

COLLEGE OF
DESIGN
ARCHITECTURE
PLANNING
AND ENVIRONMENTAL
DESIGN

SEPTEMBER WORKSHOP

SEPTEMBER 22, 2009



OBTAINING DSA CLOSE-OUT FOR OLD PROJECTS

Laura Knauss, AIA | REFP | LEED AP | Principal
Lionakis

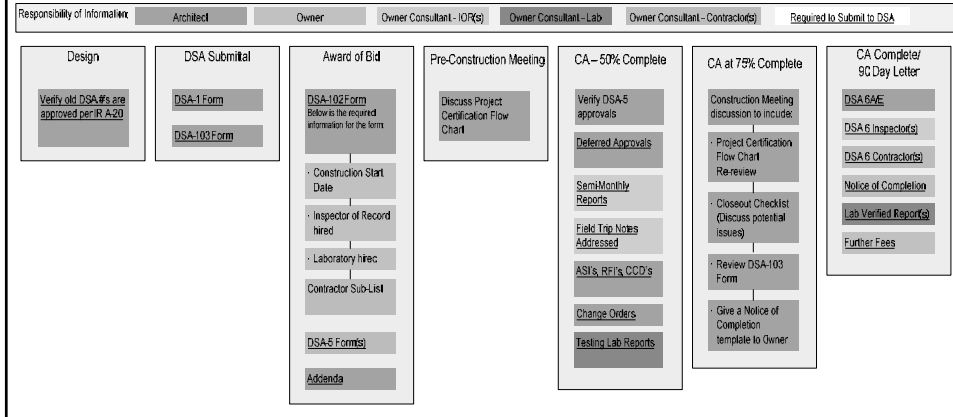
The ABC's and D of a Successful Close-out

- A**ccountable team
- B**e Proactive
- C**ommunicate
- D**on't Give Up!

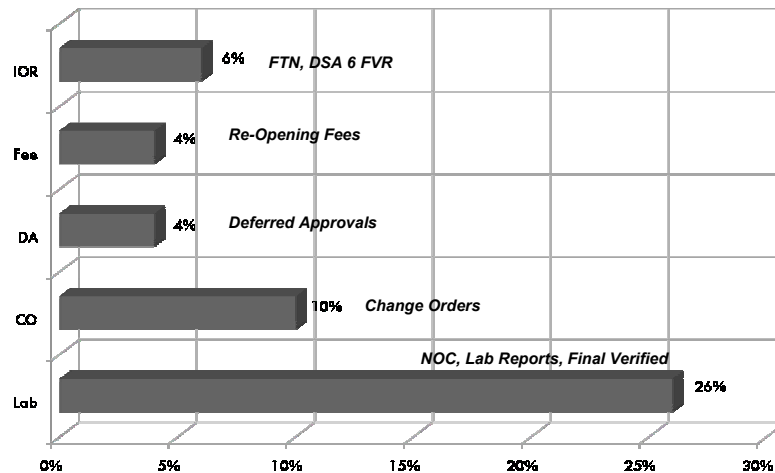
Who's Accountable?

It's a Team Effort

DSA Project Certification Flow Chart



Our Statistics



Be Proactive

- Track it!
- Research team's history in Closeout
- Know your site
- Contractual Requirements
- Start Early

Education Project Certification Database

Non DSA Project Last Reviewed: 2/2/2009 Reviewer: Regina Office: Sacramento

Project Name: Abbe Creek Middle School Multiple Contract Project

School District: Tahoe Truckee Unified School District % Complete: 100%

Project Number: 20009 DSA Appl #: 02-103766 CA Complete: Closed w/ Cert: Closed w/o Cert: Outstanding Items: 0

PM / Job Designer: Date: 1/27/2009 Date: 7/27/2005 Lx Type: 1 0

In 90 Day: 90 Day Date: 12/1/2004 Expiration: 5/30/2005 Comments:

Recommend Close by Lienaris: Closed by Lienaris: LBDG Lt Date: Archive Location: CFM Newforma Tracking:

