



# SUCCESSFUL

## PROJECTS

In Partnership with Dr. Terry Bradley & Walt Byrd

### *SB 854—Department of Industrial Relations Requirements*

#### Workshop Handouts

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## PREVAILING WAGE PAYMENT, MONITORING, AND ENFORCEMENT

### 1. IS THE CONTRACT SUBJECT TO PREVAILING WAGE PAYMENT AND ENFORCEMENT?

1.1 The total amount to be paid to the contractor exceeds \$1,000. [Labor Code (LC) § 1771]

1.2 The contract is for public works and/or maintenance. [LC § 1771]

#### Public Works and Maintenance Defined

Construction, alteration, demolition, installation, or repair work done under contract with school district and paid for in whole or in part out of public funds. [LC § 1720(a)(1)]

- *Construction* includes work performed during design and preconstruction phases (e.g. inspections and land surveying work) and post-construction phases (e.g., cleanup work at jobsite).
- *Installation* includes, but is not limited to, assembly and disassembly of freestanding and affixed modular office systems.

Construction, alteration, demolition, installation, or repair work done under private contract when following conditions exist: [LC § 1720.6]

- Work is performed in connection with construction or maintenance of renewable energy generating capacity or energy efficiency improvements.
- Work is performed on school district property.
- More than 50% of energy generated is purchased or will be purchased by school district or energy efficiency improvements are primarily intended to reduce energy costs that school district would otherwise have incurred.

Construction work done under private contract on real property leased to school district if following conditions exist: [LC § 1720.2]

- Construction contract between private persons (for example, private property owner and private contractor).
- Property subject to construction contract is privately owned but upon completion of construction work, more than 50% of assignable square feet of property is leased to school district for its use.
- Lease agreement was entered into before construction contract or construction work performed according to plans, specifications, or criteria school district furnished and lease agreement entered into during or upon completion of construction.

Laying of carpet done in either of the following: [LC § 1720(a)(4) and (5)]

- A building lease-maintenance contract and paid for out of public funds.
- In a public building, under contract and paid for in whole or in part out of public funds.

Hauling of refuse from public work site to an outside disposal location done under contract [LC § 1720.3]

- Includes, but is not limited to, hauling soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris.
- Excludes hauling of recyclable metals (copper, steel, and aluminum) separated from other materials at jobsite before transportation and to be sold at fair market value to bona fide purchaser.

#### Maintenance

[Cal. Code of Regulations, Title 8, § 16000]

##### Includes:

- Routine, recurring and usual work for preservation, protection and keeping of any publicly owned or public operated facility (plant, building, structure, ground facility, utility system or any real property) for its intended purposes in a safe and continually usable condition for which it has been designed, improved, constructed, altered or repaired.
- Carpentry, electrical, plumbing, glazing, touchup painting, and other craft work designed to preserve the publicly owned or publicly operated facility in a safe, efficient and continuously usable condition for which it was intended, including repairs, cleaning and other operations on machinery and other equipment permanent attached to the building or realty as fixtures.
- Landscape maintenance.

##### Excludes:

- Janitorial or custodial services of a routine, recurring or usual nature.
- Protection of the sort provided by guards, watchmen, or other security forces.
- Landscape maintenance work by sheltered workshop (nonprofit organization licensed by Chief of Division of Labor Standards Enforcement employing mentally and/or physically handicapped worker).



**2. WHAT ARE THE REQUIREMENTS FOR A CONTRACT THAT IS SUBJECT TO PREVAILING WAGE PAYMENT AND ENFORCEMENT?** [Labor Code §§ 1725.5, 1771.1, 1771.4, 1773.3, 1776]

Dates	Awarding Body	Contractor and Subcontractors
<b>Bid and Contract Documents</b>		
01/01/2015	Bid and contract documents of public works contracts awarded on or after January 1, 2015 must specify that project is subject to DIR compliance monitoring and enforcement.	N/A
<b>Contractor and Subcontractor Registration with and Payment of Fee to DIR</b>		
03/01/2015	Ensure that contractors and subcontractors are registered with and have paid to DIR before bid opening.	<ul style="list-style-type: none"> <li>Must be registered with and paid fee (currently \$300, renewal fee to be paid annually on or before July 1 subject to penalty for late payment of twice the renewal fee) to DIR before bid opening.</li> <li>Provide evidence, disclosure, or releases to establish: <ul style="list-style-type: none"> <li>Workers' compensation coverage.</li> <li>California contractor license.</li> <li>No delinquent liability to any employee or state for assessment of back wages or related damages, interest, fines, or penalties.</li> <li>Not currently debarred.</li> <li>Not bid on public works contract, been listed in bid proposal, or engaged in performance of public works contract without being registered within preceding 12 months or since March 1, 2015, whichever is earlier. If contractor found to be in violation, disqualification shall be waived if contractor has not previously been found to be in violation of registration requirements in preceding 12 months and contractor pays nonrefundable penalty registration fee of \$2,000.</li> </ul> </li> </ul>
04/01/2015	Ensure that contractors and subcontractors are registered with and paid fee to DIR at award of contract.	Must be registered with and paid fee to DIR at award of contract (see above).
<b>Submission of PWC-100 Award of Contract Notice to DIR</b>		
Currently in effect	Provide to DIR notice on PWC-100 of award of public works contract that exceeds \$1,000 within five days of award.	N/A
<b>Posting at Job Site</b>		
Currently in effect	Post or require contractor to post job site notices.	If required by awarding body, post job site notices.
<b>Submission of Certified Payroll Records</b>		
Currently in effect	N/A	Must submit for public works projects that were subject to furnishing of payroll records to Compliance Monitoring Unit.
04/01/2015	N/A	Must submit electronically to DIR at least monthly or more frequently if specified in contract for public works contracts awarded on or after April 1, 2015.
01/01/2016	N/A	Must submit electronically to DIR at least monthly or more frequently if specified in contract, whether new or ongoing.

**Labor Code § 1726(a):** "The body awarding the contract for public work shall take cognizance of violations of this chapter [Labor Code § 1720-1743] committed in the course of the execution of the contract, and shall promptly report any suspected violations to the Labor Commissioner."

**Labor Code § 1777:** "Any officer, agent, or representative of the State or of any political subdivision who willfully violates any provision of this article [Labor Code sections 1770-1782], and any contractor, subcontractor, or agent or representative thereof, doing public work who neglects to comply with any provision of section 1776 [maintenance and making available payroll records] is guilty of misdemeanor."

**Labor Code § 1771:** "A contract entered into with any contractor or subcontractor in violation of subdivision (a) [registration requirements] shall be subject to cancellation, provided that a contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, contractor, or any subcontractor to comply with the requirements of Section 1725.5 [registration requirements] or this section."



[Place on letterhead]

Date

Contact Name, Title

Contractor Name

Address

City, CA #####

Dear Contractor Name:

Our records indicate that your company has provided services to the School District Name (District). This letter is a courtesy reminder to you that provision of such services on or after March 1, 2015 may require your company to comply with the contractor registration and prevailing wage monitoring requirements under Senate Bill 854.

The provisions of Senate Bill 854 and other applicable laws contain certain requirements, including contractor registration with, and electronic reporting of prevailing wage information to, the California Department of Industrial Relations (DIR) for all public works over \$1,000. Public works are defined in Labor Code section 1720 and other applicable laws, and include construction, alteration, demolition, installation, or repair work done under contract and paid for with public funds.

Each contractor and subcontractor working on public works that are over \$1,000 is required to:

1. Register with DIR and pay an annual fee of \$300 (current fee).
2. Submit electronic certified payroll records to DIR.
3. Post job site notices as required by statute and regulation.

You can find additional information on the requirements at the DIR website: <http://www.dir.ca.gov/Public-Works/PublicWorks.html>. The DIR also is hosting a webinar on the contractor registration process on January 27, 2015. Additional webinar information and registration can be found at: [http://www.dir.ca.gov/Public-Works/SB\\_854\\_Webinar\\_Announcement.pdf](http://www.dir.ca.gov/Public-Works/SB_854_Webinar_Announcement.pdf).

Unless otherwise permitted by applicable laws, the District will accept, starting on March 1, 2015, bids for public works over \$1,000 only from contractors registered with DIR and will enter into, starting on April 1, 2015, contracts for public works over \$1,000 only with registered contractors. Unless otherwise permitted by applicable laws, only subcontractors registered with DIR are to be: (1) listed on any bid for public works over \$1,000 that is submitted, on or after March 1, 2015, to the District; or (2) listed to perform public works over \$1,000 under a contract that is entered into, on or after April 1, 2015, with the District.

We hope that your company will comply with the new requirements in order to be eligible to provide services to the District. Compliance with the new requirements does not guarantee that your company will be considered for or awarded a contract with the District.

Thank you for your services to the District. If you have any questions, please contact me at (559) ###-####.

Sincerely,

Name

Title





## **PREVAILING WAGE ADDENDUM**

### **ARTICLE 1 RECITALS.**

Owner and Contractor have entered into a contract ("**Agreement**") that requires Contractor to perform certain work ("**Work**") on a public works project ("**Project**") for Owner. The Parties desire and intend that this Prevailing Wage Addendum shall become and constitute a part of the Agreement. Each Party shall comply with the provisions set forth in this Prevailing Wage Addendum.

### **ARTICLE 2 CONTRACTOR AND SUBCONTRACTOR QUALIFICATION AND REGISTRATION WITH CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS ("DIR").**

**SECTION 2.1 QUALIFICATION.** A contractor that is ineligible to bid on, work on, or be awarded a public works project pursuant to Labor Code section 1777.1 or 1777.7 shall not bid on (if bidding is required by Owner for the Agreement), be awarded, or perform any of the Work. Moreover, Contractor shall not perform any of the Work with a subcontractor who is ineligible to perform work on public works project pursuant to Labor Code section 1771.1 or 1777.7.

#### **SECTION 2.2 REGISTRATION WITH DIR.**

- 2.2.1 APPLICABILITY OF REGISTRATION REQUIREMENT.** The provisions of this Section 2.2 *apply only if* Owner and Contractor enter into the Agreement on or after April 1, 2015. To qualify for registration with DIR, Contractor and each subcontractor shall comply with the requirements in Labor Code section 1725.5 and other applicable laws.
- 2.2.2 AGREEMENT.** Owner will not enter into the Agreement with Contractor unless there is proof of Contractor's current registration with DIR to perform public work pursuant to Labor Code section 1725.5 and other applicable laws. Contractor shall not enter into any subcontract with any subcontractor unless there is proof of the subcontractor's current registration with DIR to perform public work pursuant to Labor Code section 1725.5 and other applicable laws.
- 2.2.3 PERFORMANCE OF WORK.** Contractor and each subcontractor shall be registered and qualified pursuant to Labor Code section 1725.5 and other applicable laws to perform public work as of the Effective Date of the Agreement, and shall renew and maintain such registration and qualification throughout the term of the Agreement and during all times when Contractor performs any warranty work under the Agreement.
- 2.2.4 BID.** If Owner conducts competitive bidding prior to awarding the Agreement, the provisions in this Subsection 2.2.4 apply. On and after March 1, 2015, no contractor shall bid on the Agreement unless the contractor is registered and qualified pursuant to Labor Code section 1725.5 to perform public work or applicable laws permit the bid. On or after March 1, 2015, no contractor shall list on its bid proposal, and no subcontractor is qualified to bid to perform any portion of the Agreement, unless the subcontractor is registered and qualified pursuant to Labor Code section 1725.5 and other applicable laws to perform public work or applicable laws permit the subcontractor bid and listing. On or after March 1, 2015, Owner will not accept any bid from a contractor, and will not allow the listing of any subcontractor, without proof of their current registration to perform public work pursuant to Labor Code section 1725.5 and other applicable laws.

