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ABSTRACT

This handbook provides process information on California's Deferred Maintenance Program, including a description of the administering body of law. Chapters discuss the program's process on the topics of basic/additional apportionment, fund release (basic/additional and critical hardship), the Deferred Maintenance Five-Year Plan, district deposit, project expenditures, critical hardship apportionment, multiple critical hardship apportionments, and funding priority for critical hardship projects. Appendices provide the life expectancy of school facilities components, and a review of the most commonly asked questions. (GR)

# Deferred Maintenance Program Handbook

**March 1999**

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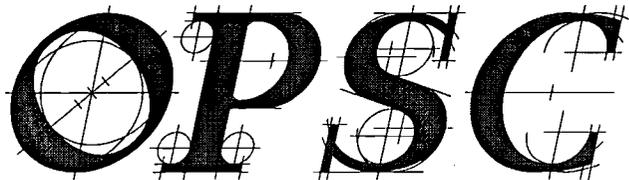
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# Preface

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## About this Handbook

This handbook is divided into topics relating to the Deferred Maintenance Program. These topics help organize the program's process and makes it easier to locate specific information. The first topic is an "Overview" of the key points of the program. It also includes a description of the administering body of the Law. The remaining topics will follow the program's application process.

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## About this Format

This handbook has been developed using the Information Mapping® method. Information is presented topically, eliminating the use of numbered section references. First, locate the topic you want using the Table of Contents. Then, you can quickly locate specific information on a particular topic by scanning key labels provided in the left margins.

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## Symbols and Conventions used in this Book

The symbols used throughout this handbook have the following meanings:

- bullets indicate lists of items or topics
- examples and exhibits generally follow topic discussions
- the symbol ¶ is used to denote the end of a topic
- ballot boxes are provided in "Required Documents" tables which can be copied and used as checklists

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## Updates/Corrections

Updates to this handbook are on-going. The latest version is available via the internet: [www.dgs.ca.gov/opsc](http://www.dgs.ca.gov/opsc). Corrections to this document should be forwarded to Publications at:

Office of Public School Construction  
1130 K Street, Suite 400  
Sacramento, CA 95814  
(916) 322-4774

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## Obtain Forms and Assistance

You can download the Deferred Maintenance forms from the Internet at:

<http://www.dgs.ca.gov/opsc/forms.htm>

To obtain assistance with the submittal of the forms contact the:

Office of Public School Construction  
Deferred Maintenance Program Unit  
1130 K Street, Suite 400  
Sacramento, CA 95814  
(916) 445-3635 ¶

# Overview



## Introduction

The intent of this Program is to provide funding, on a matching basis, for the repair and/or replacement of existing school building components so that the educational process may safely continue. This handbook provides guidelines for receiving the annual Deferred Maintenance Basic/Additional Apportionment and for processing a Critical Hardship Application under the provisions of the Deferred Maintenance Law.

## The Law

The Deferred Maintenance Program is subject to the provisions of California Education Code (EC), Section 39619 and EC Sections 17582 through 17592 and the State Allocation Board (SAB) Regulations, Title 2, California Administrative Code, Sections 1866 through 1866.10. Applicant districts are responsible for complying with all laws and regulations for any project undertaken pursuant to the requirements of the Deferred Maintenance Program.

In making an apportionment the SAB shall assume no legal responsibility for any suits or liens filed against an applicant school district. Neither the State nor any department or agency thereof, in making an apportionment, shall be required to assume any responsibility not otherwise imposed upon it by law.

## Five Year Plan

The *Deferred Maintenance Five Year Plan*, Form SAB 40-1, provides a listing of eligible items of major repair or replacement to be considered by the district over a five year period. The five year plan is required by EC Section 39619(b). The SAB *does not* fund the projects from the five year plan but rather approves the five year plan as being eligible for the district to expend funds from their "District Deferred Maintenance Fund".

## Apportionment Types

The apportionment types allowed under the Deferred Maintenance Law are:

TYPE	EDUCATION CODE	SEE PAGE
Basic/Additional Apportionment	Sections 39619(b) and 17585	3
Critical Hardship Apportionment	Section 17587	10

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**In this Handbook**

This handbook covers the following topics:

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**Disabled Veterans Business Enterprise Policy**

Not required for purposes of this program. 🐾

# Basic/Additional Apportionment



## Introduction

All districts that have submitted a current *Deferred Maintenance Five Year Plan*, Form SAB 40-1, and have had that plan approved by the SAB are eligible to receive a Basic and, if applicable, an Additional apportionment from the State School Deferred Maintenance Program subject to the district matching State funds allocated.

