



DIVISION OF THE STATE ARCHITECT

A DIVISION OF  DGS

Coalition for Adequate School Housing

Project Close-Out Workshop

September 2009

**PL 09-04:
90-Day Letter & Reopening of
Files for Project Certification**

Purpose & Application

Purpose

- To streamline the process for issuing 90-Day Letters, and to improve the re-opening of files when a project is closed without certification

Application

- Applies to ALL projects as of September 1, 2009
 - From now until January 1, 2010, the re-opening fee for all projects closed prior to January 1, 2009 is \$150
 - For projects closed without certification after January 1, 2009, the re-opening fee will be based on a project's construction cost
 - After January 1, 2010, the re-opening fee for all projects will be based on a project's construction cost regardless of closing date

Project Closeout: Background

- Project closeout is the process DSA uses to determine that a project is compliant
 - A project may be closed with or without certification
- The 90-Day Letter initiates the closing & certification process. The letter is issued when:
 - The DSE determines the project is essentially complete
 - The project becomes occupied
 - Construction stops for one year or more
- The 90-Day Letter requests that all outstanding requirements and documents be submitted to DSA within 90 days
- The 90 day letter is issued with a list of these required items

Close of File & Certification

- After 90 days, DSA will close the file with or without certification
- A letter of certification will only be issued if all missing documents have been submitted and all outstanding issues have been resolved
- DSA will take no further action on a closed file until DSA receives a request from the Architect or school/college district to re-open and re-examine the file in order to certify the project

Re-Opening & Re-Examination

- A request from the Architect or school/college district to re-open and re-examine a closed, uncertified project must include:
 - A letter with the project name & DSA Application number requesting that the file be re-examined for certification
 - A copy of the DSA "Closed Without Certification" Letter
 - A single COMPLETE comprehensive package that includes all items, documents and issues listed on the DSA "Closed Without Certification" Letter
 - All outstanding Change Orders, Addendums and Revisions or alternate documents, must be approved prior to submitting the re-opening package.
 - The re-opening fee (if applicable)

Fees after January 1, 2010

- No fee is required for a one-time project re-opening request received within 9 months from the date the DSA 90-Day Letter expires
- After 9 months (or for any 2nd or subsequent re-opening request), the fee is based on the project construction cost
 - \$500 for projects less than \$5 million
 - \$750 for projects between \$5 million and \$50 million
 - \$1000 for projects greater than \$50 million

Responsibility on Requester

- Partial or otherwise incomplete submittals will be accepted
- DSA will issue an updated “Closed Without Certification” Letter to show remaining deficiencies
- Submitting parties have 90 days to resolve deficiencies to obtain certification
- If more than 90 days pass without resolution/DSA approval, the project will again be closed WITHOUT certification

At the Discretion of DSA

- 90 Day Letters will NOT be extended, except at the discretion of DSA under the following circumstances:
 - Construction is not complete & the contractor is still mobilized at the site
 - No portions of the project are occupied by staff and/or students
- IR A-20 discusses new projects associated with uncertified projects

**IR A-20:
New Projects Associated with
Existing Uncertified Projects**

Policy

New work involving uncertified projects cannot be approved by DSA until the issue of the underlying certification is resolved.

DSA will NOT approve (stamp out) plans and specifications for alteration and/or addition projects or utilizing portions of, uncertified projects **except** when the new project is solely for the purpose of upgrading fire-life safety (FLS) aspects of the building/campus.

Exceptions to Policy

- The scope of projects accepted for DSA approval under this policy shall be limited to FLS alterations of the following types:
 - Campus or system-wide fire alarm upgrade
 - Upgrade/replacement of the uncertified building's fire alarm system
- Written approval of the alteration plans & specifications will state:
 - The approval is only for the FLS alteration
 - The building itself remains uncertified

Disclosure

- The scopes of the projects and the uncertified buildings on the alteration project must be clearly identified in the following manner:
 - The scope of the alteration project shall be clearly shown on the cover sheet or index sheet of the plans
 - Must include this statement: “DSA approval of these plans shall not be construed as the Certification of Compliance for the following buildings as required by the Field Act, Education Code Section 17280-17316 and Sections 81130-81147”
 - Immediately after the above statement, list all the uncertified buildings on alteration project

Other Projects

- DSA may begin review of new projects associated with uncertified projects but DSA approval of the plans and specifications will be withheld until the underlying certification issue is resolved



DSA Project Certification Guide

Purpose and Organization

Guideline Goal & Intent

- Provide information, procedures and concepts that lead to:
 - ✓ **Project certification**
 - ✓ **Consistency between DSA Regional Offices.**
- For projects constructed prior to January 1, 2007
- Projects have been closed by DSA without certification.
- The guide cannot possibly address all scenarios or specific situations encountered during the closeout process
- Experience and analytical skills are essential when determining appropriate actions necessary to obtain project certification.

Organization of Guideline

- **SECTION 1** INTRODUCTION
- **SECTION 2** RE-EXAMINATION OF CLOSED FILES
- **SECTION 3** CONTACTING DSA
- **SECTION 4** DOCUMENTS REQUIRED FOR PROJECT CERTIFICATION
- **SECTION 5** RESOLUTIONS AND STRATEGIES FOR PROJECT CERTIFICATION
- **SECTION 6** UNIQUE STRUCTURES
- **Appendix**

Questions?