

REPORT OF THE EXECUTIVE OFFICER  
State Allocation Board Meeting, December 10, 2008

EMERGENCY REPAIR PROGRAM REGULATIONS

PURPOSE OF REPORT

To request:

1. Adoption of proposed regulatory amendments for the Emergency Repair Program (ERP) to extend the time limit on grant apportionment and expedite the return of savings to the program.
2. Authorization to file the proposed regulations with the Office of Administrative Law (OAL).

BACKGROUND

The ERP, implemented under settlement legislation in the case *Williams vs. California*, provides 100 percent funding for Local Educational Agencies (LEA) to address facility related health and safety conditions at eligible schools. Chaptered legislation altered the program to allow school districts to receive advance funding to undertake repairs in addition to receiving reimbursement for completed repairs. This change resulted in a dramatic influx of funding requests beginning in the fall of 2007. The State Allocation Board (SAB) began the grant allocations in December 2007.

Currently, the LEA must complete the emergency repairs and report expenditures using the *Expenditure Report* (Form SAB 61-04) within 12 months or 18 months (when the Division of the State Architect approval is required) from the ERP grant apportionment date. Any savings and/or interest earned on State funds remaining after the completion of the project must be returned to the State after the Office of Public School Construction (OPSC) presents the adjusted grant approval to the SAB and initiates an invoice and/or collection procedures. Any funds remitted through this process must be deposited into the ERP account and used to fund future ERP applications. Under existing regulations, up to five months may elapse between the Form SAB 61-04 submittal and ERP savings collection taking into account the review of the Form SAB 61-04 and preparation of the SAB item.

DESCRIPTION

The proposed regulation amendments on Attachment A will require LEAs to return ERP grant savings with the Form SAB 61-04. This change will expedite the return of funds owed to the State, provide additional funding for eligible repair projects sooner, reduce workload and interest costs for LEAs, and reduce workload for the OPSC.

The OPSC presented its proposals to the SAB Implementation Committee at the October and November 2008 meetings. During these discussions, Committee and audience members, while supportive of the OPSC proposals, indicated that calculation of interest and generation of warrants can be time consuming and may reduce the time available to complete the project within the required timeline. Others also expressed concerns that current time limits were not long enough to complete the more complex ERP projects. To address these concerns, the proposed regulations were revised to add three months to the time limit on grant apportionment, proposed as either 15 or 21 months from the SAB's grant approval.

AUTHORITY

Education Code Section 17592.73 states:

The SAB shall do all of the following:

- (a) Adopt regulations and review and amend its regulations, as necessary...for the administration of this article....
- (b) Establish and publish any procedures and policies in connection with the administration of this article as it deems necessary.

(Continued on Page Two)

## AUTHORITY (cont.)

ERP Regulation Section 1859.324.1(a) states:

If the expenditures are less than the Grant, the Grant will be deemed the full and final apportionment for the project and the OPSC shall recommend to the Board that the Apportionment be reduced by the amount of savings realized by the LEA. The savings, which include any interest earned on the Grant funds, either declared by the LEA or determined by the OPSC, must be returned to the State. ... Any amounts obtained pursuant to this Section shall be deposited into the School Facilities Emergency Repair Account and will be made available for the funding of future ERP Grants and Grant Adjustments.

## STAFF COMMENTS

The proposed ERP regulations promote efficiency for LEAs and the OPSC. First, by extending the time limits on grant apportionment, LEAs have additional time to complete all the work outlined in the *Grant Request* (Form SAB 61-03) and prepare and submit the Form SAB 61-04 to the OPSC with the applicable remittance of any funds owed. Without the change, LEAs may be forced to appeal for time extensions at the SAB, costing the OPSC valuable staff time, which could otherwise be used for processing ERP grant applications. Additionally, better efficiency will result from requiring a savings remittance with the Form SAB 61-04 submittal since the OPSC will not need to send, and the LEA will not need to respond to, future invoices. Most importantly, the earlier return of savings speeds up the replenishment of ERP funds, so that LEAs awaiting funding may receive funds sooner for needed repairs.

## RECOMMENDATIONS

1. Adopt the proposed regulations as shown in Attachment A and begin the regulatory process.
2. Authorize the OPSC to file these regulations with the OAL.
3. Approve the Emergency Repair Program Detailed Listing of Warrants Worksheet as shown on Attachment B.