### **ARTICLE 3. PREVAILING WAGES PAYMENT, MONITORING, AND ENFORCEMENT.**

**SECTION 3.1 PREVAILING WAGES RATES AND PAYMENT THEREOF.** The provisions in this Section 3.1 apply to the Agreement and Project.

- 3.1.1** Pursuant to Labor Code sections 1770 to and including 1781, which are hereby incorporated by reference and made a part of this Agreement, the Director of DIR has determined the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the Work is to be performed for each craft, classification, or type of worker needed to execute the Agreement. Per diem wages shall include employer payments for the items



specified in Labor Code section 1773.1. Copies of the prevailing rate of per diem wages are on file at Owner's principal office, which copies shall be made available to any interested party on request.

- 3.1.2 Contractor and each subcontractor shall pay not less than the specified prevailing rates of wages to all workmen, including apprentices, employed in the execution of the Agreement. Contractor and any subcontractor that pays less than the specified prevailing rates of wages are subject to penalties under applicable laws, including Labor Code section 1775.

**SECTION 3.2 PROJECT SUBJECT TO COMPLIANCE MONITORING AND ENFORCEMENT BY DIR.** If Owner awards the Agreement to Contractor on or after January 1, 2015, the Project is subject to compliance monitoring and enforcement of prevailing wages by DIR and Contractor shall comply, and require each subcontractor to comply, with all applicable laws and regulations, and rules and determinations issued by DIR relating to registration with DIR and the payment, monitoring, and enforcement of prevailing wages.

#### **ARTICLE 4. CERTIFIED PAYROLL RECORDS.**

**SECTION 4.1 MAINTENANCE.** Contractor and each subcontractor shall keep accurate payroll records in accordance with, and comply with the requirements of, Labor Code section 1776 and applicable regulations.

**SECTION 4.2 INSPECTION.** Contractor and each subcontractor shall make payroll records relating to the Work available for: (A) inspection by Owner and/or any third party at Owner's request unless such inspection is specifically prohibited by applicable laws; and (B) inspection in accordance with a subpoena, court order, or applicable laws and regulations, including but not limited to Labor Code section 1776, and the Public Records Act (Government Code section 6250 et seq.). Contractor shall cooperate with Owner in Owner's response to any subpoena, court order, or request for inspection and/or production of the payroll records.

**SECTION 4.3 FURNISHING TO OWNER.** Contractor shall furnish and require each subcontractor to furnish certified payroll records to Owner upon Owner's request.

**SECTION 4.4 FURNISHING TO LABOR COMMISSION.** This Section 4.4 *applies only if* Owner and Contractor enter into the Agreement on or after April 1, 2015. Contractor and each subcontractor shall furnish certified payroll records directly to the Labor Commissioner in the Division of Labor Standards Enforcement of DIR at least monthly. All payroll records shall be reported in a format and on such form(s) as required by the Labor Commissioner and shall comply with Labor Code section 1776 and other applicable laws.

#### **ARTICLE 5. PROJECT SITE NOTICES.**

Contractor shall post at the Project Site the following:

- 5.1 A copy of the DIR Director's determination of the prevailing rate of per diem wages.
- 5.2 Jobsite notices as prescribed by applicable laws and regulations and required to be posted by Contractor.

#### **ARTICLE 6. OWNER NOTICE OF AWARD OF AGREEMENT.**

Pursuant to Labor Code section 1773.3, Owner shall provide notice to DIR of the Agreement within five days of the award by Owner. The notice shall be transmitted electronically on such form and in such format as specified by DIR, and shall include the information required by Labor Code section 1773.3 and other applicable laws.

#### **ARTICLE 7. CONFLICTS.**

If any conflict exists between any provision in this Prevailing Wage Addendum and any provision in the Agreement, the provision in this Prevailing Wage Addendum shall govern.

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# Best Practices for School Districts

## Public Works Projects

1. Begin campaign to inform any entity working on a public work of the new Department of Industrial Relations (DIR) requirement that the entity must be “registered” and pay an annual \$300 fee (July – June) to be able to “bid on” or “work on” a public work. (Effective July 1, 2014 - applies to anything over \$1,000). (Labor Code § 1725.5)
  - a. EFFECTIVE - March 1, 2015; All bid proposals must list the requirement that all contractors and sub-contractors provide proof that they are in compliance with the new DIR requirements and are properly registered.
  - b. EFFECTIVE - April 1, 2015; No public work contract shall be awarded nor will any work be allowed on a project if the contractor or firm is not properly registered with DIR.
2. Begin implementing new “NOTICING” requirements that “contract documents” and “call for bids” contain language that the work (project) is subject to compliance monitoring and enforcement by the Department of Industrial Relations. (mandatory – EFFECTIVE - January 1, 2015) (Labor Code § 1771.4):
  - a. No contractor or subcontractor may be listed on a bid proposal for a public works project (*submitted on or after March 1, 2015*) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
  - b. No contractor or subcontractor may be awarded a contract for public work on a public works project (*awarded on or after April 1, 2015*) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
  - c. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.
3. [*To be determined*] - The awarding body must post or require the prime contractor to post job site notices prescribed by regulation. (*See 8 Calif. Code Reg. § 16451(d) for the notice that previously was required for projects monitored by the CMU.*)
4. **EFFECTIVE April 1, 2015** – Contractors will be required to enter certified payroll reports directly into the DIR electronic eCPR system for any “new” projects awarded after the effective date. (changes in the current system are in the works to make it more user friendly)

## Contract and Bidding (Helpful Hints)

The bid document should have a box to be checked (or declaration) that the contractor has registered with DIR and paid the fee. A line should be included for the contractor to write their DIR registration number of the company.

If sub-contractors are listed in the bid they must be identified as having registered with DIR and their registration number must be identified.



**NOTE:** ALL Contractors must be aware that work to be accomplished by those with whom they sub-contract (tiered sub-contractor(s)) as part of their work, must also be registered with DIR even though the work to be done may be minor.

It may be prudent for the contract to contain language (or a certification) that contractors (any and all) working on the project will maintain “Full” compliance with the DIR registration/public works requirements. You may want to include language that Prime contractors will ensure that they will require and enforce the DIR registration/public works requirement’s for any sub-contractor working under them during the life of the project.

5. Labor Code §1773.3 requires an awarding agency to notify the Department of Industrial Relations of all public work contract awards ***within 5 days of the award*** via their online website ( <https://www.dir.ca.gov/pwc100ext/> ) (PWC-100).
  - a. For formal contracts “Award” is interrupted to mean “board approval/award”; not the date a contract is signed or a Notice to Proceed is issued.
  - b. “Contract” is interrupted to mean a “formal contract” or a “purchase order”.
  - c. Applies to any work over \$1000 and paid for with “public funds”.
  - d. Refer to “Important Information for Awarding Bodies”  
(<http://www.dir.ca.gov/Public-Works/SB854.html> )and the “Precautionary Legal Notice” from DIR  
(<http://www.dir.ca.gov/DLSE/PrecautionaryLegalNoticetoAwardingBodies.html> )

## Public Works Project Award

(DIR PWC-100 Notification)

As school districts move toward implementing the public works project notification requirements of Senate Bill 854 (SB 854) (effective June 20, 2014) via the Department of Industrial Relations (DIR) online PWC-100 form, it is important to have an understanding of the meaning of a “public works project” and determine how that interpretation impacts a school district.

- Labor Code Section 1720 identifies that a “Public Work” project is any project that entails “...Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds....”
  - DIR includes “maintenance work” as defined in Public Contract Code Section 22002 (d) as work subject to LC §1720.
- Labor Code Section 1771 identifies that a public works project (as identified in LC §1720) is any project totaling \$1000 or more and requires that “workers” are to be paid a “prevailing wage”.
- Labor Code Section 1773.3 (public works project notification) was changed to include “ALL” public works projects (over \$1,000). Previously the notification requirement only

applied to projects that were subject to either apprenticeship requirements (projects over \$30,000) or DIR compliance monitoring requirements (CMU projects).

Many projects ranging between the \$1,000 to \$14,999 (or \$45,000 for Uniform Cost Accounting Districts) values are typically initiated through the “quotation/purchase order” process and these types of public works projects are now mandatorily required to be reported. The attached “templates” - Request for a Quotation form(s) are for modification/use by interested school districts. The forms contain all of the critical data gathering elements, of the PWC-100 online form and will enable a person to effectively enter the data required by DIR. The forms are available as a MS Word document (for modification to your specific needs) upon request.

(Contact: Chuck Parks, Kern County Superintendent of Schools @ 661-636-4734 or [chparks@kern.org](mailto:chparks@kern.org) ).

## Scenarios

Recent “Scenario” questions discussed at the San Diego County Office of Education, SB 854 Training... (Insight into other California schools implementing SB 854)

1. Scenario: A contractor fixes a building in September for \$600. The same contractor fixes another building in February for \$500. These are 2 separate projects, same vendor, that exceed \$1,000. But in September, the vendor and district didn't know we would have another project for them in February. **You need to file on a per project basis. However, if you have regular maintenance, then you would enter into a contract and one PWC 100 would be filed for the term of the agreement.**
2. Does the district require the contractor to submit CPR's to the district, too? Is that our responsibility? **It is my understanding that the DIR will make the CPR data available to the district. See Labor Code 1776 for CPR requirements.**
3. Scenario: We do annual open purchase orders and field contracts (i.e. ABC Contractor – low voltage maintenance repairs, 123 Contractor – monthly HVAC service and repairs as needed, XYZ Flooring – carpet/vinyl replacements, J. Doe Engineering – monthly fuel tank testing and repairs as needed, etc.). We don't always use the entire PO and the cost may not exceed \$1,000...but the PO does. Also, if these vendors are required to register and be monitored, this could very well increase the cost substantially to our district. For example, 123 Contractor does monthly service (cleaning filters, etc.) to our HVAC units districtwide. If they have not been charging us prevailing wages (because this has not been considered a public work project in the past) and then now they do, this will impact our maintenance budget substantially. Is this general service and maintenance like this considered a public works project now? **This can be confusing. There are two definitions for public works. One under PCC 22002 which draws the line between “public works” subject to the \$15,000 bid limit and maintenance subject to the higher limit; and, the other is Labor Code 1720 which governs the payment of prevailing wages and has always included maintenance, repair work, and preconstruction services. If they were not paying prevailing wages, they should have been. When filing the PWC 100, you will**



need to enter the total amount of the work. If the PO states not to exceed \$950, no PWC 100 will be required. If the PO is for \$1,000, then a PWC 100 will be required. There is no dollar limit for the registration requirement. Any contractor performing work paid for in whole or in part with public funds, will be subject to the registration requirement.

