



Office of Public School Construction

STAFF TO THE STATE ALLOCATION BOARD

January 2024 Update

Buzzworthy

OFFICE OF PUBLIC SCHOOL CONSTRUCTION'S DIRECTORY OF SERVICES – OPSC ONLINE LOCATION

In order to minimize risk to the Department of General Services (DGS) and the Office of Public School Construction (OPSC) from phishing, vishing, and malware, the direct contact information for all OPSC staff will be removed from our external website. If you are not already working with a team member, general emails and phone calls may be sent to OPSC's Communications Team at OPSCCommunications@dgs.ca.gov or at (916) 376-1771. Your correspondence will then be forwarded to the appropriate team member for a timely response.

We will continue to maintain our Directory of Services and update it monthly with all our team's direct contact information. The Directory of Services can now be accessed in the Resources section of [OPSC Online](#), available after logging in. If you have questions, please contact OPSC's Communications Team at OPSCCommunications@dgs.ca.gov or at (916) 376-1771.

PRIORITY FUNDING SCHOOL CONSTRUCTION APPORTIONMENTS

At the December 4, 2023 meeting, the State Allocation Board (SAB) approved the Priority Funding Apportionments of approximately \$167.2 million for projects that submitted a valid certification.

CALIFORNIA PRESCHOOL, TRANSITIONAL KINDERGARTEN AND FULL DAY KINDERGARTEN REGULATION CHANGES FOR PROGRAM TIMELINES

At the September 27, 2023 meeting, the SAB approved recommended policy changes for funding deadlines and requirements for California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program (Program). These changes apply to projects apportioned during the third funding round, which includes applications received from April 1, 2022 through April 30, 2022, the fourth funding round, which includes applications received from February 1, 2023 through March 2, 2023, and future funding rounds. Specifically, the following deadlines were extended for Third and Fourth round approved applications:

- 18 months to submit the required approvals and *Fund Release Authorization* (Form SAB 70-02) to OPSC. (was 12 months)
- Three (3) years from the date of Apportionment to complete the project and submit an *Expenditure Report* (Form SAB 70-03).
- Applicants have the option to request an extension for full fund release beyond 18 months, not to exceed the final three-year completion requirement (i.e. Form SAB 70-03).

In addition, the SAB approved the proposed regulatory amendments to the Program regulations, forms, and grant agreements for future funding rounds.

As follow up to the SAB decision, OPSC sent letters to all affected successful applicants.

ADDITIONAL GRANT FOR GENERAL SITE DEVELOPMENT – PROPOSED REGULATIONS

On September 27, 2023, the SAB approved an extension of two years to the General Site Development grant regulation to prevent a lapse in regulatory authority and to continue allowing applications to be processed with

the grant. Those regulations were approved by the Office of Administrative Law on December 18, 2023 and are effective as of January 1, 2024 avoiding any lapse of regulatory authority.

PRIORITY FUNDING FILING ROUND CLOSED DECEMBER 7, 2023

The 26th Priority Funding (PF) Filing Round opened on Wednesday, November 8, 2023, and closed on Thursday, December 7, 2023. These requests are valid from January 1, 2024 through June 30, 2024.

UPDATES TO DISTRICT REPRESENTATIVE CONTACT INFORMATION

The Office of Public School Construction (OPSC) routinely receives requests to change District Representatives for the purposes of authorizing who may sign and submit official program forms. OPSC wanted to emphasize the need that the submitted requests are based on Board of Education resolutions that clearly acknowledge that the designee can act on all aspects of our programs including applying for grants, certification of program compliance, etc. It's important that the local Board of Education and school district representatives understand that being an authorized representative commits the school district to many program requirements long after the project is completed (one example being Routine Restricted Maintenance Account deposits for 20 years.) These requirements vary from program to program and are articulated on each program's forms. It also means that the school district must follow all statutes and regulations outside of the rules that govern the OPSC/SAB programs, such a Public Contract Code or Government Code.

Authorization of a new District Representative requires an *Eligibility Determination* (Form SAB 50-03): https://www.dgs.ca.gov/-/media/Divisions/OPSC/Forms/SAB-50-03_ADA.pdf to be submitted with Part I filled out, listing the new District Representatives and their contact information. This information is then input in to the OPSC Online database. In addition to the Form SAB 50-03, a district must enter the date and submit a copy of the school board resolution where the district's local Board of Education authorized the individuals listed on the Form SAB 50-03 to be official District Representatives.