This Item was approved by the State Allocation Board on December 10, 2008.

ATTACHMENT A  
PROPOSED AMENDMENTS TO THE  
EMERGENCY REPAIR PROGRAM REGULATIONS  
State Allocation Board Meeting, December 10, 2008

Amend Regulation Section 1859.302 as follows:

Section 1859.302. Definitions.

For the purposes of these Subgroup 5.7 regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

.....

"Form SAB 61-03" means the *Grant Request*, Form SAB 61-03 (~~Rev. 01/07~~Rev 12/08), which is incorporated by reference.

"Form SAB 61-04" means the *Expenditure Report*, Form SAB 61-04 (~~New 01/07~~Rev 12/08), which is incorporated by reference.

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Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70, 17592.71, 17592.72 and 17592.73, Education Code.

Amend Regulation Section 1859.324.1 as follows:

Section 1859.324.1. Grant Adjustments

After review of a Form SAB 61-04, projects that require a Grant Adjustment will be presented to the Board for approval based upon one of the following review determinations:

- (a) If the expenditures are less than the Grant, the Grant will be deemed the full and final apportionment for the project and the OPSC shall recommend to the Board that the Apportionment be reduced by the amount of savings realized by the LEA. The savings, which include any interest earned on the Grant funds, either declared by the LEA or determined by the OPSC, must be returned to the State when the LEA submits the Form SAB 61-04 to the OPSC. ~~Upon the approval of the recommendation by the Board, the LEA must submit a warrant for any amount identified as being owed within 60 days of the Board's action.~~ If the LEA fails to make the required payment ~~within 60 days~~, the OPSC shall notify the Controller and the LEA in writing, and the Controller shall deduct an amount equal to the amount ~~received due~~ by the LEA under this subdivision from the LEA's next principal apportionment or apportionments of state funds to the LEA, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. Any amounts obtained pursuant to this Section shall be deposited into the School Facilities Emergency Repair Account and will be made available for the funding of future ERP Grants and Grant Adjustments.

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Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

Adopt Regulation Section 1859.324.2 as follows:

Section 1859.324.2. Interest Earned on ERP Grants.

All interest earned on ERP Grant funds provided pursuant to Section 1859.324 shall be:

- (a) Applied to eligible project costs for the project, as approved by the SAB, and pursuant to Section 1859.323; or
- (b) Returned to the State.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

.....

Amend Regulation Section 1859.330 as follows:

Section 1859.330. Time Limit on Grant Apportionment.

The LEAs that receive ERP Grants shall comply with all of the following provisions:

- (a) When the Division of the State Architect's review and approval is not required, within ~~12~~15 months of the Grant apportionment the LEA shall:
  - (1) Complete the emergency repair or replacement; and
  - (2) Submit the Form SAB 61-04 to the OPSC.
- (b) When the Division of the State Architect's review and approval is required, within ~~18~~21 months of the Grant apportionment the LEA shall:
  - (1) Complete the emergency repair or replacement; and
  - (2) Submit the Form SAB 61-04 to the OPSC.

. . . .

Note: Authority Cited: Sections 17592.72 and 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Local Educational Agencies (LEAs) are encouraged to consider the utilization of "environmentally preferable purchasing" (EPP) for all their projects, including those projects seeking funding under the Emergency Repair Program (ERP). EPP is the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose. It provides an opportunity to improve the overall health and safety conditions at school facilities. Though the ERP is intended to provide funding for the minimal work necessary for the mitigation of health and safety risks, this objective can often be met with the utilization of EPP. More information about EPP products and sources can be found on the Green California Web site at [www.green.ca.gov/EPP](http://www.green.ca.gov/EPP).

