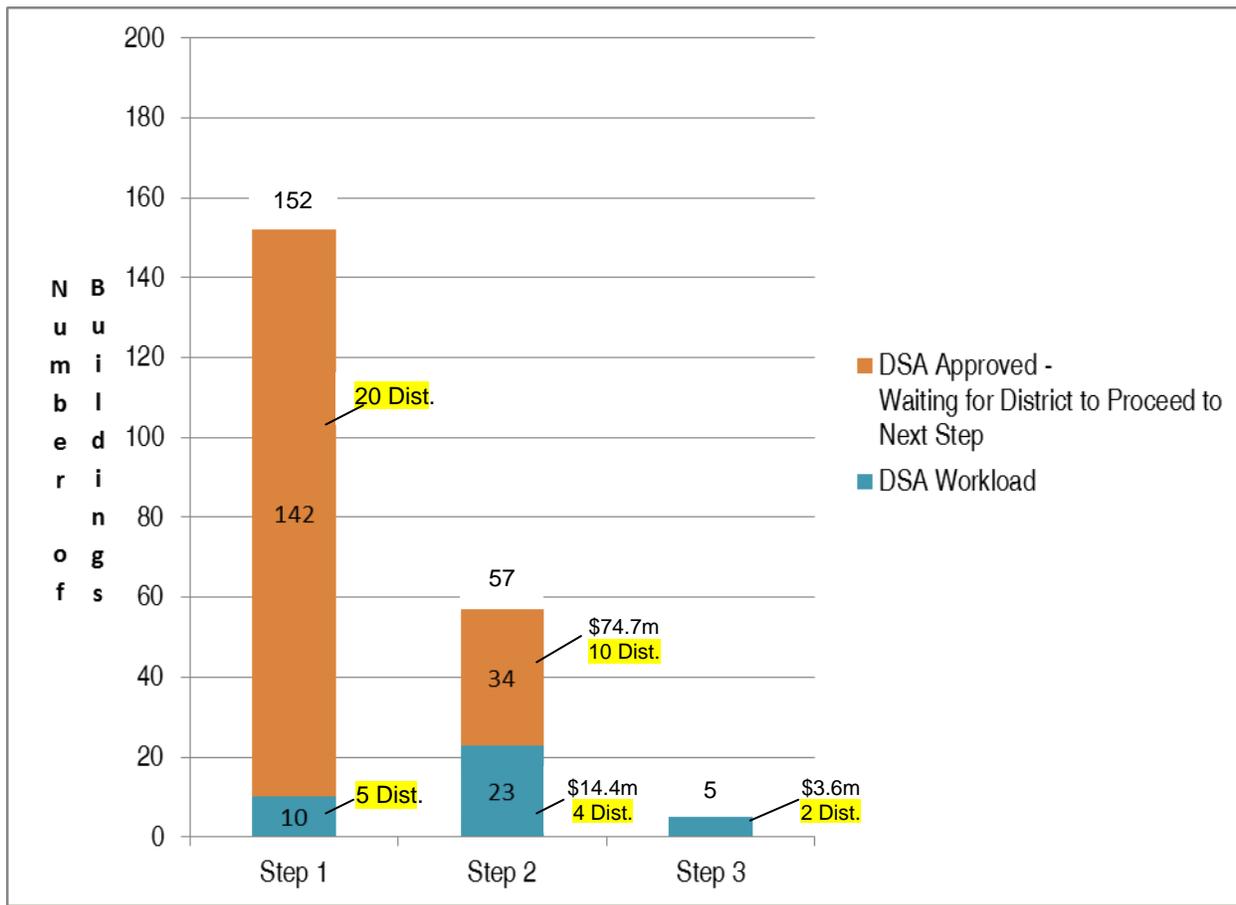
The chart on the following page provides an updated summary of buildings that have been submitted to the Division of the State Architect (DSA) for review as of May 22, 2014.

Explanation of Steps:

Official documents label each stage of the SMP process as “Phases”. To add clarity, in this item the phases are categorized into the “steps” a district takes to obtain full DSA approval as follows:

- Step 1 refers to the review phase also known as “Phase 1”.
- Step 2 refers to the review phase also known as “Phase 2” and “Phase 3”.
- Step 3 refers to the review phase also known as “Phase 4”.

STAFF ANALYSIS/STATEMENTS (cont.)



DSA Workload Category Notes

Step 1 – The last communication received by DSA from the applicant districts for seven of the ten buildings listed in the DSA Workload section of this step occurred between December 2012 and May 2013. No response was received as of May 15, 2014.

Step 2 – The last communication received by DSA from the applicant school districts for the 23 buildings currently in the DSA Workload section of this step occurred between June 2012 and November 2013. No response was received as of May 15, 2014.

Step 3 – The last communication received by DSA from the applicant school district’s design professional for two of the buildings listed in this category occurred in May 2013. No response was received as of May 15, 2014. Regarding the remaining buildings in this step, DSA returned the plans with comments to the district for corrections in June 2013. The district is currently undergoing the “backcheck” process with DSA where DSA works with the district so that plans comply with current building code.

RECOMMENDATION

Acknowledge this report.