4. For our current vendors who this bill applies to (field contracts approved for FY14-15 back in summer), do we need to have them sign some sort of addendum to the contract which includes the updated language regarding this bill? If so, would March 1, 2015 be the deadline? We still need to meet with XXXX and have him help us with updating our current contracts. Any contracts awarded after April 1 are subject to the conditions. If you are renewing an agreement, I believe the requirement would apply. I believe XXXX mentioned this would be the best practice and conservative approach to take at the workshop.
5. So, if we have a new public works project over \$1,000 coming up and the vendor we use is not registered (because they don't have to be registered until March 1, 2015), may we use that vendor, even though they will not be on the approved vendor list? And if we do, it is their responsibility to register. Is the district adversely affected if the vendor does not end up registering? Is it our responsibility to follow up with the vendor to make sure they are registered? If the project is in place prior to March 1, you would not be affected. After that date, it is your responsibility to ensure compliance with the registration process. The contractor would be subject to a \$2,000 penalty per violation. The district officials may be subject to criminal charges (misdemeanor) for violation as there are not civil fines or penalties. See <http://www.dir.ca.gov/dlse/PrecautionaryLegalNoticetoAwardingBodies.html>
6. Which of these are considered public works projects and would require the vendor to be registered (and a PWC-100 need to be submitted)?
  - a. HVAC monthly service Y
  - b. Quarterly generator testing Y
  - c. Monthly fuel pump testing Y
  - d. Annual wheelchair lift inspections Y
  - e. Flooring replacements (Public works under both LC and PCC)
  - f. Asphalt resurfacing less than 1 inch Y
  - g. DSA Inspector Y
  - h. Architect N
  - i. Soil testers Y

# School Name

School Address

## Request for Quotation

Date: \_\_\_\_\_

School Contact / Title - Requesting Quote: \_\_\_\_\_

Contact E-Mail: \_\_\_\_\_ Contact Phone: \_\_\_\_\_ Dept.: \_\_\_\_\_

Project Name: \_\_\_\_\_ Project Address/Location: \_\_\_\_\_

Quote Due Date: \_\_\_\_\_ Quote is good for: (circle one) 30 days 60 days 90 days 120 days

***Pursuant to Labor Code § 1720 et. seq. this work is considered a "Public Work" and is subject to the payment of prevailing wages if the total project cost is over \$1,000. - Proof of a valid Contractor/Specialty license, DIR Registration, worker's compensation and liability insurance is required before work starts.***

**If selected, you will be required to enter certified payroll reports (electronically) into the Department of Industrial Relations (DIR) eCPR website located at: <https://apps.dir.ca.gov/ecpr/DAS/AltLogin>**

Quantity	Description/Scope of Work to be Performed	Unit Price	Extended Price
Attach additional sheets if necessary		Grand Total	

Estimated Time to Complete Project: \_\_\_\_\_ Drawing Attached: Yes ☐ No ☐

Will Sub-Contractors be utilized: Yes ☐ No ☐ (if yes – the same information as listed below must be submitted;

Use page 3, as necessary)

Please type or print legibly

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Contractor's Lic. No.: \_\_\_\_\_ DIR Registration No.: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_ E-mail address: \_\_\_\_\_



# School Name

School Address

## Request for Quotation (cont.)

DIR Classification(s) of workers to be utilized:

Check all that apply;

<input type="checkbox"/> Asbestos	<input type="checkbox"/> Bricklayers	<input type="checkbox"/> Carpenters	<input type="checkbox"/> Carpet/Linoleum
<input type="checkbox"/> Cement Masons	<input type="checkbox"/> Drywall Finisher	<input type="checkbox"/> Drywall Lather	<input type="checkbox"/> Electrician
<input type="checkbox"/> Elevator Mechanic	<input type="checkbox"/> Glazier	<input type="checkbox"/> Iron Worker	<input type="checkbox"/> Laborer
<input type="checkbox"/> Landscape Maint.	<input type="checkbox"/> Operating Engineer	<input type="checkbox"/> Modular Furn. Installer	<input type="checkbox"/> Painter
<input type="checkbox"/> Pipe Trades/Plumber	<input type="checkbox"/> Plaster	<input type="checkbox"/> Roofers	<input type="checkbox"/> Sheetmetal/HVAC
<input type="checkbox"/> Sound/Communications	<input type="checkbox"/> Surveyors	<input type="checkbox"/> Teamster	<input type="checkbox"/> Telecom Technician
<input type="checkbox"/> Tile Workers			

Classifications and wage rates can be found at: <http://www.dir.ca.gov/oprl/PWD/index.htm>

DIR Prevailing Wage Hot Line (415) 703-4774

Printed Name: \_\_\_\_\_

Signature of Authorized Person: \_\_\_\_\_ Date: \_\_\_\_\_

**Important Notice:** California new law (SB 854) provides that "A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Labor Code Section 1725.5." Please go to <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for more information and to register. This project is subject to monitoring by the Department of Industrial Relations

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Office Use:

Recommend for Contract By:

Print Name: \_\_\_\_\_ Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_

Budget Code: \_\_\_\_\_ PO/Contract #: \_\_\_\_\_

Est. Project Start Date: \_\_\_\_\_ Est. Project End Date: \_\_\_\_\_

PWC-100 Processing Date: \_\_\_\_\_ By: \_\_\_\_\_

PWC-100 Data Entry Website: <https://www.dir.ca.gov/pwc100ext/>

**\*\*Completion of this form does not constitute a binding contract to provide work and/or equipment listed above.**

# School Name

School Address

## Sub-contractors

Please type or print legibly

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Contractor's Lic. No.: \_\_\_\_\_ DIR Registration No.: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_ E-mail address: \_\_\_\_\_

DIR Classification(s) of workers to be utilized:

Check all that apply;

<input type="checkbox"/> Asbestos	<input type="checkbox"/> Bricklayers	<input type="checkbox"/> Carpenters	<input type="checkbox"/> Carpet/Linoleum
<input type="checkbox"/> Cement Masons	<input type="checkbox"/> Drywall Finisher	<input type="checkbox"/> Drywall Lather	<input type="checkbox"/> Electrician
<input type="checkbox"/> Elevator Mechanic	<input type="checkbox"/> Glazier	<input type="checkbox"/> Iron Worker	<input type="checkbox"/> Laborer
<input type="checkbox"/> Landscape Maint.	<input type="checkbox"/> Operating Engineer	<input type="checkbox"/> Modular Furn. Installer	<input type="checkbox"/> Painter
<input type="checkbox"/> Pipe Trades/Plumber	<input type="checkbox"/> Plaster	<input type="checkbox"/> Roofers	<input type="checkbox"/> Sheetmetal/HVAC
<input type="checkbox"/> Sound/Communications	<input type="checkbox"/> Surveyors	<input type="checkbox"/> Teamster	<input type="checkbox"/> Telecom Technician
<input type="checkbox"/> Tile Workers			

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Contractor's Lic. No.: \_\_\_\_\_ DIR Registration No.: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_ E-mail address: \_\_\_\_\_

DIR Classification(s) of workers to be utilized:

Check all that apply;

<input type="checkbox"/> Asbestos	<input type="checkbox"/> Bricklayers	<input type="checkbox"/> Carpenters	<input type="checkbox"/> Carpet/Linoleum
<input type="checkbox"/> Cement Masons	<input type="checkbox"/> Drywall Finisher	<input type="checkbox"/> Drywall Lather	<input type="checkbox"/> Electrician
<input type="checkbox"/> Elevator Mechanic	<input type="checkbox"/> Glazier	<input type="checkbox"/> Iron Worker	<input type="checkbox"/> Laborer
<input type="checkbox"/> Landscape Maint.	<input type="checkbox"/> Operating Engineer	<input type="checkbox"/> Modular Furn. Installer	<input type="checkbox"/> Painter
<input type="checkbox"/> Pipe Trades/Plumber	<input type="checkbox"/> Plaster	<input type="checkbox"/> Roofers	<input type="checkbox"/> Sheetmetal/HVAC
<input type="checkbox"/> Sound/Communications	<input type="checkbox"/> Surveyors	<input type="checkbox"/> Teamster	<input type="checkbox"/> Telecom Technician
<input type="checkbox"/> Tile Workers			





## **NEW PUBLIC WORKS CONTRACTOR REGISTRATION LAW [SB 854] FACT SHEET**

SB 854, a budget trailer bill that was signed into law on June 20, 2014, and became effective immediately, made several significant changes to laws pertaining to the administration and enforcement of prevailing wage requirements by the Department of Industrial Relations (DIR). Among other things, SB 854 established a new public works contractor registration program to replace prior Compliance Monitoring Unit (CMU) and Labor Compliance Program (LCP) requirements for bond-funded and other specified public works projects. The fees collected through this new program will be used to fund all of DIR's public works activities, including compliance monitoring and enforcement, the determination of prevailing wage rates, public works coverage determinations, and hearing enforcement appeals.

### **Essentials of public works contractor registration program:**

- Contractors will be subject to a registration and annual renewal fee that has been set initially at \$300. The fee is non-refundable and applies to all contractors and subcontractors who intend to bid or perform work on public works projects (as defined under the Labor Code).
- Contractors will apply and pay the fee online and must meet minimum qualifications to be registered as eligible to bid and work on public works projects:
  - Must have workers' compensation coverage for any employees and only use subcontractors who are registered public works contractors.
  - Must have Contractors State License Board license if applicable to trade.
  - Must have no delinquent unpaid wage or penalty assessments owed to any employee or enforcement agency.
  - Must not be under federal or state debarment.
  - Must not be in prior violation of this registration requirement once it becomes effective. However, for the first violation in a 12 month period, a contractor may still qualify for registration by paying an additional penalty.
- The registration fee is not related to any project. It is more like a license that enables the registrant to bid on and perform public works.



- DIR will post a list of registered contractors and subcontractors on its website so that awarding bodies and contractors will be able to comply with requirements to only use registered contractors and subcontractors.
- Various protections are built in so that
  - A contractor won't be in violation for working on a private job that is later determined to be public work;
  - The inadvertent listing of an unregistered subcontractor on a bid won't necessarily invalidate that bid;
  - A contract with an unregistered contractor or subcontractor is subject to cancellation but is not void as to past work;
  - An unregistered contractor or subcontractor can be replaced with one who is registered;
  - A contractor whose registration lapses will have a 90 day grace period within which to pay a late fee and renew.
- Registrations will begin after July 1, 2014, once the registration system is ready to go online. The preferred method of payment will be by credit card.
- The requirement to list only registered contractors and subcontractors on bids becomes effective on March 1, 2015. The requirement to only use registered contractors and subcontractors on public works projects applies to all projects awarded on or after April 1, 2015.