## Maximum SAB Apportionment

The maximum amount provided by law for the basic apportionment is based on a formula detailed in Education Code Section 39619. The calculation of the maximum amounts are made by the California Department of Education (CDE).

The funding level for County Superintendents of Schools will be calculated using the formula of one-half of one percent of their total general funds exclusive of any amount budgeted for capital outlay or debt service.

Questions regarding information on the calculation of the maximum amount should be addressed to:

California Department of Education  
Downtown Plaza  
721 Capitol Mall  
Sacramento, CA 95814

## Filing of the Five Year Plan

A *Deferred Maintenance Five Year Plan*, must be submitted, or be on file with the OPSC, that encompasses the current fiscal year. The district superintendent must sign the Form SAB 40-01 which identifies the district's five year plan. The district is not required to submit a new five year plan each fiscal year, as long as it has an approved plan. The plan may be revised and submitted for SAB approval for the current or future fiscal years at anytime.

## Assignment of Program Number

Upon submittal of the initial Five Year Plan an application number will be assigned. This number will be the five digit code in the California Public School Directory following the prefix "40". Districts should use this number when corresponding with the SAB/OPSC.

## Additional Apportionment

Legislation allows districts to apply for an additional apportionment for work included in the Five Year Plan when the district is able to provide additional matching funds. This apportionment shall be no greater than the amount calculated for the basic apportionment. For more information, see Education Code Section 17585. ☺

**Apportionment Process**

The apportionment process includes the following stages:

STAGE	WHO DOES IT	WHAT HAPPENS
1	District	Files a Five Year Plan with the OPSC that includes the current fiscal year.
2	SAB	Approves the Five Year Plan.
3	OPSC	Establishes an apportionment listing for basic funds (and additional funds, if applicable) based on maximum amount (CDE calculation).
4	SAB	Approves and apportions the listing for basic funds (and additional funds, if applicable) for the previous fiscal year.
5	District	Deposits funds in its District Deferred Maintenance Fund by September 30 of each year for the previous fiscal year.
6	County Office of Education	Certifies the amount(s) deposited by district or county superintendent of schools by September 30, for the previous fiscal year.
7	OPSC	Processes the release of funds, for the previous fiscal year, through State Controller's office, not to exceed the lesser of the amount apportioned or the deposit by the district.

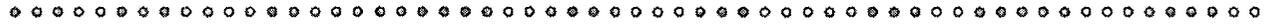
**Document Required for Apportionment**

The following document is required for an annual apportionment:

DOCUMENT NUMBER	DOCUMENT NAME	SEE PAGE
<input type="checkbox"/> SAB 40-1	Deferred Maintenance Five Year Plan (if not currently on file or has been revised)	6

# Fund Release (Basic/Additional and Critical Hardship)

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## Fund Release

The County Office of Education is required to certify the district's annual deposits to the OPSC on the *Certification of Deposits*, Form SAB 40-7. The State warrant (not to exceed the lesser of the amount apportioned or the deposit by the district) is then issued in the county's name for deposit into the district's fund by the State Controller's Office. Funds can be expected within six weeks of OPSC's receipt of the Form SAB 40-7.

## Document Required for Fund Release

The following document is required for a fund release:

DOCUMENT NUMBER	DOCUMENT NAME	SEE PAGE
<input type="checkbox"/> SAB 40-7	Certification of Deposits	7

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# Deferred Maintenance Five Year Plan

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## Introduction

The district's five year plan must include the fiscal year in which the district is applying for funding. The original plan may remain in effect for the full five years unless changes are made by the district to the plan. The district is required to submit a new plan after the fifth year.

## Five year Plan

The *Deferred Maintenance Five Year Plan*, Form SAB 40-1, details the district's schedule to accomplish the *major* repair or replacement work load over a five year period.