OPSC has developed a sample school board resolution template to assist districts when authorizing new District Representatives, and also to ensure that the resolution contains all of the necessary information in order to successfully update the district's Authorized District Representatives. The sample resolution has language related only to naming of District Representative, any specifics related to application submittals, or anything else, would need to be amended in this template as applicable, or passed on a separate resolution. For more information and a link to the sample school board resolution, please visit OPSC's website [here](#).

As of July 1, 2023, all newly submitted school board resolutions must be specific to SAB-administered programs. OPSC has published an amended template in October 2023, to replace the original template that was posted in June 2023. The updated template simplifies some of the language, but the information provided within the template has not changed.

90-DAY NOTIFICATION OF APPLICATION PROCESSING – UPDATE

When OPSC is preparing to process funding applications, staff send out notifications to the District Representative and Superintendent via email approximately 90 days prior to the anticipated start of processing. In the past, we listed the individual application(s) that we would begin processing. Now, we notify applicants that OPSC will start processing funding applications received within a certain time frame. Below are the current due dates for the 90-Day Notification Responses:

- Notifications sent on 11/2/2023 for applications received from 8/11/2021-9/24/2021 have a due date of 1/31/2024.
- Notifications sent on 12/1/2023 for applications received from 9/27/2021-12/17/2021 have a due date of 2/29/2024.
- Notifications sent on 1/2/2024 for applications received from 12/20/2021-1/31/2022 have a due date of 4/1/2024.

California Department of Education (CDE) and the Division of the State Architect (DSA) Approvals

From the time of notification, projects are typically ready for Apportionment in about 180 days. Since applications are now receiving an apportionment, and not an Unfunded Approval, the plan approvals from the California Department of Education (CDE) and the Division of the State Architect (DSA) *must be valid* to receive an apportionment per Education Code.

The DSA plan approval expires after four years unless the construction of the project has commenced. OPSC staff verify the status of the DSA plan approval during processing of funding applications. If the project's DSA plan approval is expired, the District must obtain updated approvals prior to presentation to the SAB or the application will be revoked.

If the DSA plan approval will expire after the projected Apportionment date but before fund release, the District will be eligible to receive an apportionment. However, the District must be able to demonstrate that it has entered into construction contracts upon submittal of a *Fund Release Authorization* (Form SAB 50-05). Non-financial hardship school districts have only 180 days from Apportionment and district with financial hardship projects have 365 days to submit a Form SAB 50-05.

If plans will expire during that time, the District may need to seek updated approvals now, as these deadlines cannot be extended. OPSC Staff encourages districts to verify the status of the project's DSA plan approval upon receipt of the 90-day notification. Please discuss any change to the scope of the original project, excluding required code updates, with your OPSC project manager. Changes of project scope may affect project eligibility and funding.

OPSC ONLINE PROJECT TRACKING SYSTEM

On February 8, OPSC released a "beta" version of the new Project Tracking System in the OPSC Online environment. The updated Project Tracking System provides a simpler "fuzzy logic" search functionality than the original system created over 20 years ago.

For maximum transparency of state funding allocations, the system may be accessed from the OPSC Online login screen; however, users are not required to have an OPSC Online login. Users may click on Project Reporting in the application header to access the database.

The new Project Reporting functionality includes the following features:

- "Fuzzy Logic" search functionality – Allows users to enter partial and/or combined search criteria to locate applications for school district projects.
- Includes information on Lease-Purchase Program, School Facility Program, and California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program projects.
- Project specific funding application information, including key application details used to determine the project funding eligibility.
- Project fund release information, including State Controller's Office's warrant release information.
- Project Budget Summary – Provides an itemized summary of all grants provided for a project, including funding sources.
- Transaction History – Lists every State Allocation Board approval for a project, all OPSC accounting activities such as fund release approvals, and State Controller's Office's warrant release dates.
- Claim Schedule/Voucher ID Search Functionality – Used by local county treasurers to deposit released funds into the correct school district's accounts.
- View New Construction and Modernization established and remaining eligibility baselines, including all State Allocation Board approved adjustments.

The "beta" version is currently in a near final development stage. Feedback may be provided to OPSCcommunications@dgs.ca.gov.

Reminders

SCHOOL DISTRICTS IMPACTED BY STORMS AND/OR OTHER NATURAL DISASTERS

OPSC and CDE have been actively meeting with numerous school districts that experienced damages to their school site(s) as a result of storms and severe flooding that may be beyond the costs covered by insurance, the Governor's Office of Emergency Services (CalOES), and the Federal Emergency Management Agency (FEMA). OPSC encourages school districts impacted by the winter storms to reach out to OPSC's Facility Hardship Program Team to discuss potential funding options. More information about the Facility Hardship Program may be found on OPSC's website.