#### **Essentials of Public Works Enforcement Fund:**

All contractor registration fees will go into the State Public Works Enforcement Fund and be used to fund the following items --

- administration of contractor registration requirement
- all DIR costs for administering and enforcing public works laws
- Labor Commissioner's enforcement of other Labor Code violations on monitored public works projects.

DIR will no longer charge awarding bodies for prevailing wage compliance monitoring and enforcement by the CMU. (*Note: DIR will continue to bill and collect fees from awarding agencies for CMU services provided through June 20, 2014.*)

**Related changes in DIR's administration and enforcement of public works requirements:**

- Requirements to use CMU or specified alternative (labor compliance program or project labor agreement) for state bond-funded and other specified projects have been eliminated and replaced by requirements that apply to all public works projects (as defined under the Labor Code).
- Awarding bodies are *now* required to submit PWC-100 (contract award notice) for all public works projects. (*This requirement previously applied to about 90% of all projects.*)
- Contractors and subcontractors on *all* public works projects will be required to submit certified payroll records (CPRs) to the Labor Commissioner unless excused from this requirement.
  - This requirement will be phased in as follows:
    - Applies immediately to public works projects that have already been under CMU monitoring, *i.e.* contractors on ongoing projects that have been submitting CPRs to the CMU will continue doing so
    - Will apply to any new projects awarded on or after April 1, 2015
    - May apply to other projects as determined by Labor Commissioner
    - Will apply to all public works projects, new or ongoing, on and after January 1, 2016
  - The Labor Commissioner may make exception to this requirement for
    - Projects covered by qualifying project labor agreement
    - Projects undertaken by one of four remaining awarding bodies with legacy LCPs (Caltrans, City of Los Angeles, County of Sacramento, and Los Angeles Unified School District), so long as those LCPs remain approved by DIR
  - CPRs will be furnished online (as is done currently for CMU). DIR intends to continue making improvements to this process, including creating a means for general contractors to have online access to the CPRs submitted by their subcontractors.
- Requirements for awarding bodies to adopt and enforce a DIR-approved LCP are now limited to: (1) public works projects awarded prior to January 1, 2012 that were under a preexisting LCP requirement; and (2) projects funded in whole or in part by Proposition 84.







State of California

## Department of Industrial Relations

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## Public Works

Home page for Public Works

Contractor Debarment

Public Works Enforcement

Laws, Regulations,  
Determinations & Decisions

Forms &amp; Publications

File a public works complaint

## Public Works

Public works refers to construction, alteration, demolition, installation, or repair work (including maintenance) done under contract and paid by public funds. Public works projects do not include those done by a public agency with its own employees.

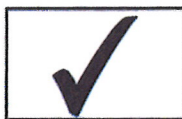
With minor exceptions, all workers employed on public works projects must be paid the prevailing wage determined by the Director of the Department of Industrial Relations according to the type of work and location. The [prevailing wage rates](#) are usually based on rates specified in collective bargaining agreements.

The Director of DIR also makes coverage determinations, hears enforcement appeals, and oversees labor compliance programs, while the Labor Commissioner is responsible for all compliance monitoring, investigations, and enforcement.

## Contractor Registration Training

## Important Notice:

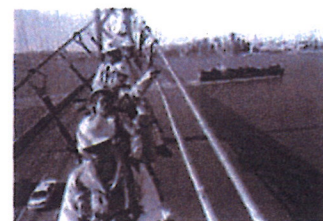
The Public Works Contractor Registration system will be down for routine scheduled maintenance on Saturday, February 7, 2015, from 9:00 a.m. to 9:00 p.m. We apologize for any inconvenience.

[Contractor Registration](#)
[Jan. 27, 2015: Contractor Registration Webinar](#)
[Awarding Body - Electronic Certified Payroll Records](#)
[Contractor - Electronic Certified Payroll Records](#)
[Public Works Projects Registration \(PWC-100\)](#)
[Public Works Manual](#)
[Contact Us](#)


Important  
Section for  
Contractors

## Contractor Registration

Beginning July 1, 2014, contractors must register and meet requirements using the [online application](#) before bidding on public works contracts in California. The application also provides agencies that administer public works programs with a [searchable database](#) of qualified contractors. Application and renewal are completed online with a non-refundable fee of \$300. Read the [SB 854 Fact Sheet](#) for a complete list of requirements.

[Instructions for completing the form](#)


**NEW** Send an email regarding contractor registration to [SB854@dir.ca.gov](mailto:SB854@dir.ca.gov)

Awarding Body Section  
(not for contractors)

## Project Registration

The agency awarding the contract for a public works project must notify DIR within five days by completing the [PWC-100](#) form online. This requirement now applies to all public works projects that are subject to the prevailing wage requirements of the Labor Code, regardless of size or funding source.

## Registration

- [Contractor Registration](#)
- [Electronic Certified Payroll Records for Awarding Body](#)
- [Electronic certified payroll records\(eCPR\) for contractors](#)
- [Public Works Projects Registration \(PWC-100\)](#)

**SB 854**
[Important Information for Awarding Bodies](#)
**Awarding Bodies** learn more about the Labor Compliance Program



Public Works projects registration

Databases

Search for  
"registered"  
contractors



- Civil wage and penalty assessments and judgments database
- Contractor debarments databases
- Contractor registration searchable database
- Public works projects searchable database

- Department of Industrial Relations Launches Public Works Contractor Online Application System

**i** Apprentices learn more about the Apprenticeship Public Works Program

**i** Contact Us  
For questions about Public Works

January 2015

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The Public Works Contractor Registration (PWCR) affidavit online form consists of the following form fields and can be reached by selecting the following link:

<https://efiling.dir.ca.gov/PWCR/ActionServlet?action=displayPWCRRegistrationForm>

## Contractor Information Tab

1. **Contractor Legal Name\***
2. **Contractor Legal Entity\*** - based on your legal entity selection additional fields will be mandatory on the 'Legal Entity' tab
3. **Contractor Trade Name or DBA** – 'Add Another' and 'Remove' feature allows entry of multiple names
4. **CSLB and/or Professional License Number(s):** – 'Add Another' and 'Remove' feature entry of multiple licenses
  - License Type – Dropdown selection list
  - License Number
5. **Contractor Mailing Address\***
6. **Same as mailing address** - Check box that if selected auto-fills mailing address inputs in Physical Address section
7. **Contractor Physical Address\***
8. **Email Address**

## Legal Entity Tab

Based on your selection on the 'Contractor Information' tab from the 'Legal Entity' list the appropriate legal entity form fields will be displayed.

### Corporation legal entity form field(s)

1. **Corporation Number**
2. **President Name\***
3. **Vice President Name**
4. **Treasurer Name**
5. **Secretary Name**
6. **CEO Name**
7. **Agent of Service\*** - Enter the Agent of Service listed with the California Secretary of State
8. **Agent of Service Address\***



## Sole Proprietor legal entity form field(s)

1. **Sole Proprietor Name\***

This screenshot shows the 'Sole Proprietor' tab of the registration form. It features a large text input field for the 'Sole Proprietor Name'. The form is titled 'Public Works Contractor Registration Affidavit' and includes navigation tabs for 'Contractor Information', 'Legal Entity Information', 'Financial Information', 'Contractor Information', and 'Registration History'. The 'Legal Entity Information' tab is currently selected.

## General Partnership legal entity form field(s)

1. **Partner Name\*** – 'Add Another' and 'Remove' feature entry of multiple names

This screenshot shows the 'General Partnership' tab of the registration form. It includes a text input field for 'Partner Name' and a button labeled 'Add Another' to allow for multiple entries. The form is titled 'Public Works Contractor Registration Affidavit' and includes navigation tabs for 'Contractor Information', 'Legal Entity Information', 'Financial Information', 'Contractor Information', and 'Registration History'. The 'Legal Entity Information' tab is currently selected.

## Limited Liability Company legal entity form field(s)

1. **Corporation Number**
2. **Member Name\*** – 'Add Another' and 'Remove' feature allows entry of multiple names
3. **Agent of Service\*** - Enter the Agent of Service listed with the California Secretary of State
4. **Agent of Service Address\***

This screenshot shows the 'Limited Liability Company' tab of the registration form. It includes fields for 'Corporation Number', 'Member Name' (with an 'Add Another' button), 'Agent of Service', and 'Agent of Service Address'. The form is titled 'Public Works Contractor Registration Affidavit' and includes navigation tabs for 'Contractor Information', 'Legal Entity Information', 'Financial Information', 'Contractor Information', and 'Registration History'. The 'Legal Entity Information' tab is currently selected.

## Limited Partnership legal entity form field(s)

1. **Corporation Number**
2. **General Partner Name \*** – ‘Add Another’ and ‘Remove’ feature allows entry of multiple names

Public Works Contractor Registration Affidavit

**Limited Partnership**

Corporation Number

General Partner Name

Add Another Remove

## Joint Venture legal entity form field(s)

Joint ventures are comprised of multiple legal entities thus based on the legal entity type selected for the contractor's joint venture the form fields will duplicate those previously noted for: Corporation, Sole Proprietor, General Partnership, Limited Liability Company, and Limited Partnership.

At least two entities are mandatory for Joint Ventures

1. **Legal Entity Name \***
2. **Legal Entity Types \***

Public Works Contractor Registration Affidavit

**Joint Venture (At least 2 are required)**

Legal Entity Name

Legal Entity Type

Please Select One

## Workers Compensation Tab

1. **Do you lease employees through Professional Employer Organization (PEO)? \***
2. **Workers Compensation Insurance selection options: \***

At least one mandatory even if employees are leased from a PEO

- **Self-Insured**
  - **Certificate of Self-Insurance Number**
  - **Initial Certification Date**
- **Insured by Carrier**
  - **Policyholder Name**
  - **Insurance Carrier**
  - **Policy Number**
  - **Inception/Expiration Date**
- **Exempt from workers' compensation insurance**
  - **Select reason from list**

Public Works Contractor Registration Affidavit

**Workers Compensation**

Do you lease employees through Professional Employer Organization (PEO)? Yes No

Please provide your current workers' compensation insurance information below

Self-Insured Insured by carrier Exempt from workers' compensation insurance?