Projects listed on the five year plan are eligible items of *major* repair or replacement and are limited to those school facility components which have approached or exceeded their normal life expectancy (see *Appendix 1, Life Expectancy of School Facilities Components, pages 1-1 and 1-2*). Facility components with a history of continued repairs, which indicates a shortened life expectancy, may be included as eligible items. Assigning priorities to projects should be made by the district, emphasizing projects that would prevent further deterioration or damage to school facilities.

## Deferred Maintenance Funds

The SAB *does not* fund the projects on the district's five year plan but rather approves the five year plan and the proposed expenditures. The maximum funding allowed is based on the district's allowance as provided in EC Section 39619(b) and certified to the OPSC by the CDE.

## Amend the Five Year Plan

The Districts may amend its five year plan as needed. A district is limited to amending its plan once per fiscal year, unless an unanticipated *emergency project* exists. Plan revisions are not required for estimated cost changes or a change in priorities of projects previously approved by the SAB.

The amended plan must be submitted prior to August 1, immediately following the fiscal year. Any plan for the prior fiscal year submitted after the August 1, deadline *will not* be approved. ☹

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# District Deposit



## Introduction

In order to receive State deferred maintenance funds, the governing board of a school district is required to establish a restricted fund designated for the deposit of district and matching State funds. This fund is referred to as the "District Deferred Maintenance Fund".

## Deposit of District Funds

Deposits of district funds into the District Deferred Maintenance Fund are required by September 30 of each fiscal year. State matching funds, as apportioned by the SAB, are contingent upon such deposits (see *Maximum SAB Apportionment, page 3*). Any monies deposited into this fund and any interest earned must be used on the approved projects listed on the District's Five Year Plan.

This fund is subject to an audit by OPSC.

## Transfer of Excess Funds

Whenever the State funds provided pursuant to EC Section 17583 are insufficient to fully match the maximum amount the district is eligible to receive, the local funds deposited in the Deferred Maintenance Fund, that exceed the State apportionment, may be used for Deferred Maintenance projects on the District's Five Year Plan or transferred to any other expenditure classifications in other funds of the district.

If the district elects not to transfer the excess funds deposited to another expenditure classification, the excess funds deposited may be carried over and used to offset some or all of the match required for the subsequent fiscal year. Carry over funds are applicable only to the next fiscal year as each year stands on its own. The determination of the carry over amount will depend on the actual funds deposited in the previous fiscal year.

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# Project Expenditures

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## **Introduction**

The governing board of each district shall have complete control over the funds deposited and the earnings of funds once deposited into the district's District Deferred Maintenance Fund. Expenditures made from this fund must be for projects shown on the approved district's five year plan.

## **Allowable Expenditures**

All work must be bid in accordance with the Public Contract Code Section 20114. All contracts must comply with the Education Code, Government Code, Public Contract Code, California Code of Regulations (Title 24) and any local legal requirements. The district should obtain legal counsel approval of each contract.

## **Emergency Contract**

If an "emergency" contract is awarded under the provisions of the Public Contract Code, Section 20113, the district must obtain approvals from its school board, by unanimous vote, and approval by the county superintendent of schools. In addition to the requirements of all "Allowable Expenditures" stated above.

## **Expenditures for Reconstruction/ Modernization Projects**

School districts anticipating expenditures of deferred maintenance funds on projects being performed in conjunction with a modernization project, must have the projects on a district's approved Deferred Maintenance Five Year Plan. Failure to include these projects on the Five Year Plan may result in ineligible expenditures from the district's District Deferred Maintenance Fund.

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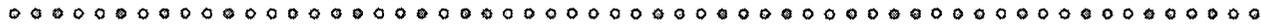
**Ineligible Project Expenditures**

The following are examples of ineligible deferred maintenance expenditures:

- Administrative costs.
  - Projects not included and approved on the Five Year Plan.
  - Repair and maintenance of school facilities that are no longer needed for K-12 or adult education purposes.
  - Repair and maintenance of furniture and equipment.
  - Ongoing preventative maintenance.
  - Installation of new items that did not previously exist.
  - Energy conservation
  - Landscaping and irrigation
  - Athletic stadium equipment (portable bleachers, score boards, etc.)
  - Drapery or blackout curtains
  - Tables and counter tops (unless permanently attached to wall)
  - Testing underground storage tank for leaks
  - Chalkboards, blackboards, and white boards
  - Construction manager fees
  - Consultant fees
  - Non-DSA approved buildings
  - Force account labor (contact your Deferred Maintenance Project Manager for specifics).
-