SCHOOL DISTRICT EXTENSION REQUESTS

School districts requiring extensions to due dates resulting from an emergency can reach out to our office. OPSC will accept and review extension requests for an ongoing states of emergency, such as wildfires, for school districts directly impacted. School districts that are requesting an extension as a result of a state of emergency shall continue to submit the [School District Extension Request Form](#).

PIGGYBACK CONTRACTS FOR MODULAR FACILITIES ON PERMANENT FOUNDATIONS ARE INELIGIBLE FOR STATE FUNDING FROM STATE ALLOCATION BOARD ADMINISTERED PROGRAMS

At the June 22, 2022, SAB meeting, staff presented an item regarding piggyback contracts and Public Contract Code (PCC) compliance relative to modular school facilities. After staff's presentation, discussion from Board members, and public comment, the Board took the following action:

Provide a grace period for Board-administered programs for projects with construction contracts signed on or within sixty calendar days (through August 21, 2022) of SAB action. Create a new process to begin after this grace period where Staff evaluates the contracts during the time of application processing and prior to fund release to ensure no piggyback contracts have been used to obtain modular facilities that are placed on permanent foundations.

Since this action,

- OPSC has notified all District Superintendents and District Representatives on file with OPSC, as well as all stakeholders on OPSC's master email subscription list, that consistent with the PCC and the AG Opinion, modular school facilities must be competitively bid.
- OPSC has create a [webpage](#) to advise school districts of the Public Contract Code requirements and its applicability to state funding.
- OPSC has established a specific process during application processing and/or in advance of fund release for thoroughly reviewing contracts to ensure that funds are not released for projects that use piggyback contracts for modular school facilities. This process is outlined on the new [webpage](#).
- For any contracts entered into after fund release (after OPSC's review), staff will work with the State Controller's Office to amend the K-12 Audit Guide for Appendices B and C, to ensure that as part of the project audit, and the K-12 local auditor would review the contracts for compliance.
- Staff will continue to process and present applications that signed piggyback contracts on or prior to August 21, 2022.

KINDERGARTEN – 12TH GRADE SCHOOL CONSTRUCTION PICTURES WANTED

OPSC is seeking photos of state-funded school construction and modernization projects to feature in OPSC/DGS publications and on our websites. The photos will be used to showcase recent accomplishments in partnership with the state.

- Photos should be submitted in a resolution high enough to support both web viewing and in-print material.
- Children should not be identifiable or should be absent from photos.
- Photos should not be branded with corporate logos and/or business information.

To submit pictures, please email them as attachments to OPSCCommunications@dgs.ca.gov. Please provide the school district name, school site name, OPSC application number, photo credit (if attribution is required), contact information, and authorization to use the photo without royalties or restrictions.

For questions, contact OPSC's Communications Team at OPSCCommunications@dgs.ca.gov.

VIRTUAL SCHOOL FACILITY PROGRAM (SFP) TRAINING SERIES

Last year, OPSC launched its FREE Virtual School Facility Program (SFP) Training Series. Fifteen sessions took place throughout the year. The topics were:

- *Tips for a Successful K-12 Closeout Audit*
- *Basics of State School Facility Program Funding*
- *The Three "Lists" and What it Means for Your Project*
- *Facility Hardship and Seismic Mitigation Programs*
- *Overview of OPSC Online*
- *Eligibility Applications in OPSC Online*
- *Funding Applications in OPSC Online*
- *Converting Your Charter School Facility Program Preliminary Apportionment*
- *Priority Funding Process,*
- *Career Technical Education Facility Program Reservation of Funds*
- *How to Submit a Fund Release Authorization (Form SAB 50-05) in OPSC Online*
- *Financial Hardship*
- *Site Development Worksheet for Additional Grants & The Facility Hardship Cost Estimate*
- *Grant Agreements in OPSC Online*
- *Substantial Progress Checklists and Expenditure Reports in OPSC Online*

If you have suggestion for other topics, they can be submitted to OPSCCommunications@dgs.ca.gov. All online trainings are archived to OPSC's YouTube channel for future use. Our YouTube channel can be found at: <https://www.youtube.com/user/OPSCYou/>.