1. Self-Insured (if selected, please provide the following information)

Certificate of Self-Insurance Number

Initial Certification Date

2. Insured by carrier (if selected, please provide the following information)

Policyholder Name

Insurance Carrier

Policy Number

Inception Date Expiration Date

3. Exempt from workers' compensation insurance (if selected, please select the reason)

Reason for exemption

Not a Permanent or Full-Time Employee

Out of State Employees Only

Not employed in the State of California



## Contractor Certification Tab

The contractor must respond 'Yes' or 'No' to the following contractor certification topics:

1. **Outstanding liabilities certification\***
2. **Debarment from public works certification\***
3. **Public works contractor registration lapse certification\***
4. **License certification\***
5. **Penalty of perjury certification**
  - **Online user name\***
  - **Title/Position with company\***
  - **Company Name\***

The screenshot shows the 'Contractor Certification' tab of the 'Public Works Contractor Registration Affidavit' form. It contains several certification questions with 'Yes' and 'No' radio buttons. The questions are:
 

- I certify that I do not have any delinquent liability to an employee of the state for any assessment of back wages or related damages, interest, fines, or penalties pursuant to any final judgment, order, or determination by a court or any federal, state, or local administrative agency, including a confirmed arbitration award. (Note: Must close and include any delinquency where the appeal period has not expired or any delinquency under appeal.)
- I certify that the contractor is not currently debarred under Section 1771.5 or under any other federal or state law providing for the debarment of contractors from public works.
- I certify that the above named contractor has not filed on any projects on or after March 1, 2014 or entered into a contract for public work, as defined in Labor Code without being registered with the Division of Labor Standards Enforcement.
- I certify, where applicable, the contractor is licensed in accordance with Chapter 9 (commencing with Section 7000) of the Business and Professions Code (CCLB).

 At the bottom, there are fields for 'First Name Last Name', 'The Company Position', and 'Company Name', followed by a signature line and a date field set to 02/02/2014.

## Payment Method Tab

The registration fee can be made via credit card, ACH, or Check thus the contractor must select the payment type for the PWCR registration fee of \$300.00

Payment type selection is mandatory\*

1. **Credit Card/ACH**
2. **Check**

The screenshot shows the 'Payment Method' tab of the 'Public Works Contractor Registration Affidavit' form. It features a 'Choose Payment Method' section with three radio buttons: 'Credit Card/ACH', 'Check', and 'Pay Later'. Below this is a section titled 'Public Works Contractor Registration Fee Refund Policy' with a link to 'Learn More'. At the bottom, there is a 'Submit' button.

\* = Mandatory form fields



CALIFORNIA'S  
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FACILITY PLANNERS MEETING  
FEBRUARY 2015

UPCOMING EVENTS

UPDATE

**C.A.S.H. Annual  
Conference, 2/23/15-  
2/25/15, Sacramento  
Convention Center**

**C.A.S.H. Monthly  
Workshops, LCAP  
3/24/15, Sacramento  
3/27/15, Ontario**

Visit the C.A.S.H.  
website to register for  
these events.

[www.cashnet.org](http://www.cashnet.org)

**Californians for Quality Schools (COS) & C.A.S.H. School Bond Efforts**

**C.A.S.H. Initiative Efforts**

C.A.S.H. is committed to retaining the successful existing funding partnership between state and local entities, which requires the State to keep its end of the bargain. Having exhausted the traditional avenues, however, it has become clear that if the school facilities community continues only along the legislative path, school facilities will continue to lose ground.

For this reason, on Monday, January 12<sup>th</sup> the Coalition for Adequate School Housing formed the *Californians for Quality Schools* committee, which filed ballot initiative language with the State's Attorney General's Office to place a \$9 billion K-14 school bond on the November 2016 ballot. To find out more about the initiative, please visit the *Californians for Quality Schools* website at <http://californiansforqualityschools.com>.

This action bypasses the Legislature and Governor and goes directly to the people of California. If the initiative is qualified, placed on the ballot, and approved by voters, it will provide \$9 billion in bonding authority to fund new construction, modernization, career technical education, charter school facilities, and community colleges. C.A.S.H.'s polling shows that a strong majority of California voters are willing to make an investment in school facilities.

The *Californians for Quality Schools* initiative maintains the state role in funding school facilities by retaining the successful current funding partnership between state and local entities. The initiative language does not propose new programmatic changes, such as the ones proposed by the Governor, or other proposals developed by entities such as the State Allocation Board (SAB) School Facility Program Review Subcommittee. The following is the funding schedule in the initiative:

- |                              |               |
|------------------------------|---------------|
| • New Construction           | \$3 Billion   |
| • Modernization              | \$3 Billion   |
| • Career Technical Education | \$500 Million |
| • Charter School Facilities  | \$500 Million |
| • Community Colleges         | \$2 Billion   |

Concerning the timing of the initiative, the following is a summary of important milestones in 2015 beginning with the filing of the initiative on January 12, 2015:

- Day 1 – Submit initiative to the Attorney General

For more information on these issues and events or for information on becoming a C.A.S.H. member, visit the C.A.S.H. website at [www.cashnet.org](http://www.cashnet.org) or call the office at (916) 448-8577.

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# CALIFORNIA'S COALITION *for* ADEQUATE SCHOOL HOUSING<sup>SM</sup>



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**C.A.S.H. Annual  
Conference, 2/23/15-  
2/25/15, Sacramento  
Convention Center**

- Day 30 – Public comment period ends
- Day 50 – Department of Finance and Legislative Analyst's Office fiscal analysis due
- Day 60 – Attorney General's "Title and Summary" due
- Up to Day 240 – Signature gathering must be completed.

**C.A.S.H. Monthly  
Workshops, LCAP  
3/24/15, Sacramento  
3/27/15, Ontario**

Signature gathering begins after the Attorney General's Title and Summary are complete (by day 60), and may continue for 180 days. Signatures are then reviewed to determine if the initiative qualifies for the ballot.

Visit the C.A.S.H.  
website to register for  
these events.  
[www.cashnet.org](http://www.cashnet.org)

If you haven't already done so, be sure to sign up for the C.A.S.H. 36<sup>th</sup> Annual Conference, February 23-25, 2015 at the Sacramento Convention Center and Hyatt Regency Hotel. This topic and many others will be discussed. You cannot afford to not be in on the discussion. Details can be found on the C.A.S.H. website at [http://www.cashnet.org/meetings/2015\\_Annual\\_Conference/2015AnnualConference.htm](http://www.cashnet.org/meetings/2015_Annual_Conference/2015AnnualConference.htm)

## *Bond Bills Introduced in the Legislature*

C.A.S.H. will continue to pursue future facility funding and program on two tracks: the C.A.S.H.-sponsored initiative track, and the legislative/Administrative track.

Two legislators have introduced bond bill legislation. Senator Carol Liu, Chair of the Senate Education Committee, has introduced her own 2016 bond bill vehicle, SB 114. The bill is currently silent on the dollar amount and it includes a number of other policy changes; K-12, community colleges, and universities are all included.

Assembly Member Chris Holden has introduced AB 148, which expresses the intent of the Legislature to enact a 2016 school bond measure. Assembly Member Holden is the Majority Floor Leader in the Assembly, a key leadership position, and represents AD 41 (Pasadena area).

These bills will serve as a vehicle for bond discussions in the legislature. It is possible that other legislators may also introduce school bond legislation. Legislators have until February 27 to introduce bills. We expect that the Legislature will begin to hold informational hearings on school facilities funding, possibly as early as February. C.A.S.H. is strongly committed to ensuring that there is a statewide school bond in 2016, so we will continue to engage in the legislative process while fully supporting our initiative.

The C.A.S.H. Board believes that every child deserves access to safe, secure, modern learning environments, and C.A.S.H. believes that the *Californians for*

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CALIFORNIA'S  
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*Quality Schools* initiative will achieve this objective.

**Budget Update – Governor’s Proposal for a Future Facilities Program**

The Governor released his 2015-16 budget proposal on January 9, 2015 (see the Facility Planners Meeting Document from January 2015 for more information). The Legislature will now begin an in-depth review process of all proposed policy changes, working toward the constitutional deadline to pass a budget by June 15. It is our understanding that the Administration does not plan to introduce trailer bill language regarding their new school facilities program proposals at this time; while this may sound technical, it means that they are not proposing specific language to implement any of the proposals at this time. Instead, they intend for conversations about the future of facilities funding to continue.

The Governor proposed the following recommendations (summarized from his proposal) for the design of a new program:

- Increase tools for local control:
  - o Expand local funding capacity – Raise assessed valuation caps for specific bond measures and total caps on bonded indebtedness by at minimum the rate of inflation since 2000.
  - o Restructure developer fees – Establish one developer fee level for all school districts and cap the amount of fees that can be levied between existing Level II and III fees (50 to 100 percent of project costs).
  - o Expand allowable uses of Routine Restricted Maintenance funding – Allow districts the ability to pool already inadequate Routine Restricted Maintenance Account funds over multiple years to use for modernization and new construction projects, in addition to routine maintenance.
- Target state funding for districts most in need, in a way that:
  - o Limits eligibility to districts with low per-student assessed value.
  - o Prioritizes funding for health and safety and severe overcrowding projects.
  - o Establishes a sliding scale to determine the state share of project costs based on local capacity to finance projects (i.e. ability to pay).

**Legislative Update**

The Legislature reconvened on January 5, and some members are still in the process of hiring staff and moving in to their new offices. Members have until February 27 to introduce bills; the onslaught of introductions will occur at the end of February. Until then, legislators will continue to meet with stakeholders and constituents while they review bill proposals and develop their legislative platforms.

In addition to the state school bond bills AB 148 and SB 114, a handful of bills

*For more information on these issues and events or for information on becoming a C.A.S.H. member, visit the C.A.S.H. website at [www.cashnet.org](http://www.cashnet.org) or call the office at (916) 448-8577.*

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## CALIFORNIA'S COALITION *for* ADEQUATE SCHOOL HOUSING<sup>SM</sup>



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**C.A.S.H. Annual  
Conference, 2/23/15-  
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website to register for  
these events.  
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specifically pertaining to school facilities have been introduced. These include:

- **AB 6 (Wilk) – Use of High Speed Rail Bond Funds for Facilities**  
This bill would prohibit the sale of bonds for most high-speed rail purposes, and instead authorize the sale and use of remaining unissued high-speed rail bonds to fund construction of school facilities for K-12 and higher education. It would also require that proceeds from previously-issued bonds be used to retire high-speed rail debt. The bill would modify Proposition 1A, the high-speed rail measure approved by voters in 2008, and would therefore require voter approval to go into effect. Wilk, a Republican, has indicated that the bill is intended to start a dialogue about the State's funding priorities; the bill should be viewed as a policy statement and is unlikely to get serious traction in the legislature. The bill reinforces C.A.S.H.'s belief that facilities issues will be a priority topic for discussion in 2015.
- **SB 47 (Hill) – Synthetic Turf**  
This bill would prohibit the installation of synthetic turf at schools and public parks between January 1, 2016 and January 1, 2018. It would also require the Office of Environmental Health Hazard Assessment to conduct a study of the health impacts of synthetic turf. Such environmental and health issues will likely be an ongoing issue for consideration in 2015 and beyond.
- **SB 111 (Fuller) – Military Base Schools**  
This bill would appropriate \$61 million in FY 2015-16 from the General Fund to the State Allocation Board for apportionments at military base schools. Specifically, the apportionments would help fund local match requirements for the federal Department of Defense school facility grant program for public military base schools, which provides funds for construction, renovation, repair or expansion of public schools on military installations.

