

Legislative Update

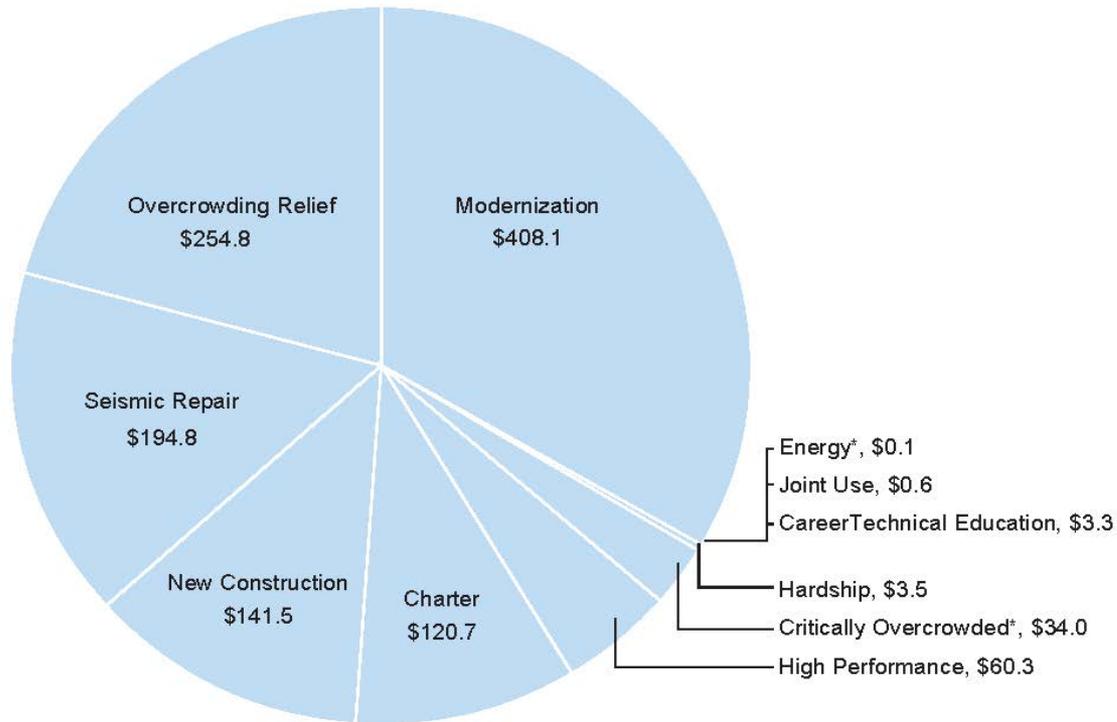
Office of Public School Construction



Office of
Public School Construction

Remaining Bond Authority

\$1.222 billion as of February 22, 2012
(by program, in millions)



*These funds could be transferred.

2011 Program Data

- **School Facility Program (SFP) Funds Released**
 - **\$2.03 billion**
 - **629 projects**
- **SFP Apportionments Authorized by the SAB**
 - **\$1.14 billion**
 - **432 projects**
- **SFP Unfunded Approvals Authorized by the SAB**
 - **\$1.23 billion**
 - **421 projects**

Regulatory Changes in 2011

- **High Performance Incentive Grant**
- **Priorities in Funding**
- **Seismic Mitigation Program**

High Performance Incentive Grant

- Regulation changes took effect January 25, 2011
- Regulatory updates incorporate California Green Code requirements
- Changes provide more funding for projects incorporating high performance building features
- Changes promote increased participation

High Performance Incentive Grant

- **Since regulation change has been in effect:**
 - **20 projects have received unfunded approvals under the new grant criteria, representing a total of approximately \$7.4 million.**

Priorities in Funding

- **Regulations took effect July 27, 2011**
 - **First filing round ended August 25, 2011**
 - 504 certifications from 187 school districts received
 - **Second filing round ended February 9, 2012**
 - 250 certifications from 117 school districts received