# Critical Hardship Apportionment

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## Introduction

Applying for a critical hardship apportionment may be made at any time but must be completed prior to June 30 in order to receive funding for that fiscal year. A critical hardship exists when the SAB determines the existence of *all* of the following:

- The district has deposited the required basic contribution in its Deferred Maintenance Fund,
- The district has a project on its Five Year Plan which is 'critical' because, if not completed in one year, it could result in serious damage to the remainder of the facility or would result in a serious hazard to the health and safety of the pupils, and
- The total funds deposited by the district and the State are insufficient to complete the critical hardship project.

SAB regulations permit districts to apply for more than one critical hardship project (see *Multiple Critical Hardship Apportionments, page 12*).

## OPSC Review

Requests for a critical hardship apportionment must be submitted by the District on the *Critical Hardship Application, Form SAB 40-5*. The review process of a critical hardship project by OPSC is as follows:

STEP	WHO DOES IT	WHAT HAPPENS
1	District	Submits a complete <i>Critical Hardship Application, Form SAB 40-5</i> , to the OPSC
2	OPSC	Determines eligibility and may conduct site visit. Notifies district of findings.
3	OPSC	Recommends application for approval by SAB, if eligible.

Projects are approved by the SAB by date order received and by funding priority (see *page 14*). Projects are funded by the SAB based on the earliest project approved within each funded priority. ☺

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**Documents Required for  
Critical Hardship  
Apportionment**

The following documents are required *prior* to approval of a Critical Hardship Project:

DOCUMENT NUMBER	DOCUMENT NAME	SEE PAGE
<input type="checkbox"/> SAB 40-1	Deferred Maintenance Five Year Plan	6
<input type="checkbox"/> SAB 40-5	Critical Hardship Application	10

**Documents Required for  
Critical Hardship Post  
Project Audit**

The following documents are required for Critical Hardship final audit:

DOCUMENT NUMBER	DOCUMENT NAME
<input type="checkbox"/> None	Awarded contract(s)
<input type="checkbox"/> None	Project specification(s)
<input type="checkbox"/> None	Completion notice(s)
<input type="checkbox"/> None	All related invoices
<input type="checkbox"/> SAB 184A	Summary of Expenditures and Construction Progress

# Multiple Critical Hardship Apportionments



## Introduction

Regulation Section 1866.5 provides a method for funding two or more critical hardship projects in the same fiscal year. To apply for this additional funding, the district must complete the Contribution Requirement Section of the *Critical Hardship Application*, Form SAB 40-5, and indicate how it intends to finance the district contribution required for the second and subsequent critical hardship projects.

A critical project for a district with only one school may also include other major repair or replacement work deemed essential for basic utilization and functioning of the school.

## Funding Requirements

The *Critical Hardship Application*, Form SAB 40-5, Contribution Requirement Section provides the following requirements for hardship funding of two or more critical projects in the fiscal year.

CRITICAL HARDSHIP PROJECT NUMBER	DISTRICT REQUIREMENT
First Project	District is required to deposit the annual maximum amount determined by the CDE for its first critical project.
Second Project	District is required to contribute 50 percent of the project cost by either a: <ul style="list-style-type: none"> <li>• Cash contribution</li> <li>• District agreement to repay its 50 percent share of the project cost by an offset of future basic apportionments for a period not to exceed five years or until the apportionment is repaid.</li> </ul>
Third and Subsequent Projects	District is required to make a 50 percent cash contribution for each project.

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**Allowable Architect and Engineer Fees**

Architect and Engineer (A/E) fees are allowed under the following conditions:

- An existing system design is faulty and replacement would not alleviate future damage (i.e., a flat roof is redesigned to a sloped system to alleviate recurring leakage and interior damage).
- An obsolete, ineffective system is abandoned due to inability to obtain parts.
- Technological changes prevent portions of the existing system to be used in conjunction with the replacement system and design changes are necessary to accommodate the new system.
- The Division of the State Architect, Office of Regulation Services (DSA/ORS), determines the need for structural changes.