### GENERAL INFORMATION AND REQUIRED DOCUMENTATION

The LEA shall use this form to apply for funding of Emergency Facilities Needs repairs under the Emergency Repair Program (ERP) at eligible schools sites as defined by [ERP Regulation](#) Section 1859.321. The LEA must submit the following documentation with this form for each project requested on this application:

- Documentation:** Provide documentation that sufficiently substantiates the health and safety threat, which must include one or more of the following, as appropriate:
  - Signed copy of the Interim Evaluation Instrument (IEI)/Facilities Inspection Tool (FIT) identifying the project as a health and safety threat
  - Copies of complaints made by parents, students, or staff referencing the problem
  - Inspection report by qualified individual(s) or firm(s)
  - Work orders that identify the health and safety threat
  - Photos showing the condition of the project prior to the repair work being performed
  - Other forms of documentation that substantiate the health and safety threat
- Cost Estimate:** All estimates must be as detailed as possible and no lump sum estimates will be accepted. Furthermore, the estimates must have been prepared by qualified individuals or firms. For force account labor projects, LEAs may provide an estimate by submitting a completed Force Account Labor Worksheet, which is available on the OPSC Web site.

**The LEA must retain the following documents on file should the OPSC request them at the time of audit (see Part C - Certifications):**

**1—DSA Approved Plans and Specifications, if required**

**2-3.** For Replacement Projects (pursuant to [ERP Regulation](#) Section 1859.323.1), LEAs must **retain** submit a cost comparison **on file** which must include all of the following:

- Estimate to Repair the system/component
- Estimate to Replace the system/component with a Like-Kind Material/System
- For alternative building material/system replacement projects, **the LEA must additionally retain** an Estimate to Replace the system/component with an alternative building material/system

All estimates must be as detailed as possible and no lump sum estimates will be accepted. Furthermore, the estimates must have been prepared by qualified individuals or firms but are not required to be prepared by the same person(s).

The LEA must retain pertinent documents on file should the OPSC request them at the time of audit (see Required Documentation to Retain on File section of the Form SAB 61-04).

### SPECIFIC INSTRUCTIONS

#### Part A. Project Information

The LEA must complete one Project Detail box for each Type of Project that will be/has been repaired or replaced.

- DSA Approval:** If any of the work indicated in any of the Project Detail boxes requires DSA approval, the LEA must check "Yes." Otherwise the LEA must check "No."
- Type of Project:** Choose project type indicating the type of building system or structural component the project is addressing. The LEA may indicate only one building system or structural component per Project Detail box completed. Multiple Project Detail boxes may be completed. Use additional sheets if necessary.
- Project(s) Cost:** Provide the total eligible cost based on the LEAs estimate(s) and/or actual cost(s). If the project has been completed and all expenditures have been made, check the "actual" cost box, complete the Expenditure Report (Form SAB 61-04) and submit to the OPSC with this form.
- Statement of Health and Safety Condition:** Provide a concise statement of the condition(s) and how it posed/poses a threat to the health and safety of the students and staff at the school site.
- Type of Health/Safety Document(s) Attached:** Check the box(es) that identifies the type of health/safety document(s) enclosed with the LEA's application submittal.

#### Part B. Total Grant Request

**Provide the Total Grant Request based on the combined total of the LEAs estimate(s) and/or actual cost(s) for all Types of Projects requested on this application. If the Total Grant Request is less than \$5,000.00, the LEA must justify its request in the space provided.**

Provide the Total Project Cost based on the combined total of the LEAs estimate(s) and/or actual cost(s) for all Types of Projects requested on this application.

Provide the amount of Application Documentation Preparation and Submittal Costs (if applicable), which shall not exceed two percent of the Total Project Cost (amount on the line above) or \$5,000, whichever is less.

Provide the Total Grant Request which shall be equal to the sum of the Total Project Cost and the Application Documentation Preparation and Submittal Costs. If the Total Grant Request is less than \$5,000, the LEA must justify its request for a smaller amount in the space provided.

#### Part C. Certifications

The LEA representative must complete this section.

LOCAL EDUCATIONAL AGENCY (LEA)  SCHOOL NAME  COUNTY	APPLICATION NUMBER (OPSC USE ONLY) <b>61/</b>  FIVE-DIGIT DISTRICT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)  SEVEN-DIGIT SITE CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
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**PROJECT TYPES:**

- Communication Systems
- Electrical
- Pest/Vermin Infestation
- Plumbing
- Fire Detection/Alarm and/or Sprinkler System
- Roofing
- Flooring Systems
- Structural Damage
- Gas
- Wall Systems
- Hazardous Materials
- HVAC
- Paving
- Windows/Doors/Gates
- Other

**A. PROJECT DETAIL (Complete one box for each type of project at this site. Use additional sheets if necessary.):**

Will any of the work in the project(s) contained in this Grant Request require DSA approval?  Yes  No