### **DSA Developing New Energy Program**

The Division of the State Architect (DSA) is in the preliminary stages of developing a new program to encourage energy efficiency in school buildings. The program is intended to provide tools to help reduce energy use and assist with evaluating costs at the time of construction and over the life of the building. It will create resources to help districts with planning and decision-making on their projects, and it will feature case studies from seven different projects representing a cross-section of schools across the state. This program is in the very early stages of development; C.A.S.H. will provide additional details as they become available.

*For more information on these issues and events or for information on becoming a C.A.S.H. member, visit the C.A.S.H. website at [www.cashnet.org](http://www.cashnet.org) or call the office at (916) 448-8577.*





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[www.cashnet.org](http://www.cashnet.org) \* [www.cashfacilitiesnews.org](http://www.cashfacilitiesnews.org)

**C.A.S.H. Annual  
Conference, 2/23/15-  
2/25/15, Sacramento  
Convention Center**

**C.A.S.H. Monthly  
Workshops, LCAP  
3/24/15, Sacramento  
3/27/15, Ontario**

Visit the C.A.S.H.  
website to register for  
these events.

[www.cashnet.org](http://www.cashnet.org)

**Department of Pesticide Regulation (DPR) Pest Management Alliance Grant  
Program Now Open for Applications**

The Department of Pesticide Regulation's (DPR's) 2015/2016 Pest Management Alliance Grant Solicitation is now available. A total of \$400,000 is available for projects that focus on adoption of integrated pest management (IPM) practices in agricultural or urban settings. DPR will consider projects for terms of up to 33 months. If you are interested in this funding opportunity, please view the 2015/2016 Solicitation on DPR's Web site

[www.cdpr.ca.gov/docs/pestmgt/grants/alliance/solicitation.htm](http://www.cdpr.ca.gov/docs/pestmgt/grants/alliance/solicitation.htm).

Project concepts must be submitted using the FFAST online grant application system by 5:00 PM on Friday, February 6, 2015.

**C.A.S.H. Annual Conference – Exhibitor and Sponsorship Opportunities**

Sacramento, California will be the site of the premier school facilities event of 2015, where over 1,000 members of the school facilities community will gather at the Sacramento Convention Center during the C.A.S.H. 36th Annual Conference. Outstanding educational programming and tremendous marketing and networking opportunities are hallmarks of this conference.

The C.A.S.H. Conference is the perfect venue from which you can promote your products and services, develop brand awareness, distribute information, and conduct business.

C.A.S.H. is committed to your success and will help provide:

- More sales and leads for your marketing dollar
- Exhibit hours that maximize attendee time on the exhibit floor
- An audience anxious to buy your products and services
- A listing in the Conference Program

For more details about how you can sign up to exhibit and/or sponsor, visit the C.A.S.H. website at [www.cashnet.org](http://www.cashnet.org) and click on the conference banner at the top of the home page.

**For the latest updates on important matters affecting school facilities, be sure to check the new *CASH Register* news website at [www.cashfacilitiesnews.org](http://www.cashfacilitiesnews.org).**

C.A.S.H. is now on Facebook! To “like” our page and connect with us on Facebook, go the C.A.S.H. home page and click the Facebook link.

You can also follow us on Twitter at @CASHFacilities.

*For more information on these issues and events or for information on becoming a C.A.S.H. member, visit the C.A.S.H. website at [www.cashnet.org](http://www.cashnet.org) or call the office at (916) 448-8577.*

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## C.A.S.H. 36th Annual Conference

### Sacramento Convention Center

### February 23-25, 2015

As we enter 2015, the economy is on an upswing and the residential housing sector is beginning to bounce back. With over \$9 billion in bonds on the November 2014 ballot, local communities and school districts are committed to meeting their facilities construction and modernization needs with robust local bond programs. The Coalition for Adequate School Housing (C.A.S.H.) continues to actively advocate for preservation of the State-Local partnership for school facilities, though it is clear that the trend is toward a greater reliance on local resources. While we don't yet know what the future holds, 2015 is certain to be a pivotal year for school facilities.

Regardless of funding source, school facilities projects face a multitude of state and local requirements, such as the new Department of Industrial Relations (DIR) prevailing wage monitoring program. While conversations continue about the future of a State facilities program, the Governor and other key decision-makers are targeting resources to specific policy priorities under programs such as Proposition 39 and the Drought Response Outreach Program for Schools (DROPS). While these programs will not meet all needs, they provide tools to address important issues. Additionally, school districts and county offices of education (COEs) are adjusting to the new school finance system, the Local Control Funding Formula (LCFF), which creates new challenges and opportunities for meeting facilities needs.

Under the leadership of Jenny Hannah, Chair of the C.A.S.H. Annual Conference Planning Committee, the Committee has developed a program to provide attendees with a range of options addressing current topics, emerging issues, and best practices. The Conference will provide the venue to explore what may be next for the State facilities program, and how schools can continue to meet their facilities needs in the interim and maximize existing funding opportunities. Building upon last year's successful emphasis on 21<sup>st</sup> Century Learning Environments, the Conference will feature the new hands-on NextGen Experience, bringing 21<sup>st</sup> Century Learning Spaces to the trade show floor. As always, the Conference provides attendees with ample opportunities to share information with colleagues and to network with key state agency representatives, legislative staff and other key policymakers.

## Here are the Highlights:

► **NextGen Experience:** At this year's Annual Conference we will provide a NextGen Experience on the trade show floor located in the back of the exhibit hall. The NextGen Experience is a hands-on simulated learning space designed to provide relevant content around the latest innovations in the interior of the classroom. The NextGen Experience showcases innovation in several areas including, but not limited to: architectural, flooring, technology, movable walls, furniture, lighting, acoustics and like industries. The NextGen Experience offers attendees the chance to try out new products and services that may be utilized in their future classroom designs and connect with industry experts in this field.

New  
This  
Year!

► **Dinner:** A networking dinner is scheduled for Tuesday, February 24 from 5:30 p.m. to 7:30 p.m. on the 3rd Floor of the Sacramento Convention Center, immediately following the Reception and Trade Show. This dinner is included as part of the Annual Conference registration fee and will be a casual setting with food stations and no-host bars.

New  
This  
Year!

► **Format:** Understanding everyone's time is limited, the Conference will continue to be three days. The content on Monday will prove to be educational and entertaining. Be sure to arrive in time to attend workshops such as *Changes in the Law 2015* and *New Member, First Time Attendee? Get the 4-1-1 on C.A.S.H.* and much more. On Monday, we will continue with the popular M&O Technology and Demonstration Fair, a hands-on maintenance technology session which will be valuable for all attendees.

► **Clinics:** This year's conference offers six clinics designed to be in-depth, hands-on learning sessions where attendees will acquire information they can put into immediate use in their districts and businesses.

► **Roundtables:** Roundtable discussions are designed to offer an exchange of ideas in small, informal settings. With over 20 roundtable topics, attendees will have the opportunity to interact with experts on a wide variety of issues related to school construction.

► **Workshops:** Over 35 workshops on school construction, fiscal management, architecture, high performance, maintenance and operations, state agencies, and planning and programming issues will be presented.

► **Trade Show:** The Trade Show is open during the Welcome Reception on Monday, February 23 from 5:30 p.m. – 7:00 p.m. We will have break service and an after-lunch dessert in the exhibit hall on Tuesday, February 24. Don't miss this great opportunity to visit over 150 vendors specializing in school facilities products and services.

**For more information on topics, schedules, and to register, go to: [www.cashnet.org](http://www.cashnet.org)**



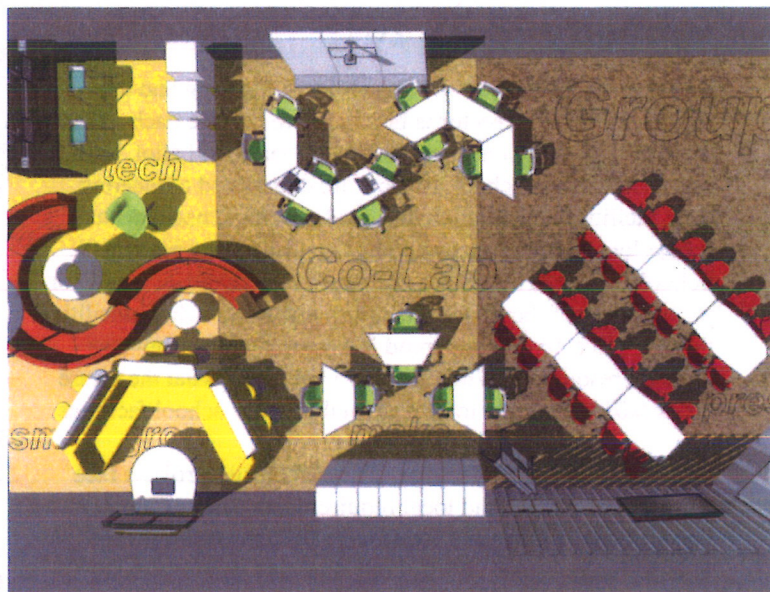
# Welcome to the C.A.S.H. NextGen Experience



NextGen Experience, an interactive, educational space in the C.A.S.H. Annual Conference Exhibit Hall, offers school facility practitioners a new way to explore innovative learning spaces right on the trade show floor.

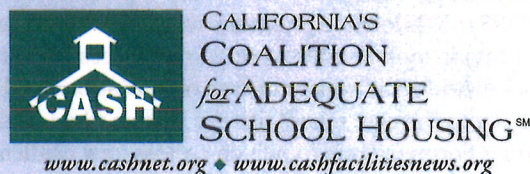
**NextGen Experience** is a hands-on simulated learning space designed to provide relevant content around the latest innovations in the interior of the classroom. **NextGen Experience** showcases innovation in several areas including, but not limited to: architecture, flooring, technology, movable walls, furniture, lighting, acoustics and like industries.

**NextGen Experience** offers attendees the chance to try out new products and services in small group presentations that may be utilized in their future classroom designs and connect with industry experts in this field. **NextGen Experience** will also encompass two larger learning sessions; one that will feature the California Department of Education (CDE) highlighting their work in this area and another that will feature a teacher that will focus on learning outcomes. **NextGen Experience** is a first-of-its-kind endeavor for C.A.S.H. and is a cutting-edge model on the trade show floor.



Photos/graphics provided courtesy of DLR Group.

**C.A.S.H. 36th Annual Conference**  
Sacramento Convention Center  
February 23-25, 2015



## Exhibit hall open:

**Monday, February 23** • 5:30 p.m. – 7:00 p.m.

**Tuesday, February 24** • 10:00 a.m. – 5:30 p.m. (closed for lunch from 12:00 p.m. – 1:00 p.m.)

*The **NextGen Experience** is open during these times, and Industry Partner products and services will be on display for the duration of the Trade Show.*

## NextGen Experience Education Session date/times (tentative):

### Tuesday, February 24

- Large group learning session to include CDE: 10:15 a.m. – 11:30 a.m.
- Small group learning sessions: 1:45 p.m. – 2:30 p.m.
- Large group learning session to include a teacher: 2:45 p.m. – 3:30 p.m.
- Small group learning sessions: 3:45 p.m. – 4:30 p.m.