**Maximum Allowable Architect and Engineer Fees**

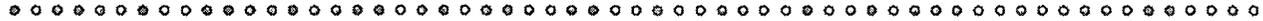
The combined compensation for A/E services fees are limited to a maximum of 12 percent of the construction cost when the construction cost does not exceed \$500,000. The district must contact the OPSC prior to signing any agreements if the estimated construction cost exceeds \$500,000.

For purposes of calculating the A/E services fees, the computed cost is the total award from construction contracts, plus the cost of all approved additive contract change orders (with the exception of items resulting from errors and omissions on the part of the architect). All change orders must be submitted to OPSC for approval.

Note: The district is expected to negotiate the best possible terms for professional services. ☹

# Funding Priority For Critical Hardship Projects

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## Introduction

When available funding is insufficient to fund all hardship requests in any given fiscal year, the SAB will utilize the priority list. The SAB may make exceptions to the priorities on a case-by-case basis for the benefit of the pupils affected.

## Funding Priority

The SAB will utilize the following prioritization for critical hardship requests for funding:

DESCRIPTION OF PROJECTS	PRIORITY
Resolution passed by the local school board to close the school or portion of the school pending repairs.	1
Underground toxic contaminated tank cleanup and removal, underground non toxic storage tank removal, roofing, plumbing (water/sewer), heating/air-conditioning, and electrical	2
All other items, such as wall systems, floor systems, and paving	3

Note: Priority number does not equate to value of priority points.

## Reserve of Funds

The SAB shall maintain a sufficient reserve of funds for unexpected emergencies and ongoing cost increases. ☹

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# Appendix 1 Life Expectancy of School Facilities Components



**Facility Components**

The following chart gives the guidelines for typical life expectancy of certain school facilities components:

SCHOOL FACILITY COMPONENT	EXPECTANCY LIFE
Floor Covering: <ul style="list-style-type: none"> <li>Asphalt tile and vinyl asbestos tile</li> <li>Carpeting</li> </ul>	20 years 10 years
Painting, Interior: <ul style="list-style-type: none"> <li>classroom, library, offices, cafeteria and hallways</li> <li>kitchens, lunchrooms and restrooms</li> </ul>	13 years 8 years
Painting, Exterior: <ul style="list-style-type: none"> <li>exterior stucco or masonry</li> <li>exterior wood and metal trim (including all woods, metal, and the siding on bungalows)</li> </ul>	7 years 3 years
Electrical and Communication Systems: <ul style="list-style-type: none"> <li>electrical panels and switch boards</li> <li>signal systems, including fire alarm and public address</li> </ul>	a b
Roofing: <ul style="list-style-type: none"> <li>clay or cement tile</li> <li>slate</li> <li>felt base, 40 lb. and 80 lb. asbestos or glass cap sheet with coated aluminum</li> <li>felt, 5-ply, and gravel</li> <li>felt, 15 lb. and 90 lb. cap sheet</li> <li>composition shingles, 40 lb.</li> <li>composition shingles</li> <li>flashings, gutters and downspouts</li> </ul>	30 years 40 years 20 years 20 years 10 years 15 years 25 years 30 years

- a Replacement parts are no longer available
- b When accumulated single repair projects cost equal the unit acquisition cost

*Continued on the next page*

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**Facility Components,  
continued**

SCHOOL FACILITY COMPONENT	EXPECTANCY LIFE
Heating/ventilation/air-conditioning: <ul style="list-style-type: none"> <li>• gas fired unvented wall heaters/other heaters (boilers and piping)</li> <li>• Individual heating units except gas fire unvented wall heaters.</li> </ul> Ventilation and air-conditioning systems: <ul style="list-style-type: none"> <li>• central systems</li> <li>• individual units</li> <li>• cafeteria and automotive fume exhaust systems</li> </ul>	30 years 15 years 30 years 15 years none
Wall systems: <ul style="list-style-type: none"> <li>• doors</li> <li>• door hardware</li> <li>• window assemblies - wood sash</li> </ul>	30 years 10 years 15 years
Underground storage tanks	17 years

# Appendix 2 Most Commonly Asked Questions

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The following are the most commonly asked questions about the Deferred Maintenance Program and the responses:

QUESTION	RESPONSE
<p>What is the Deferred Maintenance Program?</p>	<p>The Deferred Maintenance Program provides State matching funds, on a dollar-for-dollar basis, to assist school districts with expenditures for major repair or replacement of existing school building components. Typically, this includes: plumbing, heating, air conditioning, electrical systems, roofing, interior and exterior painting, floor systems, etc.</p> <p>Funds are also provided for critical hardship projects if the work meets all the criteria of Education Code, Section 17587. Not less than one-half of all funds made available by Education Code, Section 18587 are to be apportioned to school districts that had an average daily attendance of less than 2,501 during the prior fiscal year.</p> <p>Funding for this Program is made available from State General Fund appropriation equal to the amount of school district repayments of loans under the State School Building Aid Program, that exceed the amount necessary to service the indebtedness on State General Obligation Bonds sold and loaned to the districts for that Program. Additional funds are made available from the State School Site Utilization Fund and the Budget Act.</p>
<p>How may I obtain current information and forms for the Deferred Maintenance Program?</p>	<p>On our website at <a href="http://www.dgs.ca.gov/opsc">www.dgs.ca.gov/opsc</a>; or, by contacting your Deferred Maintenance Program Project Manager. For questions regarding Critical Hardship projects, Mr. Eddie Hernandez is accessible on the Internet at <a href="mailto:ehernand@dgs.ca.gov">ehernand@dgs.ca.gov</a> or (916) 327-0881. For questions regarding Five Year Plans, Basic and Additional apportionments, Mr. Keith Collier may be reached at <a href="mailto:kcollier@dgs.ca.gov">kcollier@dgs.ca.gov</a> or (916) 323-3443.</p>
<p>How is our "matching" share determined?</p>	<p>Pursuant to EC Section 39619, the California Department of Education has developed a formula using the District's Average Daily Attendance (ADA), and an "average" project cost amount; this sum is then multiplied by one-half of one percent—the resulting product is the District's share.</p>
<p>What is the deadline for depositing our "matching" share into our deferred maintenance account?</p>	<p>September 30, for the prior fiscal year allocation.</p>

QUESTION	RESPONSE
Can the District accrue deferred maintenance funds?	Unmatched deferred maintenance funds may be accrued for up to two years.
Can interest earned by a District be used as part of the share?	<p>If they do not have a Critical Hardship Project, one-half of the interest amount may be applied toward the share; the other one-half will be paid back to the State. However, if they do have a Critical Hardship Project, the full amount of interest earnings may be applied to the Critical Hardship Apportionment.</p> <p style="text-align: center;"><b>Example: \$1,000 Interest Earnings</b></p> <p>No Critical Hardship:                      \$500 – Applied toward District’s Basic Participation Amount                      \$500 – Paid back to the State</p> <p>Critical Hardship:                      \$1,000 – Applied toward State’s Critical Hardship Apportionment (apportionment is off-set)</p>
Will my deferred maintenance project require DSA approval?	The district should contact the DSA for guidance.
When can we expect to receive funds?	<p>Because the apportionment phase is always one year in arrears, the OPSC Accounting Team begins processing fund releases on October 1 of the new fiscal year for prior fiscal year projects.</p> <p>For example: If your 1998/99 Fiscal Year project received an “unfunded” approval at the September of 1998 SAB meeting, the District will receive funds after the apportionment item is approved by the SAB in August of 1999 and the County Superintendent of Schools has certified that the District has made its deposit into its Restricted Deferred Maintenance Fund, approximately October 1999.</p>
What is the deadline for submitting a revision to our Five Year Plan?	Changes to the Five Year Plan may be submitted at anytime. Changes cannot be accepted for a prior fiscal year.
<p>On our Five-Year Plan (Form SAB 40-1), can the following items be included:</p> <ol style="list-style-type: none"> <li>1. Asbestos inspection</li> <li>2. Door hardware</li> <li>3. Carpets</li> </ol>	<p>1. Asbestos inspection: No; however, asbestos removal is an eligible item.</p> <p>2. Door hardware (under wall systems): No; this in an ineligible item</p> <p>3. Carpets: Yes; it may be included in the category of “floor covering”</p>
What is the District responsibility as it relates to the solicitation of bids?	The District must follow the Public Contract Code; Education Code; Government Code; California Code of Regulations (Title 24); and any other legal requirements.