**1. Type of Project (choose one from Project Types above):**

Project(s) Cost:  Estimate  Actual (check all that apply) \$ \_\_\_\_\_

Statement of Health and Safety Condition:

Type of Health/Safety Document(s) Attached:  Photo  IEI/FEIT  Complaint  Work Order  Inspection Report  Other \_\_\_\_\_

**2. Type of Project (choose one from Project Types above):**

Project(s) Cost:  Estimate  Actual (check all that apply) \$ \_\_\_\_\_

Statement of Health and Safety Condition:

Type of Health/Safety Document(s) Attached:  Photo  IEI/FEIT  Complaint  Work Order  Inspection Report  Other \_\_\_\_\_

**3. Type of Project (choose one from Project Types above):**

Project(s) Cost:  Estimate  Actual (check all that apply) \$ \_\_\_\_\_

Statement of Health and Safety Condition:

Type of Health/Safety Document(s) Attached:  Photo  IEI/FEIT  Complaint  Work Order  Inspection Report  Other \_\_\_\_\_

**4. Type of Project (choose one from Project Types above):**

Project(s) Cost:  Estimate  Actual (check all that apply) \$ \_\_\_\_\_

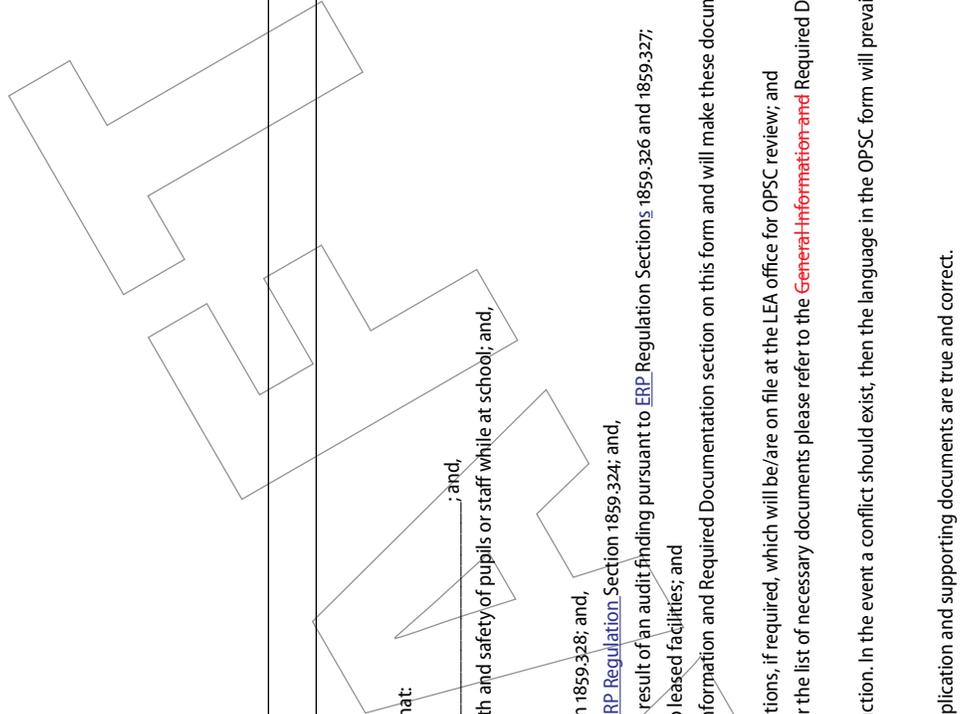
Statement of Health and Safety Condition:

Type of Health/Safety Document(s) Attached:  Photo  IEI/FEIT  Complaint  Work Order  Inspection Report  Other \_\_\_\_\_

**B. TOTAL GRANT REQUEST**

Total Project Cost: \$ \_\_\_\_\_  
Application Documentation Preparation and Submittal Costs: \$ \_\_\_\_\_  
Total Grant Request: \$ \_\_\_\_\_

If the Total Grant Request is less than \$5,000.00, the LEA must justify this request in the space below.