## **PROCEDURE: PROJECT CERTIFICATION PROCESS**

**PURPOSE:** California Code of Regulations (CCR), Title 24, Part 1, Chapter 4, Article 1 (Sections 4-211 through 4-220) and Group 1, Articles 5 and 6 (Sections 4-331 through 4-344) provide regulations governing the construction process for projects under the jurisdiction of the Division of the State Architect (DSA).

This Procedure provides a required, prescribed method for compliance with applicable sections of the above regulations related to certification of construction projects.

**BACKGROUND:** Constructed projects regulated by DSA are required to be certified as to the safety of design and construction pursuant to Education Code Sections 17280-17316 and 81130-81147.

Ensuring projects are certified is critical because:

- Certification provides a method to report the safety of school construction.
- School board members may be personally liable for projects until certified.
- DSA will be unable to approve new proposed projects associated with uncertified construction (see DSA IR A-20 for in-depth discussion).

**DEFINITIONS:** The following definitions apply to terms used in this document:

**Architect/Engineer** – An abbreviated use of the term Design Professional in General Responsible Charge.

**Contractor** – A company or individual that contracts for or is otherwise responsible for the construction of the project or portions of the project.

**DSA Approved Construction Documents** – Portions of plans, specifications, addenda, deferred submittals, revisions, and construction change documents (CCDs) duly approved by DSA that contain information related to, and affecting Structural Safety, Fire and Life Safety, and Accessibility. While all portions of the construction documents may contain a DSA identification stamp, the stamp does not imply approval. The DSA approval is indicated by a letter to the district. The letter clarifies that the approval is limited to Structural Safety, Fire and Life Safety, and Accessibility.

The DSA approval letter states: *"Buildings constructed in accordance with approved drawings and specifications will meet minimum required standard given in Title 24, California Code of Regulations, for structural, and fire and life safety...and... certifies that the drawings and specifications are in compliance with State regulations for the reasonable accommodation of the disabled."*

**Design Professional In General Responsible Charge** – The architect or engineer in general responsible charge of the project, as listed on Line 22 or 24 of form DSA 1.

**Other Responsible Design Professionals** – Architects or engineers with delegated responsibility for portions of the project as listed on Line 25 or 26 of form DSA 1, such as architects, structural engineers, mechanical engineers, electrical engineers and the geotechnical engineer of record.

**Project Inspector** – An inspector who is certified by DSA and specifically approved by DSA to provide competent, adequate and continuous construction inspections for the project.



## PROJECT CERTIFICATION PROCESS

**APPLICABLE DSA FORMS:** The following forms are referenced in this document and can be found on the DSA website at <http://www.dgs.ca.gov/dsa/Forms.aspx>.

- DSA 1 Application for Approval of Plans and Specifications
- DSA 5-PI Project/Special Inspector Qualification Record
- DSA 6-AE Architect/Engineer Verified Report
- DSA 6-C Contractor Verified Report
- DSA 6-PI Project Inspector Verified Report
- DSA 102-IC Construction Start Notice/Inspection Card Request
- DSA 103 Statement of Structural Tests and Special Inspections
- DSA 130 Certificate of Compliance – Approved Bleacher/Grandstand Fabricator
- DSA 152 Project Inspection Card
- DSA 154 Notice of Deviations/Resolution of Deviations
- DSA 155 Project Inspector Semi-Monthly Report
- DSA 291 Laboratory of Record Verified Report
- DSA 292 Special Inspection Verified Report
- DSA 293 Geotechnical Verified Report
- DSA 301-N Notification of Requirement for Certification (first notice)
- DSA 301-P Notification of Requirement for Certification (posted)
- DSA 302 Response to DSA 301-P Notification of Requirements for Certification

### 1. DSA CONSTRUCTION OVERSIGHT PROCESS OUTLINE:

#### General

DSA provides oversight during construction by providing supervision of the Project Inspector, reviewing administrative and technical documents, communicating with involved parties and by making periodic visits to the construction site. The general outline of the process is as follows:

#### 1.1 Approval of the Project Inspector:

- The project inspector must be approved by DSA for each individual project. This requires a form DSA 5-PI (Inspector Qualification form) to be submitted to DSA.
- The DSA Field Engineer (DSE) approves the project inspector (or disapproves and a new form DSA 5-PI needs to be submitted).
- See DSA procedure PR 13-01 for further discussion.

#### 1.2 Notice of Start of Construction/Request for Inspection Cards:

- The Design Professional in Responsible Charge or the district (owner) submits form DSA 102-IC (Notice of Start of Construction/Request for Inspection Card) to DSA.
- See DSA procedure PR 13-01 for further discussion.

#### 1.3 DSA Creates Box (Electronic communication/collaboration system):

- DSAbox.com is a web-based file sharing system used by those involved in the

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**PROJECT CERTIFICATION PROCESS**

construction process to submit and share required documentation with DSA.

- See DSA procedure PR 13-01 and DSAbbox External Library for further discussion.

**1.4 DSA issues Inspection Cards (forms DSA 152):**

The Project Inspection Card (form DSA 152) is an interim verified report by the project inspector. The project inspector signs off the applicable blocks and sections on the form as the work progresses, verifying:

- Construction is in compliance with the DSA-approved construction documents.
- Required testing and inspections are complete.
- Required documentation has been received by the project inspector.

**1.5 Construction Commences:**

- As construction proceeds, various documents are submitted to the DSAbbox by those involved with the construction process.
- The DSA field engineer (District Structural Engineer) is generally responsible for regulatory oversight of the construction and visits the construction site when appropriate.

**1.6 Project Certification Phase is Initiated:**

- See Section 2 for in-depth discussion about the process of Project Certification.
- When a project becomes occupied, in use, or otherwise complete, DSA initiates the project certification phase. The project either becomes “certified” or “not certified.”
- The Design Professional in General Responsible Charge and the district (owner) are notified of the certification status of the project.
- If the project is certified, DSA creates a certification letter which is uploaded to the DSAbbox and sent to the school district (owner) and the Design Professional in General Responsible Charge.
- If the project is not certified, then:
  - DSA completes form DSA 301-N “Notification of Requirement for Certification” which identifies the reasons certification is being withheld. The form is uploaded to the DSAbbox, and sent to the district (owner). If the reasons for withholding certification are not resolved within 60 calendar days, form 301-N is updated by using form 301-P and the form 301-P is then posted on the DSA website using the DSA Certification Box.
  - After DSA posts a form DSA 301-P, the district and its design team can upload the identified required documentation to the DSA Certification Box and/or upload forms DSA 302 with responses to the issues identified in the form DSA 301-P.
  - After the district and its design team has resolved all the issues identified in the form DSA 301-P, a request for DSA to re-examine the file must be made by submitting a completed form DSA 302.
  - A fee may be required to initiate the re-examination process as specified in section 2.9.



## PROJECT CERTIFICATION PROCESS

### 2. PROJECT CERTIFICATION PHASE:

#### General:

Constructed school building projects are required to be certified for compliance with Title 24, California Code of Regulations as to the safety of design and construction. The project certification phase is the culmination of the DSA construction oversight program wherein DSA completes the verification that the constructed project complies with the DSA-approved construction documents.

#### 2.1 Initiation of the Project Certification Phase:

- For the purpose of initiating the project certification phase, the following definitions shall apply:
  - **Occupied or In Use** – Buildings, structures, projects or portions of projects in the state of being entered or used by any persons or for any purposes other than for the purpose of being constructed or furnished.
  - **Ready for Occupancy or Use** – Projects that have all the Structural, Fire and Life Safety, and Accessibility components and systems completed such that the project can be occupied or used.

**2.1.1** The project certification phase is initiated by the DSA District Structural Engineer (DSE) when one of the following conditions occurs:

- a) **The project is occupied or in use.** In clarification, the project certification phase will be initiated as follows:
  - For projects consisting of one building or structure: Once that building or structure becomes occupied or in use (even if related structural, fire and life safety, or accessibility portions of the building or associated site work are not complete).
  - For projects consisting of multiple buildings or structures: Once all the buildings or structures become occupied or in use (even if related structural, fire and life safety, or accessibility portions of the building or associated site work are not complete).
  - For projects with only site work (no structures): Once the fire and life safety or accessibility portions of the site work are in use.
- b) **The project is ready for occupancy or use.** In clarification, the project certification phase will be initiated as follows:
  - For projects consisting of one building or structure: Once that building or structure becomes ready to occupy or use and the structural, fire and life safety, and accessibility portions of the associated site work are ready for use.
  - For projects consisting of multiple buildings or structures: Once all the buildings or structures become ready to occupy or use and the structural, fire and life safety, and accessibility portions of the associated site work are ready for use.
  - For projects with only site work (no structures): Once the fire and life safety, and accessibility portions of the site work are ready for use.
- c) **Construction activity has been suspended or abandoned for a period of one year.** If construction activity is suspended or abandoned for a period of one year, the DSA approval of the unconstructed portion of the project may be voided (unless the

## PROJECT CERTIFICATION PROCESS

unconstructed portion is required to be in place for the constructed work to be code compliant) and the certification requirements for the constructed portion are reviewed and identified.

### 2.2 Examination of the DSA Project File for Certification:

DSA staff examines the project file to verify that requirements for project certification have been met. Using the documents found in the DSABox, the project file, ADM, and data entered into eTracker, the DSA staff verifies the following:

- 2.2.1 **Final Verified Reports:** Final Verified Reports as listed in section 2.3 are required to have been received, correctly completed, and signed by the correct persons.
- 2.2.2 **Construction Documents:** Construction documents and changes to the construction documents which modify or affect the structural, fire and life safety, or accessibility components of the project must have been approved by DSA. These include:
  - Addenda
  - Revisions
  - Deferred Submittals
  - Category A Construction Change Documents (CCD Category A)
- 2.2.3 **Construction of Required Scope:** All systems and components as defined in the DSA-approved construction documents which affect structural, fire and life safety, and accessibility must have been constructed.
- 2.2.4 **Construction Compliance:** All systems and components of the structural, fire and life safety, and accessibility scope of the work must have been constructed in compliance with the DSA-approved construction documents.
- 2.2.5 **Required Fees:** All required fees must have been paid. DSA staff performs a final reconciliation to confirm that all fees required by regulation have been paid to DSA. The final fee reconciliation cannot be completed until:
  - All Construction Documents have been approved.
  - The District completes and submits a DSA 168 Statement of Final Actual Project Cost.
- 2.2.6 **Notice of Completion:** A Notice of Completion is required to be received by DSA. For the purposes of certification, the DSA 168 Statement of Actual Project Cost also serves as the notice of completion.



### 2.3 Documents Required For Certification:

The two sub-sections below provide a comprehensive list of documents required to be submitted to DSA for the purposes of certification. DSA staff reviews these documents to verify they are complete, correct and signed by the appropriate person. Additionally, DSA staff reviews these documents as part of the verifications identified in section 2.2.