Priorities in Funding

- **Of the projects that filed first round certifications:**
 - **377 apportionments approved at Dec. 14, 2011 SAB**
 - **\$923.8 million total**

Priorities in Funding

- **Of the projects that received a December 2011 apportionment:**
 - **241 Form SAB 50-05s received**
 - 64% of apportioned projects have requested a fund release
 - **\$561.5 million released**
 - 61% of apportioned funds released
 - **Form SAB 50-05 deadline is March 13, 2012**

Seismic Mitigation Program

- Amended regulation took effect September 8, 2011
- Changes to project qualification requirements
- Triggered revisions to DSA review and approval process
- Changes increase program accessibility

Seismic Mitigation Program

- **3 projects totaling \$4.7 million approved**
- **1 project totaling \$14.3 million received conceptual approval**

Recent Changes

- **Assembly Bill 436**
- **Senate Bill 128**

AB 436

New Prevailing Wage Monitoring Requirements

The new requirements apply to public works projects that:

- **Are funded from state bonds (School Facility Program)**
- **Have an initial contract award date after January 1, 2012.**

AB 436

SAB Additional Grant for Prevailing Wage Monitoring

- **Effective after approval from the Office of Administrative Law**



AB 436

SAB Additional Grant for Prevailing Wage Monitoring

- **Equal to the State share of one-fourth of one percent of the “Total Projected Bond Apportionment”**



AB 436

SAB Additional Grant for Prevailing Wage Monitoring

- **Projects must meet new requirements set by any of the following:**
 - Department of Industrial Relations (DIR) Compliance Monitoring Unit
 - DIR approved internal LCP
 - A qualifying Collective Bargaining Agreement (CBA) or “PLA”
- **If new Prevailing Wage Monitoring requirements are not met, the entire state apportionment must be returned to the state.**

AB 436

Tips for Fund Release Process

- **Districts are required to submit:**
 - **DIR form PWC 100 to the DIR**
 - **Notification that the PWC 100 was received by the DIR**

AB 436

Transition to New Regulations

For projects apportioned before the new regulations become effective and with initial contract award dates after January 1, 2012:

- **Projects with SAB approval for Proposition 47 or 55 funding will keep the original LCP grant.**
- **Approved Proposition 1D projects, which do not have an original LCP grant, will receive the new grant once the regulations are in effect**

Contact Information

- **Assembly Bill 436**

- **DIR**

- Web: www.dir.ca.gov/dlse/cmu

- Email: cmu@dir.ca.gov

- **OPSC**

- Bryan O'Dell

- 916.375.4271

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Contact Information

- **Assembly Bill 436**
 - **OPSC Fund Release**

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SB 128

Additional Uses of Modernization Grants

- **Effective date – January 1, 2012**
- **Modernization apportionments can be used towards characteristics of High Performance schools.**
 - **Example: Solar panels**

SB 128

Additional Uses of Modernization Grants

- **High Performance Incentive (HPI) grant will be available to Career Technical Education Facilities Program (CTEFP) projects**
- **Implementation is under development**

SB 128

Additional Tips

- No changes to *Application for Funding* completion and submittal process
- Proposed changes to Project Information Worksheet

Contact Information

- **Senate Bill 128**
 - **OPSC Project Manager**

<http://www.applications.opsc.dgs.ca.gov/employee/pmassign.asp>

Upcoming Regulatory Changes

- **Charter School Facilities Program Rehabilitation Projects Applying for High Performance Incentive Grant Funding**
 - Adopted at the October 26, 2011 SAB meeting
 - Clarifies Section 6 on Form SAB 50-04 for CSFP rehabilitation projects applying for the HPI grant funding. Revision date of the Form will become "10/11"
 - Review continuing



Upcoming Regulatory Changes

- **Amendments Related to Special Day Class Modernization Grants**
 - Adopted at the January 25, 2012 SAB meeting
 - Proposed regulations allow school districts to request less than the currently required 101 modernization grants for projects applying for Special Day Class pupil grants, and repeal references relating to the Small High School Program
 - Review process underway

Thank You

- Questions?
- Contact:

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