Lab Affidavit	<input checked="" type="checkbox"/>	RR	Deferred Approvals	<input checked="" type="checkbox"/>	RR	DSA 5	<input checked="" type="checkbox"/>	RM/RR	DSA 6	<input checked="" type="checkbox"/>	RM/RR
Lab FVR	<input checked="" type="checkbox"/>		Back-slab Backstop	<input checked="" type="checkbox"/>		General IOR	<input checked="" type="checkbox"/>		Arch/Eng	<input checked="" type="checkbox"/>	
Shop Welding Fab	<input checked="" type="checkbox"/>		Final Window	<input checked="" type="checkbox"/>		In-Plant IOR	<input checked="" type="checkbox"/>		General IOR	<input checked="" type="checkbox"/>	
Field Welding	<input checked="" type="checkbox"/>		Skylights	<input checked="" type="checkbox"/>		Assistant IOR	<input checked="" type="checkbox"/>		In-Plant IOR	<input checked="" type="checkbox"/>	
High Strength Bolt	<input checked="" type="checkbox"/>			<input type="checkbox"/>		Masonry IOR	<input type="checkbox"/>		Asst IOR	<input type="checkbox"/>	
Glulam Fab	<input checked="" type="checkbox"/>			<input type="checkbox"/>		Weld IOR	<input type="checkbox"/>		Masonry IOR	<input type="checkbox"/>	
Manufact. Trusses	<input checked="" type="checkbox"/>			<input type="checkbox"/>		Site IOR	<input type="checkbox"/>		Weld IOR	<input type="checkbox"/>	
Masonry Inspection	<input checked="" type="checkbox"/>			<input type="checkbox"/>		Other IOR	<input type="checkbox"/>		Site IOR	<input type="checkbox"/>	
Blower Fab	<input checked="" type="checkbox"/>			<input type="checkbox"/>			<input type="checkbox"/>		Other IOR	<input type="checkbox"/>	
Batch Plant	<input checked="" type="checkbox"/>		Reb. Checkit	<input checked="" type="checkbox"/>		NSC	<input checked="" type="checkbox"/>		Contractor	<input checked="" type="checkbox"/>	
Epox Anchor Bolt test	<input checked="" type="checkbox"/>			<input type="checkbox"/>		DSA 102	<input checked="" type="checkbox"/>			<input type="checkbox"/>	
Change Order Summary	<input checked="" type="checkbox"/>			<input type="checkbox"/>		ADR Fee	<input checked="" type="checkbox"/>		Fees: \$5,581.35		
CO Prev'd	Total: 4/15			<input type="checkbox"/>		Re-Open Fees	<input checked="" type="checkbox"/>				
Contract Amt	\$21,202,756.00		Addenda			DSA Contract	<input checked="" type="checkbox"/>		Nancy D'agne		
CO Total	\$2,087,704.43		Total	<input type="checkbox"/>	All Approved				Phone #: (916) 223-6789		

General Communication Notes Available

Current Responsibility: O&A IOR Lab Multiple DW Preps Architect Multiple DW Preps and Architect Waiting on DSA

Communicate

- Communicate Early and Often
 - With team, with DSA, with Owner
- Construction Meeting Agenda Item
 - Review forms required/collect
 - Deferred approvals or Unique Structures
 - Change Orders
 - Accuracy of the T & I Sheet

Don't Give Up!

- **DSA Letter to Districts...October 2008**
 - DSA requested District Superintendents to inform School Board members of their liability for uncertified buildings
 - Letter informed the School District that DSA will not approve future projects affecting uncertified construction
- New **DSA Policy 09-04** Effective 9/1/09
- DSA released the **Project Certification Guide** 10/22/08 in support of old projects
http://www.documents.dgs.ca.gov/dsa/plan_review_process/Project-Certification-Guide_10-22-08.pdf

DSA Policy 09-04

No fee required for a one-time project re-opening request that is received within 9 months from the date the DSA 90 day letter expires. After 9 months from the expiration of the DSA 90 day letter (or any 2nd or subsequent re-opening request) the re-opening fee is based on the project construction cost as follows:

Projects less than \$5 million:	\$500 re-opening fee
Projects between \$5 million and \$50 million:	\$750 re-opening fee
Projects greater that \$50 million:	\$1000 re-opening fee

Re-opening fee for all projects closed without certification on or after January 1, 2009 shall be in accordance with this policy.

Re-opening fee for Projects closed without certification prior to January 1, 2009 shall be \$150. This fee is in effect until January 1, 2010.

After January 1, 2010 the re-opening fee shall be in accordance with this policy for all projects regardless of date closed.

Old Project Close-outs

Using the Project Certification Guide

Our Top 10 List - Typical Issues

1. Lab Final Verified
2. Testing and Inspection Form Errors
3. Notice of Completions
4. Outstanding Field Trip Notes: Deficiencies
5. DSA-6 Final Verified – Contractor
6. Change Orders
7. Deferred Approvals
8. Inspectors
9. Unique Structures
10. DSA

1. Lab Verified Reports

- If the laboratory engineer is refusing to provide a signed DSA-291, then contact the DSA Regional Office Supervisor for the Field Unit (see Section 3.1.4). DSA may be able to assist by ordering the laboratory to issue the form.
- Submit evidence all testing has been performed and the materials/construction was found to be in compliance with the construction documents. With such evidence, DSA can make the reasonable conclusion that if it were possible, the laboratory engineer would sign a DSA-291 form. The evidence must include:
 - A letter from the district superintendent stating that “efforts to have form DSA-291 signed by the laboratory engineer, in charge of the laboratory responsible for project testing have been made and exhausted”.
 - Laboratory tests and their results.
 - Proof that the tests submitted included all the required testing for the project. Such proof could be a comparison between the submitted documentation and the project approved T&I sheet or a statement from the design professional that describes the construction, the materials used, all code required testing and comparison of the submitted documentation with the code required testing.