OPSC ONLINE HANDS-ON ASSISTANCE

OPSC Staff are available to provide hands-on assistance to all school districts and interested parties in the use of OPSC Online. Staff can connect to you via variety of video conferencing software applications including Microsoft Teams, Zoom, Cisco WebEx, and Google Meet. You can screenshare your computer and staff will assist you in navigating OPSC Online as well as guide you through the application submittal process.

To request assistance, please reach out to OPSC's Project Manager assigned to your County, found under "Contact" on OPSC's website: <https://www.dgs.ca.gov/OPSC/Contact>.

DGS/OPSC EMAIL BLASTS

The Department of General Services (DGS) and OPSC uses email distribution service through GovDelivery.com. Using one email address, subscribers can subscribe to any email list under DGS.

All school district superintendents and authorized school district representatives are encouraged to sign up. Signing up will give you immediate access to email notifications of upcoming meetings, key dates, and reminders. The signup link can be found under "Contact" on OPSC's website: <https://www.dgs.ca.gov/OPSC/Contact>.

INTERNET EXPLORER AND OPSC's SAB 50-01 ONLINE ENROLLMENT PROJECTION CALCULATOR

OPSC's SAB 50-01 Online Enrollment Projection Calculator is used to generate the *Enrollment Certification/Projection* (Form SAB 50-01) which is submitted by school districts and county offices of education

to establish and update new construction eligibility annually, or as needed for funding requests. At this time, the online enrollment calculator can only generate the form using Microsoft's Internet Explorer (IE) browser.

On June 15, 2022, Microsoft retired Internet Explorer. OPSC is working to reprogram the calculator to work natively in other web browsers; however, in the interim OPSC has created an instructional guide on how to turn on "IE mode" in Microsoft Edge to allow the generation of the form using Microsoft Edge.

The Microsoft Edge Guide can be found on our Online Application webpage section under Resources at <https://tinyurl.com/2d4z79rw>.

LOCAL AUDITS

Projects funded after April 1, 2017 in which the final expenditure report has been reported to OPSC require an independent audit to be performed within one year of the reporting date. Once the audit is completed, a copy of report must be submitted for review and certified by the State Controller's Office who in turn will forward a copy to OPSC for record keeping purposes and data collection. A yearly analysis report of these certified independent audits is compiled and presented the SAB at the beginning of each year.

All acknowledged yearly reports are available on our Audit K-12 Resource webpage section under Resources at <https://tinyurl.com/1a7pk55e>

Upcoming State Allocation Board Meeting

UPCOMING STATE ALLOCATION BOARD MEETING

The next meeting is scheduled for Wednesday, January 24, 2024. The time and location of the meeting will be determined and announced on the OPSC webpage. OPSC intends to allow members to participate via Zoom. Otherwise, it will also be viewable by webcast from a link found on OPSC's webpage under meetings; [Meetings \(ca.gov\)](#).

Public comment may be submitted in writing prior to the meeting, or it may be made in person at the end of the meeting's agenda.

Status of Funds

Remaining Bond Authority (as of December 4, 2023) (includes Unfunded Approvals) (in \$ millions)

Assembly Bill 181	General Fund FY 22/23		General Fund FY 23/24		General Fund FY 24/25	
	0.0		1,578.8		875.0	
Total	0.0		1,578.8		875.0	

Proposition	New Construction	Modernization	Career Tech	Charter School	Overcrowding Relief	Seismic Repair
51	0.0	0.1*	6.3	17.7	N/A	N/A
1D	0.0*	0.0	0.1	0.0*	6.3	0.0
55	11.0*	0.0	N/A	0.9*	N/A	N/A
47	0.0	0.0	N/A	0.0	N/A	N/A
1A	0.0	0.0	N/A	N/A	N/A	N/A
Total	11.0	0.1	6.4	18.6	6.3	0.0

*Total authority is not available at this time. There are outstanding accounts receivables.

APPLICATIONS RECEIVED BEYOND BOND AUTHORITY

Received requests for new construction projects have exceeded the available bond authority. Any applications received on or after September 12, 2018 will be placed on the Applications Beyond Bond Authority List. SFP Regulations require that all new construction applications placed on this list must contain a school board resolution that includes several acknowledgements (per SFP Regulation Section 1859.95.1). Multiple applications from one district can be covered in one single school board resolution. All future new construction applications received by OPSC will undergo an intake review to ensure that required documents have been submitted with the application, but OPSC will not review to confirm program eligibility or process the application further unless bond authority becomes available for the project.