**C. CERTIFICATIONS**

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

- I am designated as an authorized representative by the governing board of the LEA as of \_\_\_\_\_, and,
- The repairs in this project were/are necessary to mitigate conditions that pose(d) a threat to the health and safety of pupils or staff while at school; and,
- The LEA has/will complied/comply with all laws pertaining to the repair of its school facilities;
- The LEA has/will complied/comply with the Public Contract Code; and,
- The LEA has satisfied the supplement, not supplant requirement as defined in [ERP Regulation](#), Section 1859.328; and,
- The contracts for services or work in this project were not entered into prior to the date specified in [ERP Regulation](#), Section 1859.324; and,
- The LEA understands that some or all of the funding for the project may be returned to the State as a result of an audit finding pursuant to [ERP Regulation](#) Sections 1859.326 and 1859.327;
- The LEA will/comply/complied with [ERP Regulation](#) Section 1859.323.2(h) when making repairs to leased facilities; and
- The LEA has on file all cost estimates required for replacement projects as stipulated in the General Information and Required Documentation section on this form and will make these documents available in the event the OPSC requests them for purposes of audit; and,
- The LEA will/has obtain/obtained the Division of State Architect's approval of the plans and specifications, if required, which will be/are on file at the LEA office for OPSC review; and
- The LEA will/has retain/retained on file all appropriate supporting documentation for this project. For the list of necessary documents please refer to the [General Information and Required Documentation to Retain on File](#), section of the Form SAB 61-04.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

NAME OF LEA REPRESENTATIVE (PRINTED OR TYPED)			TITLE
SIGNATURE OF LEA REPRESENTATIVE			DATE
ADDRESS		CITY	STATE ZIP

# EXPENDITURE REPORT

## EMERGENCY REPAIR PROGRAM

SAB 61-04 (NEW-01/07REV 12/08)

THE LOCAL EDUCATIONAL AGENCY (LEA) MAY BE REQUIRED TO SEND A CHECK TO THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION (OPSC). PLEASE FOLLOW THE DIRECTIONS IN THIS FORM CAREFULLY TO DETERMINE THE AMOUNT OWED, IF ANY.

### REQUIRED DOCUMENTATION TO SUBMIT TO OPSC

A LEA must use this form to report Emergency Repair Program (ERP) Grant expenditures from the previously received ERP Grant, or the ERP Grant yet to be received if the LEA is submitting this form concurrently with the Grant Request (Form SAB 61-03).

In addition to this form, the LEA must complete the Emergency Repair Program Detailed Listing of Warrants Worksheet. Alternatively, the LEA may provide its own version of the worksheet as long as it contains the same information. Note that the use of a transaction record, in lieu of warrant number, is acceptable for force account labor expenditures.

Additionally, for Force Account Labor Projects [pursuant to PCC Section 20114(a)], the LEA must submit the OPSC Force Account Labor Worksheet or other documentation that contains the following information:

- Employee name(s)
- Number of hours each employee spent on project
- Hourly wages

### GENERAL INFORMATION AND REQUIRED DOCUMENTATION TO RETAIN ON FILE

A Local Educational Agency (LEA) may use this form to report expenditures under the Emergency Repair Program (ERP) that support the Grant previously received. The LEA must retain the following documents, as appropriate, on file should the OPSC request them at the time of audit:

- Construction Contract(s) and supporting documentation [pursuant to Public Contract Code (PCC) Section 20111(b)]
- Schedule of Values
- DSA Approved Plans and Specifications and any change orders
- Cost comparison pursuant to ERP Regulations Section 1859.323.1, if not previously submitted to the OPSC.
- Purchase Order(s) and/or Purchase Agreement(s)
- Architect Agreement(s) and Schedule of Fees
- Qualification Appraisal documents (pursuant to Government Code 4526)
- Copy of Vendor Invoices
- Copy of Warrant(s) or Payment Voucher(s)
- For Force Account Labor Projects [pursuant to PCC Section 20114(a)], the OPSC Force Account Labor Worksheet or other documentation that contains the following information:
  - Employee name(s)
  - Number of hours each employee spent on project
  - Hourly wages

### SPECIFIC INSTRUCTIONS

#### Part A. Project Detail

The LEA must complete one Project Detail line for each corresponding Project Detail box that was previously, or concurrently, reported on the Form SAB 61-03. LEAs may print additional copies of page 2 as necessary to complete expenditure information.