- DGS State Architect Project Certification Guide 10-22-08 Page 47-51

1. Lab Verified Reports

- Submit documentation to DSA to show the identified tests are not necessary in order to provide proof that the materials used and/or construction were reasonably compliant with the applicable codes and/or regulations. Acceptance by DSA will be predicated on many factors including project type, construction type, material type, other project documentation, structural significance, life/safety hazards, professional judgment, and professional experiences. The Documents presented must be prepared by a California licensed Architect or Structural Engineer and must include written narrative. These documents may include:
 - Evidence the materials did not occur in the construction and therefore the testing was not required
 - Alternate methods (as allowed by code) which may be comprised of calculations, drawings, research papers, professional papers, testing data, manufacturer literature and/or other documents necessary to present and justify the as-built condition is appropriate.
 - Structural Calculations showing capacity versus demand stress levels are very low (1/2 stress). This is very problematic for DSA to accept and is very much tied into structural significance and/or potential structural hazard present.

- DGS State Architect Project Certification Guide 10-22-08 Page 47-51


2. Error on T&I Sheet

5.21 TESTING AND INSPECTION FORM (T&I FORM)

For most projects a T&I form is submitted to DSA at project stampout (approval). This T&I form is not a document DSA requires for project certification but is instead used by DSA to determine the tests and inspections that are both code required and Designer required. DSA then uses the information on the T&I form to determine if all tests and inspections identified on the form have been completed. Sometimes the project design professionals list items on the T&I form that are not code required and thus can be removed at their request. Sometimes, the design professional (or their delegate) simply has just checked all boxes on the T&I form as an expeditious method of obtaining DSA plan approval and/or just did not know better. Since some Tests and Inspections may be designer required (rather than code required), DSA staff typically lets the design professional check as many of the boxes on the form as they want (each box represents a different test and/or inspection. It is therefore not unusual for the T&I form to be inaccurate and to list, as required, more tests and inspections than the code minimum. If the inaccuracy of the T&I form is causing project certification issues then the following resolution may be appropriate:

- The design professional responsible for submission of the T&I form (usually structural engineer on larger projects and architect on smaller projects) may submit a letter that modifies the original T&I form. The letter must provide adequate justification for the removal of any test or inspection originally identified as required. DSA may require additional verification in the form of a copy of the approved plans

- DGS State Architect Project Certification Guide 10-22-08 Page 59

September Workshop 

3. Notice of Completion

5.13 MISSING NOTICE OF COMPLETION (NOC)

(See Section 4.10 for discussion about the form).

If the notice of completion is missing then the notice must be submitted. DSA will accept one notice of completion for the entire project or separate notices of completion for each separate prime contract for the project. DSA will accept the NOC in either of the following formats:

- Notice on School District Letterhead (signed by School District Assistant Superintendent of Business Services)
- Notice filed with County Recorder

September Workshop 

4. Field Trip Notes: Deficiencies

CONSTRUCTION DEFICIENCIES

Sometimes, the cause of projects to be close without certification is construction that does not comply with the DSA approved construction documentation or otherwise identified as non-compliant. Resolving the issues could include the following:

- Submit documentation to DSA to show the construction is compliant with the applicable codes and/or regulations. Documents may present alternate methods and materials (as allowed by code) and may include calculations, drawings, research papers, professional papers, testing data, manufacturer literature and/or other documents necessary to present and justify the as-built condition is appropriate.

5. Missing DSA-6 - Contractor

DSA-6 (Contractor(s))


In many instances it is not possible for the district to obtain a DSA-6 from all the contractors. The value of a DSA-6 from contractors is questionable and in the opinion of many persons involved in the process adds no safety to the process. Therefore, DSA will accept the following alternate document:

- A letter from the district superintendent stating:
 - Efforts to have form DSA-6 signed by the project contractor(s) have been made and exhausted.
 - Construction is 100% complete and, to the best knowledge of the district, has been constructed in full compliance with the DSA approved construction documents.
 - All scope shown in the DSA approved construction documents has been constructed. If not all scope has been constructed then the letter should provide a list of those items not constructed and state that except as listed, all scope shown in the DSA approved construction documents has been constructed.