*Note: for purposes of certification, the final verified reports cover and govern over any missing, incorrect, incomplete or non-conforming interim verified reports as well as interim verified reports reporting non-conforming/non-compliant conditions.*



## PROJECT CERTIFICATION PROCESS

**2.3.1** The following documents are required to be submitted to DSA for all projects:

- Form DSA 6-AE Verified Report – Architect/Engineer **(Final)**
- Form DSA 6-PI Verified Report – Project Inspector **(Final)**
- Form DSA 6-C Verified Report – Contractor **(Final)**
- Form DSA 168 Statement of Final Actual Project Cost

**2.3.2** The following documents are required to be submitted to DSA only for those projects for which they are applicable as defined:

- For projects with material testing required: Form DSA 291 Laboratory Verified Report **(Final)**.
- For projects with special inspections required *and* the special inspectors are provided by the Laboratory of Record: Form DSA 291 Laboratory Verified Report **(Final)**. Section 2 “Combined Verified Report” checkbox is checked and the report is signed by the Engineering Manager of the approved Testing and Inspection Laboratory.
- For projects with special inspections required *and* the special inspectors are employed directly by the school district (not provided by the Laboratory of Record): Form DSA 292 Special Inspection Verified Report **(Final)**. Each special inspector must sign and submit individual Verified Reports.
- For projects that require geotechnical-related testing or inspections: Form DSA 293 Geotechnical Verified Report **(Final)**.
- For projects with manufactured bleachers when the overall height is 20 feet or less: Form DSA 130 Certificate of Compliance – Approved Bleacher/Grandstand Fabricator.

### **2.4 DSA Issues a Notification of the Status of Project Certification:**

After DSA staff completes the examination of the file (see Section 2.2) and verifies the required documents are received and correct (see Section 2.3), then a notification of the status of certification is generated and issued. The Notification will be issued 60 days after the date that causes initiation of the project certification phase.

- For projects that can be certified: DSA will generate and issue a “*Certification of Compliance*” letter. The certification letter is then uploaded to the DSAbox and ADM and copies are sent to the following:
  - The school district (owner) “Attention District Superintendent” and “Attention Director of Facilities.”
  - The Design Professional in General Responsible Charge.
- For projects that cannot be certified: DSA will generate and issue a form DSA 301-N “*Notification of Requirement for Certification*.” The form is then uploaded to DSAbox and a copy is sent to the school district (owner) “Attention Director of Facilities.” The District and its design/construction team will then have 60 days to resolve all outstanding issues. After the 60-day period, the file is again examined and actions are taken as described in section 2.5.

## PROJECT CERTIFICATION PROCESS

### 2.5 60 Day Examination of the Certification Status for Non-Certified Projects.

**2.5.1** After 60 days from the issue date of the form DSA 301-N, DSA staff will again examine the project file as described in section 2.2 to determine if all requirements for certification have been resolved.

**2.5.2** If the project can be certified, DSA will:

- Issue the "Certification of Compliance" letter, as described in Section 2.4.

**2.5.3** If the project still cannot be certified, then DSA will:

- Generate a form DSA 301-P – *Posted Notification of Requirements for Certification*. This form is simply an update to form DSA 301-N such that the posted issues reflect the actual state of certification after the 60-day notification period.
- Upload the DSA Form 301-P to DSAbbox. Project collaborators will receive automatic notification and be able to view all project documents; however, permissions to upload documents to the project folders will be terminated at this time since subsequent certification actions will take place in DSA Certification Box.
- Send copies of the DSA Form 301-P to the following:
  - The school district (owner) "Attention District Superintendent" and "Attention Director of Facilities."
  - The Design Professional in General Responsible Charge.
- Post the DSA Form 301-P to the DSA website via DSA Certification Box as described in Section 2.6. This notification is viewable by the public.

### 2.6 Posting the Form DSA 301-P "Notification of Requirement for Certification" to DSA Certification Box

After 60 calendar days have elapsed from the date form DSA 301-N was issued, DSA staff posts form DSA 301-P to DSA Certification Box. This posted notice is viewable by the public.

When a project becomes certified, the form DSA 301-P is removed from the DSA website posting.

### 2.7 Re-examination for Non-Certified Projects with Form DSA 301-P Posted to DSA Certification Box

Once a DSA 301-P Notification of Requirement for Certification has been posted in DSA Certification Box, project stakeholders will no longer be able to upload documents to their folders in the original project DSAbbox. Instead, documents required for certification need to be uploaded by the district/design/construction team to the DSA Certification Box.

**2.7.1** Responding to issues identified in form DSA 301-P "Notification of Requirement for Certification" occurs as follows:

- The School District (Owner) or the Design Professional in General Responsible Charge must request permission to upload documents to the DSA Certification Box project folder by completing and submitting an Access Request through the DSA website. An electronic invitation containing instructions to set up an account will be sent via email.



## PROJECT CERTIFICATION PROCESS

- Project documentation may be uploaded to DSA Certification Box by the district/design/construction team as records become available; however, each upload should include a completed form DSA 302 "Response to DSA Notification of Requirement for Certification."
- Responses to any of the issues listed on the form DSA 301-P may be made anytime by the district/design/construction team by using form DSA 302 and uploading it to the DSA Certification Box.

### 2.7.2 Requesting DSA to re-examine the project for certification requires the following actions:

- Form DSA 302 must be completed, including checking "This is a Request for Re-examination."
  - The form must then be uploaded to the DSA Certification Box.
  - A copy of the form must be sent electronically (email) to the appropriate DSA regional office as follows:
 

Region 01	<a href="mailto:DSACertificationOakland@dgs.ca.gov">DSACertificationOakland@dgs.ca.gov</a>
Region 02	<a href="mailto:DSACertificationSacramento@dgs.ca.gov">DSACertificationSacramento@dgs.ca.gov</a>
Region 03	<a href="mailto:DSACertificationLosAngeles@dgs.ca.gov">DSACertificationLosAngeles@dgs.ca.gov</a>
Region 04	<a href="mailto:DSACertificationSanDiego@dgs.ca.gov">DSACertificationSanDiego@dgs.ca.gov</a>
  - If a re-examination fee is required (see section 2.8), then the fee along with a copy of the form must be mailed or delivered to the appropriate DSA Regional Office. (For clarification, in this instance a completed form DSA 302 is now in the DSA Certification Box, has been emailed and a hard copy is now being sent to the regional office along with the re-examination fee.)
- Comprehensive complete DSA 302 request packages addressing every item listed on the DSA 301-P form are highly recommended; however, DSA will process partial requests (unless they are transmitted without a DSA 302 form). The re-examination fee, if required, will apply to submittals regardless of their completeness.
- If the re-examination of the file results in certification, then DSA will issue a Certification Letter to the School District and the DSA 301-P Notice will be removed from the DSA website.
- If the re-examination of the file does not result in certification of the project, then DSA will issue an updated DSA 301-P "Revised Notification of Requirement for Certification" and post it in the DSA Certification Box.
- Subsequent transmittal of documents and responses to unresolved items listed on the DSA 301-P Revised Notification repeats the same process outlined above and will require payment of a re-examination fee.

## 2.8 Re-Examination Fees

**2.8.1** No fee is required for the first request for the project to be re-examined for certification if it is received within 12 months from the date of the DSA 301-N Notification (or 90-day letter for a transition project).

**2.8.2** Any subsequent re-examination requests, or any first re-examination requests received 12 months after the date of the DSA 301-N Notification (or 90-day letter for a transition project), must include a re-examination fee based on the following construction cost schedule:

## PROJECT CERTIFICATION PROCESS

- Projects with construction cost less than \$5 million:
  - **\$500 re-examination fee**
- Projects with construction cost between \$5 million and \$50 million:
  - **\$750 re-examination fee**
- Projects with construction cost greater than \$50 million:
  - **\$1000 re-examination fee**

### 2.9 Rescinding DSA 301 Notification

DSA 301-N or DSA 301-P Notifications may be rescinded at the discretion of DSA when the district makes a request and documents both of the following conditions:

- Construction is not complete and the contractor is still mobilized at the site.
- No portions of the project are occupied or otherwise in use.

### 2.10 New projects associated with uncertified projects:

See DSA IR A-20 for discussion of new projects that are associated with uncertified projects.

## 3. TRANSITION:

Projects that have already entered the certification phase or that were constructed prior to the implementation of DSAbbox/Inspection card system use the following processes:

### 3.1 Projects with no DSAbbox accounts and no 90-day letter issued

- Form DSA 301-N will be created and sent to the following:
  - The school district (owner) "Attention Director of Facilities."
  - The Design Professional in General Responsible Charge.
- Required documents may be mailed or delivered to Regional Office.
- After 60 days, DSA staff will review and either create a Certification Letter or a DSA 301-P "Notification of Requirement for Certification."
- The certification letter or DSA 301-P will be sent to the following:
  - The school district (owner) "Attention District Superintendent" and "Attention Director of Facilities."
  - The Design Professional in General Responsible Charge.
- DSA 301-P forms will be posted on the DSA website in the DSA Certification Box.
- Certification letters will be uploaded to ADM.

### 3.2 Projects that have 90-day letters issued

- After the 90-day period has passed, DSA staff will review and either create a Certification Letter or DSA 301-P "Notification of Requirement for Certification."
- The certification letter or DSA 301-P will be sent to the following:
  - The school district (owner) "Attention District Superintendent" and "Attention Director of Facilities."
  - The Design Professional in General Responsible Charge.



## PROJECT CERTIFICATION PROCESS

- DSA 301-P forms will be posted on the DSA website in the DSA Certification Box.
- Certification letters will be uploaded to ADM.

### **3.3 Requests for Re-examination of “Closed” Uncertified Projects (not applicable to projects that have been issued a form 301-P)**

- DSA staff will re-examine the project for certification. If the re-examination of the file does not result in certification of the project, then DSA will complete a form DSA 301-P listing the outstanding requirements.
- The certification letter or DSA 301-P will be sent to the following:
  - The school district (owner) “Attention District Superintendent” and “Attention Director of Facilities.”
  - The Design Professional in General Responsible Charge.
- DSA 301-P forms will be posted on the DSA website in the DSA Certification Box.
- Certification letters will be uploaded to ADM.

### **3.4 Re-examination initiated by DSA (Legacy Projects) (not applicable to projects that have been issued a form 301-P)**

- DSA staff will continue to use Alternate Process (AP) letter templates to create letters communicating outstanding requirements for certification. These will continue to be mailed to School Districts.
- If no response has been received to the AP letter after 60 days, the AP letter will be posted on the DSA website in the DSA Certification Box.
- If a response is received, DSA staff will review and either create a Certification Letter or update the AP letter listing the outstanding requirements.
- The certification letter or legacy AP letter will be sent to the following:
  - The school district (owner) “Attention District Superintendent” and “Attention Director of Facilities.”
  - The Design Professional in General Responsible Charge.
- Legacy AP letters will be posted on the DSA website in the DSA Certification Box.
- Certification letters will be uploaded to ADM.

### **3.5 Pre-Tracker Projects**

- All pre-tracker projects will be treated as “Legacy Projects” and follow that process.