- **Type of Project:** Choose project type indicating the type of building system or structural component for which the LEA previously, or concurrently, requested funding on the Form SAB 61-03. The LEA may indicate only one building system or structural component per line. The numbered lines must correspond with the numbered Project Detail boxes on the Form SAB 61-03.
- **Project(s) Cost:** Provide a breakdown of the total eligible cost based on the LEA's actual cost(s).
- **Total Project Cost:** For each Project Detail line, enter the grand total of all expenditures for that Project Detail from the Emergency Repair Program Detailed Listing of Warrants Worksheet. Do not include any of the "Application Documentation Preparation and Submittal Costs".
- **Application Documentation Preparation and Submittal Costs:** Enter the actual application documentation preparation and submittal costs up to the limit of the following, whichever is less:
  - Two percent of all other eligible costs; or
  - \$5,000.
- **Grand Total:** Enter the sum of the Total Project Cost(s) and Application Documentation Preparation and Submittal Costs.

#### Parts B. through F.

Enter N/A in Parts B through F if the LEA has not received its ERP Grant because it is submitting this form concurrently with the Form SAB 61-03. Otherwise, follow the directions below.

#### Part B. Total Expenditure Amount Total Grant Amount

Provide the total expenditures based on the combined Total Project Cost(s) as reported in the Project Details box(es); ERP Grant awarded to the LEA by the State Allocation Board for this application.

#### Part C. Interest Earned

For projects with no savings, provide the total interest earned on the ERP Grant from the warrant release date to the signature date on the Form SAB 61-04.

For projects with savings, provide the total interest earned on the ERP Grant from the warrant release date to the estimated warrant date for the LEA's remittance of savings.

#### Part D. Total Grant with Interest

Enter the sum of Parts B and C.

#### Part E.

If the Grand Total from Part A is more than the Total Grant with Interest from Part D, subtract Part D from Part A. This is the amount of the Grant Adjustment (increase to the ERP Grant).

#### Part F.

If the Total Grant with Interest from Part D is more than the Grand Total from Part A, subtract Part A from Part D. This is the amount of the Grant Adjustment (decrease to the ERP Grant), and the amount that the LEA owes. Follow the mailing instructions to submit the LEA's payment with the completed Form SAB 61-04.

#### Part G. Certifications

The LEA representative must complete this section.

STATE OF CALIFORNIA  
**EXPENDITURE REPORT**  
**EMERGENCY REPAIR PROGRAM**

SAB 61-04 (NEW-01/07REV 12/08)

LOCAL EDUCATIONAL AGENCY (LEA)	APPLICATION NUMBER <b>61/</b>
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	SEVEN-DIGIT SITE CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)

**PROJECT TYPES:**

- Communication Systems
- Electrical
- Fire Detection/Alarm and/or Sprinkler System
- Flooring Systems
- Gas
- Hazardous Materials
- HVAC
- Paving
- Pest/Vermin Infestation
- Plumbing
- Roofing
- Structural Damage
- Wall Systems
- Windows/Doors/Gates
- Other

**A. PROJECT DETAIL**

Complete one Project Detail line for each Type of Project as previously reported on the Form SAB 61-03. LEAs may print additional copies of this page as necessary to complete expenditure information.

TYPE OF PROJECT (INDICATE PROJECT TYPE FROM ABOVE)	DSA NUMBER (IF APPLICABLE)	PLANNING COST	REPAIR/REPLACEMENT COST	TESTING	INSPECTION	TOTAL PROJECT COST
1.		\$	\$	\$	\$	\$
2.		\$	\$	\$	\$	\$
3.		\$	\$	\$	\$	\$
4.		\$	\$	\$	\$	\$
5.		\$	\$	\$	\$	\$
6.		\$	\$	\$	\$	\$
7.		\$	\$	\$	\$	\$
8.		\$	\$	\$	\$	\$
9.		\$	\$	\$	\$	\$
10.		\$	\$	\$	\$	\$
11.		\$	\$	\$	\$	\$
12.		\$	\$	\$	\$	\$
13.		\$	\$	\$	\$	\$
14.		\$	\$	\$	\$	\$
<b>APPLICATION DOCUMENTATION PREPARATION AND SUBMITTAL COSTS [ERP Regulation Section 1859.323.2(j)]</b>						\$
<b>GRAND TOTALS</b>						\$