6. Change Orders

- If the change orders show noncompliance with the codes in effect at the time of the original plan approval, then the change orders will need to be revised which, could result in mitigating construction and/or additional DSA-6 submittals.
- For change orders that do not change the contract cost and that do not contain Structural, Fire Life Safety and/or Accessibility issues DSA will accept the following as an alternate to the change order submittal:
 - A letter from the design professional in responsible charge of the project that includes the change order number, the name of the contractor involved, a description of the changes, and a statement that the change order does not change the contract cost does not contain Structural, Fire Life Safety and/or Accessibility issues.
- For change orders that are shown as existing but in fact never occurred. There may be cases where a change order is shown in the DSA Tracker but in fact never existed and is just a data entry error. There may also be cases where the wrong number of change orders are shown on one of the DSA-6 forms:
 - Submit a letter signed by both the design professional in responsible charge of the project and the district superintendent attesting that the change order never occurred and any records showing the existence of the change order are in error.

- DGS State Architect Project Certification Guide 10-22-08 Page 54-55

September Workshop 

7. Deferred Approvals

- For deferred approvals that are shown as required but in fact never occurred. There may be cases where a deferred approval is shown in the DSA records and/or on the approved plans that in fact was not actually required due to changes in the construction that eliminated the scope that required deferred approval or due to some error. If this is the case then:
 - For projects that change in scope eliminated the need for deferred approval: Submit proof to DSA that the change in project scope eliminated the need for the deferred approval (in this case, DSA must approve the change in project scope)
 - For projects that records, indicating deferred approval, are in error: Submit a letter signed by the design professional in responsible charge of the project attesting that the need for the deferred approval never occurred and any records showing the existence of the change order are in error. DSA may require additional verification in the form of a copy of the approved plans.

- DGS State Architect Project Certification Guide 10-22-08 Page 55

September Workshop 

8. Missing Inspector

- In the case when an Inspector does not complete a DSA-6 form (deceased, retired, fired by the district, unresponsive), DSA recommends the following:

Here are some possible resolutions that can be pursued.

- If the inspector is refusing to provide a signed DSA-6, then contact the DSA Regional Office Supervisor for the Field Unit (see Section 3.1.4). DSA can order the inspector to submit the form.
- District hire a California licensed Architect and/or Structural engineer to produce and submit a report that provides reasonable evidence appropriate inspections have been performed and that based on their research, document review and professional judgment; the materials and construction were found to be in essential compliance with the approved construction documents and applicable building codes. With such evidence, DSA can make the reasonable conclusion that, if it were possible, the project inspector would sign a DSA-6 form.

- DGS State Architect Project Certification Guide 10-22-08 Page 51-52

9. Unique Structures

Section 6.3 of DGS State Architect Project Certification Guide 10-22-08

- Relocatable Buildings
 - DSA IR 16-1
- Bleachers
 - DSA IR 16-5
 - Indoor folding (telescoping) bleachers
 - Outdoor bleachers
- Scoreboards

10. DSA

- Use Them as a Resource
- Track Your Progress
- Communicate

What to do when you've done
everything

After all Efforts have Failed

- Expect to encounter unique problems
- Refer to IR A-2 “Certificate of Compliance without Receipt of all Documents” for clarification of the procedure

Purpose: The purpose of this IR is to provide a procedure whereby a certificate of compliance may be issued when it is deemed impossible to collect all the required documents. This procedure may not be initiated until all efforts to obtain the required documents have failed.

- Alternate documents may be utilized
- Must be requested by the School District
- Requires DSA Approval

Field tips

What to Know...

Know the Documents

- What are the approved plans?
 - Original Plans and Specifications
 - Revisions and Addenda
 - Deferred Approvals
 - Field Change Documents (aka PCO's/FCD's)
 - Change Orders
- DSA 102 submitted before Construction start?
- DSA 5(s) submitted prior to start of construction?
- DSA 6 Forms filed in a timely matter?
- Notice of Completion filed?
- Testing Lab Reports/Final Verified Reports filed?

Know the Lab

- Is the Lab certified with DSA?
- Is the Lab sending results throughout the project?
- Is the Lab preparing the Final Verified Reports based on the DSA-103 Form in a timely matter?
- Have you retained fee for completion?

Know the Inspector(s)

- Are the DSA-5's approved for all Inspector(s)?
- Are the Job Site Files maintained properly (IR A-8)?
- Semi-Monthly Reports submitted timely?
- Field Trip Notes addressed immediately?
- DSA 6 Form(s) – Final Verified Reports submitted after all documentation is verified?

Know the Contract(or)

- Are Contractor retention payments contingent upon resolution of deficiencies and receipt of Verified Reports?

Know the Architect

- Has the DSA-103 been reviewed with all parties?
- Has the DSA-102 been submitted prior to start of construction?
- Are all Deferred Approvals submitted to DSA prior to installation?
- Are all Change Orders submitted to DSA in a timely matter especially where a code change is affected?
- Is the job site regularly walked to document any deficiencies to be addressed?
- Has DSA been notified of any changes in responsibility, scope of work or construction status?
- Is there backup of all documentation submitted to DSA?

Questions?