QUESTION	RESPONSE
<p>Does the District have to bid the project if an emergency situation occurs?</p>	<p>No, the District does not have to bid the project. However, if an "emergency" contract is awarded under the provisions of the Public Contract Code, Section 20113, the District must :</p> <ul style="list-style-type: none"> <li>• obtain approval from its Board, by unanimous vote, and</li> <li>• obtain approval by the County Superintendent of Schools, and</li> <li>• comply with the legal requirements listed for the solicitation of bids, and</li> <li>• obtain contract approval by legal counsel.</li> </ul>
<p>Does the District need legal counsel approval of all contracts?</p>	<p>The District should obtain its legal counsel approval on each contract.</p>
<p>Our Critical Hardship project has received an "unfunded" approval—what does this mean?</p>	<p>The State Allocation Board (SAB) will reimburse the District for eligible project costs once funds are available.</p>
<p>How can the District determine if a project is financially eligible under the Deferred Maintenance Critical Hardship Program?</p>	<p>If the total estimated project cost is at least double the District's "match" amount and meets the criteria of Priority One, Two or Three, then it is eligible under the financial portion of our guidelines.</p>
<p>What types of repairs are allowed under the Priority Two Category for Critical Hardship funding?</p>	<p>Required repair or replacement to the following school components:</p> <ul style="list-style-type: none"> <li>• Underground toxic/contaminated tanks – clean-up and removal</li> <li>• Roofing</li> <li>• Plumbing (water and sewer)</li> <li>• Heating (boilers)</li> <li>• Air-Conditioning</li> <li>• Electrical</li> </ul>
<p>What items are eligible under the Priority Three Category for a Critical Hardship Project?</p>	<p>All items not included in Priority One or Two, including:</p> <ul style="list-style-type: none"> <li>• Asbestos removal</li> <li>• Paving</li> <li>• Floor covering, including carpet</li> </ul> <p>For clarification, the following items are not an eligible expenditure:</p> <ul style="list-style-type: none"> <li>• Playground equipment</li> <li>• Playground fiber</li> <li>• Landscaping, irrigation and sprinkler systems</li> <li>• Outside swimming pools</li> <li>• Fencing</li> <li>• Retaining walls</li> <li>• Pesticide spraying</li> <li>• Replacement of porches</li> <li>• Replacement of portable buildings</li> <li>• Equipment: Kitchen, office and movable desks</li> <li>• Window curtains and blinds, stage curtains</li> </ul>

QUESTION	RESPONSE
<p>What if we have already completed the repair work or replaced the school component for a Critical Hardship project?</p>	<p>A project may still be eligible if the District can obtain SAB approval within 90 days of the construction start date. District will need to submit a complete application package, including a cover letter explaining the circumstances that required immediate resolution of the condition for review by OPSC staff.</p>
<p>Now that I have received SAB approval for our Critical Hardship project (even though it may be unfunded), when should construction begin?</p>	<p>The District has one year from the SAB apportionment date in which to complete the project to be in compliance with California Education Code, Section 17582.</p>
<p>What if we cannot complete our Critical Hardship Project within the one-year timeline?</p>	<p>A critical hardship approval is based on criteria set forth in California Education Code Section 17587 (2). Specifically, the certification made by the District and its Architect or Engineer is that:</p> <p>If repairs are not made within one year, serious damage to the remainder of the facility could occur and/or the health and safety of the pupils in attendance at the facility could be jeopardized.</p> <p>Your Deferred Maintenance Project Manager and the SAB must be immediately notified, in writing, of the conditions that preclude project completion within the established time period. By providing details such as the bid opening date, unfavorable weather conditions, or changes in District personnel (for example), the District can help the SAB make an informed decision regarding the possibility of granting an extension of time.</p>
<p>After reviewing the bids for our Critical Hardship project, we realize that the costs will exceed the approved estimated budget. What should we do?</p>	<p>If, after reviewing the bids to determine areas of potential cost reduction, the District cannot bring the project costs in line with the original, estimated budget, a re-bid is appropriate. However, if the re-bid process cannot bring costs in line, the District must submit an amended application, a new cost estimate, as well as the bid documents and the signed contract. The OPSC will review the data to determine eligibility for the additional work or cost. Requests for increased funding or a change in the scope of work must also receive the approval of the SAB prior to the time of apportionment.</p>



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