**B. TOTAL EXPENDITURE AMOUNT (Combined Project Detail Totals):** \$ \_\_\_\_\_

**B. TOTAL GRANT AMOUNT** \$ \_\_\_\_\_

**C. INTEREST EARNED** \$ \_\_\_\_\_

**D. TOTAL GRANT WITH INTEREST (Add Parts B and C)** \$ \_\_\_\_\_

**E. If the GRAND TOTAL from Part A is more than the TOTAL GRANT WITH INTEREST from Part D, subtract Part D from Part A.**

*This is the amount of the Grant Adjustment (increase to the ERP Grant).* \$ \_\_\_\_\_

**F. If the TOTAL GRANT WITH INTEREST from Part D is more than the GRAND TOTAL from Part A, subtract Part A from Part D.**

*This is the amount of the Grant Adjustment (decrease to the ERP Grant), and the amount that the LEA owes. See below for payment instructions.* \$ \_\_\_\_\_

Payment Instructions: Please consider this an invoice for payment, make the check payable to the State of California, and put the ERP application number on the check. Mail the amount due from Part F (if any), and the completed Form SAB 61-04, to:

Department of General Services  
 Office of Public School Construction  
 Attn: Accounting  
 1130 K Street, Suite 400  
 Sacramento, CA 95814-2928

**C.G. CERTIFICATIONS**

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

- I am designated as an authorized representative by the governing board of the LEA as of \_\_\_\_\_; and,
- The LEA has on file all appropriate support documentation as stipulated in the **General Information and Required Documentation to Retain on File** section on this form and will make these documents available in the event the OPSC requests them for purposes of audit; and,
- The repairs in this project were necessary to mitigate conditions that posed a threat to the health and safety of pupils or staff while at school; and,
- The expenditures reported are within the original scope of the work identified in the Grant Request for this project; and,
- The LEA has complied with all laws pertaining to the repair of its school facilities; and,
- The LEA has complied with the Public Contract Code; and,
- The LEA has satisfied the supplement, not supplant requirement as defined in [ERP Regulation](#) Section 1859.328; and,
- The expenditures for this project did not duplicate expenditures included in a School Facility Program, Deferred Maintenance Program or ERP project; and,

- The construction activities for this project(s) are completed; and,
- The LEA has complied with [ERP Regulation](#) Section 1859.323.1 when replacing systems or components and has obtained a cost comparison which is on file at the LEA office for OPSC review; and,
- The LEA has complied with [ERP Regulation](#) Section 1859.323.2(h) when making repairs to leased facilities; and,
- The contracts for services or work in this project were not entered into prior to the date specified in [ERP Regulation](#) Section 1859.324; and,
- The LEA understands that expenditures occurring after the submittal of this Expenditure Report are ineligible for reimbursement; and,
- Unless the project is determined to require a Grant Adjustment pursuant to [ERP Regulations](#) Section 1859.324.1, that the grant amount previously provided by the Board shall be deemed a full and final apportionment, and that all Grant Adjustments are full and final; and,
- The LEA understands that some or all of the funding for the project may be returned to the State as a result of an audit pursuant to [ERP Regulation](#) Sections 1859.326 and 1859.327; and,
- The LEA has obtained the Division of State Architect's approval of the plans and specifications, if required, which are on file at the LEA office for OPSC review; and,
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

NAME OF LEA REPRESENTATIVE (PRINTED OR TYPED)		TITLE	
SIGNATURE OF LEA REPRESENTATIVE		DATE	
ADDRESS	CITY	STATE	ZIP
TELEPHONE NUMBER	E-MAIL ADDRESS		

**EMERGENCY REPAIR PROGRAM DETAILED LISTING OF WARRANTS WORKSHEET**

(NEW 12/08)

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**INSTRUCTIONS**

Enter the application number of the project (i.e., 61/99999-00-00).

List each warrant issued for project expenses. For each warrant, enter the Project Detail line number that corresponds to each Type of Project as previously reported on the Form SAB 61-03 and Form SAB 61-04. For each warrant also enter the fund source, the warrant number, date, payee, the amount under the appropriate classification column and a description of the work performed.

**NOTE:** A computer generated facsimile of this form is acceptable. **Such forms that do not contain the same information will not be accepted.**

DRAFT