Received requests for modernization projects also have exceeded the available bond authority. Any accepted modernization applications received on or after March 1, 2019 will be placed on the Application Beyond Bond Authority List and will require the same type of school board resolution (per SFP Regulation Section 1859.95.1) as what is currently required for submitting new construction projects.

As of December 31, 2023, OPSC received the following for the Applications Received Beyond Bond Authority List:

- New Construction – 120 applications. Total requested - \$1,022,157,493
- Modernization – 568 applications. Total requested - \$1,760,625,514

It should be noted that health and safety projects, specifically Facility Hardship or Seismic Mitigation Program projects, are placed at the top of the SFP Workload List. Therefore, these projects will not be placed on the Applications Received Beyond Bond Authority List and do not require a Beyond Bond Authority school board resolution.

Resources

EXECUTIVE ORDER – CONTRACTOR AND GRANTEE COMPLIANCE WITH ECONOMIC SANCTIONS

On March 4th, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (EO) in response to Russian aggression in Ukraine, accessible at <http://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>. OPSC notified participants in the School Facility Program and other State Allocation Board administered programs that compliance with the economic is required, and failure to comply may result in the termination of contracts or grants. For OPSC inquires please contact Michael Watanabe at

Michael.Watanabe@dgs.ca.gov or (279) 946-8463, and for concerns on Department of General Services contracts, please contact the Office of Public Affairs at DGSPublicAffairs@dgs.ca.gov.

ELECTRONIC FUND TRANSFERS (EFT) AVAILABLE FOR REMITTANCES DUE TO OPSC

OPSC accepts electronic fund transfers of payments due to the State. If a remitter wishes to send the funds electronically through EFT or Wire Transfer, please reach out to OPSCAccountsReceivable@dgs.ca.gov for instructions.

EMAILING DOCUMENTS AND RECEIVING CONFIRMATION

In an effort to simplify the submissions of documents electronically to the OPSC, school districts can email all documents to OPSC Application Review Team (ART) at:

OPSCApplicationReviewTeam@dgs.ca.gov

A Team member will email acknowledgement receipts for all submittals. The document types listed below should be emailed to OPSCApplicationReviewTeam@dgs.ca.gov. In addition, we encourage senders to carbon copy “cc” the intended program recipient listed in the table below; however, it is not required.

Document Type	CC NAME	CC EMAIL ADDRESS
NEW SUBMITTALS: <i>Enrollment Certification</i> (Form SAB 50-01) <i>Existing School Building Capacity</i> (Form SAB 50-02) <i>Eligibility Determination</i> (Form SAB 50-03) <i>Application for Funding</i> (Form SAB 50-04)		
90 Day Notification Responses – Cost Estimates	OPSC Cost Estimates	<u>OPSCCostEstimates@dgs.ca.gov</u>
90 Day Notification Responses – Eligibility Updates	Isael Silva	<u>Isael.Silva@dgs.ca.gov</u>
<i>Fund Release Authorization</i> (Form SAB 50-05) (SFP)	OPSC Fund Release Department	<u>OPSCFundRelease@dgs.ca.gov</u>
<u>Full-Day Kindergarten Facilities Grant Program</u> <i>Application for Funding</i> (Form SAB 70-01) <i>Fund Release</i> (Form SAB 70-02) <i>Expenditure Report</i> (Form SAB 70-03)	Lindsey Walden and OPSC Full-Day Kindergarten	<u>Lindsey.Walden@dgs.ca.gov</u> and <u>DGSOOPSCFullDayKindergarten@dgs.ca.gov</u>
4/15/30-Day Letter Responses (Program/Audits)	Assigned Project Manager /Auditor Reviewing your project	Assigned PM/Auditor’s email address.
Grant Agreements	OPSC Grant Agreement	<u>OPSCGrantAgreements@dgs.ca.gov</u>
Priority Funding Requests	Kelsie Muramoto and OPSC Priority Funding	<u>Kelsie.Muramoto@dgs.ca.gov</u> and <u>OPSCPRIORITYFUNDING@dgs.ca.gov</u>
Substantial Progress Checklists / <i>Expenditure Reports</i> (Form SAB 50-06)	Sue Reese	<u>Suzanne.Reese@dgs.ca.gov</u>
Financial Hardship	Jason Hernandez	<u>Jason.Hernandez@dgs.ca.gov</u>
<i>Appeal Requests</i> (Form SAB 189)	Michael Watanabe	<u>Michael.Watanabe@dgs.ca.gov</u>

For any questions or to obtain current OPSC contacts, please refer to OPSC’s [Directory of Services](#).