



REGISTER

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THE NEWSLETTER OF THE COALITION FOR ADEQUATE SCHOOL HOUSING

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Springhill Elementary School

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May Revise Fulfills Education Commitments

The 2004-05 Governor's Budget uses Proposition 98's Test 2 to provide approximately \$2.4 billion in additional Proposition 98 funding for 2004-05 compared to the 2003-04 budget.

Current revenue estimates provide increased Proposition 98 funding of \$256 million in 2003-04 and \$275 million in 2004-05 for K-14 education above the Governor's Budget level.

Consistent with agreements for 2004-05, the Administration rebases Proposition 98 by \$2 billion and proposes full funding for K-12 growth and cost-of-living adjustments, restoration of K-12 equalization funding to the levels proposed in January, and other increases.

ADA GROWTH REDUCTION

The May Revise fully funds ADA growth, but actual growth has slowed below previous projections. The May Revision includes estimated 2003-04 K-12 ADA growth of 0.75 percent, down from 1.23 percent in the Governor's January Budget. In 2004-05, the revised ADA growth is down, from 1.02 percent to 0.95 percent (32,309 ADA lower than the January


estimate.) The total number of ADA is estimated to be 5,950,626 in 2003-04 and 6,006,898 in 2004-05.

DEFERRED MAINTENANCE FUNDING INCREASED

The Governor's revised budget includes an additional \$107 million for the Deferred Maintenance Program. In January the Governor proposed to fund the program at \$250 million, but reduced this amount in April's revision to \$173 million for a total of \$77 million. The additional funding in the May Revision brings the total for the Deferred Maintenance Program to \$184 million.

COUNTY FACILITY MATCH

The May Revision proposes to reform county office facility funding to require school districts that send students to county-run alternative programs to pay their share of a local match. The Department of Finance is concerned that Districts that are not hardship escape paying their local match for facilities when the facilities are built by county offices which qualify for 100% hardship funding. The

Administration proposes that school districts pay a local match in proportion to the students referred from their districts. 

-Ernest Silva

Call for Articles

The *CASH Register* is always accepting articles from C.A.S.H. members on topics that relate to the school building industry. Following are guidelines to follow when submitting an article:

- Articles must be no longer than 3 pages, typed, single-spaced (Approximately 1,000 words).
- Articles should relate to facilities issues and school maintenance.
- Articles must be general in nature and not a promotional piece about specific company or product.
- Articles can be reprinted from other sources (Please get permission in advance).
- If pictures are available, they can be used to enhance the article. Photos sent electronically should be Greyscale, .JPG files, 300dpi at 100% of the size they will be printed at (4" x 300dpi for inside photos).
- Articles must be received by the 15th of the month. Example: articles received by October 15, will appear in the October issue that is distributed in early November.

If you have an article you would like to submit, please send it to:
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The *CASH Register* is published eleven times a year (January through November) by the Coalition for Adequate School Housing (C.A.S.H.) and distributed to C.A.S.H. members. Over 1,000 rapidly growing school districts, county offices of education, architects, attorneys, bond counsel, financial institutions, developers, contractors, consultants, inspectors, licensed professionals, manufacturers of portable classrooms, maintenance suppliers and others who are concerned about school construction issues hold C.A.S.H. memberships.

The *CASH Register* solicits articles on school facility-related topics from the membership. If you are interested in submitting an article, please send it or a letter of inquiry to: Editor, *CASH Register* editorial office, 1130 K Street - Suite 210, Sacramento, CA 95814. Sorry, we are unable to return or acknowledge unpublished manuscripts. The views expressed herein are those of the authors and not necessarily those of the Coalition for Adequate School Housing, its board, staff or general membership.

Owner Controlled Insurance Programs for School District Construction Projects *By Eric R. Dill*

As C.A.S.H. Chair Eric J. Hall mentioned in last month's letter, Owner Controlled Insurance Programs (OCIP) can help districts lower the overall cost of a construction project. The district purchases general liability, workers' comp, and builder's risk insurance on behalf of the contractors and subcontractors who are then required to remove the cost of their insurance and associated overhead and profit from their bids. Savings are achieved by purchasing insurance at lower rates than those of most contractors and by eliminating contractor mark-up on insurance costs.

Districts can compare contractor insurance costs to OCIP premiums during the bid phase by making the bidder's insurance and associated OH&P either an additive or deductive alternate. If the numbers are close, I would recommend going with the OCIP for the following reasons:

- **Higher limits and broader coverage:** In our OCIP, all contractors are covered up to \$35 million per occurrence with the broadest coverage available.
- **Term:** Our OCIP has a "tail-end" term often years past project completion which means we will have a highly-rated, California-admitted carrier, with limits and broad coverage in place during the time any construction defects are discovered instead of a series of contractor-provided carriers, if any.
- **Uniform coverage among all contractors:** There are no exclusions, insufficient or depleted limits, non-admitted, or insolvent carriers to complicate claim recoveries.
- **No "finger pointing" saves time and money:** One uniform policy covering the district and all contractors on a project can

eliminate years of battling between contractors, carriers, attorneys, and the district trying to place the blame on each other in the event of a construction defect claim, third-party liability claim, or workers' comp subrogation between contractors.


- **Contract administration of insurance is simplified:** No time is spent chasing down certificates of insurance and additional insured endorsements, verifying limits & coverage, or tracking expiration/cancellation dates.
- **Potential for a premium rebate:** At the end of the project, the premium is audited against actual payrolls and loss history. Assuming the project enjoyed a favorable loss experience and that actual payrolls are not far off from estimates, a portion of the premium may be refunded to the district.

The potential risks include:

- If contractor insurance is an additive alternate, bidders with excessive losses who pay higher insurance premiums are given equal standing against other bidders, who may have a better track record in the areas of employee safety or construction defects. Since these contractors might delay the project due to accidents or affect your potential rebate, consider including language in the bid which will allow you to reject bidders with unusually high claim experience.
- If contractor insurance is a deductive alternate, savings might not be maximized if the low bidder's insurance costs are lower than other contractors who may be close to the winning base bid. Districts might invite bid challenges if they

award to a contractor who is not the presumptive low bidder.

- Change orders, contractors who estimated their payrolls unreasonably low, or an increase in local labor costs will cause a premium increase when it is audited at the end of the project. A favorable claims experience may offset the additional premium owed to the carrier, but a high loss ratio may result in a net premium increase.
- Contractors might be less vigilant with their safety and quality assurance programs if they think another entity is responsible for their claims—make sure your contractors know their claim experience will follow them, even though the OCIP is providing coverage. Also, make sure your broker or carrier will provide frequent, meaningful on-site loss control inspections and resolve issues with your general contractor or construction manager as they arise.
- Tail-end coverage of less than ten years may cause an uninsured gap during the construction defects statute of limitations period. Broker fees and administrative costs on smaller projects may outweigh potential savings.

School districts should consider taking advantage of the savings generated by Owner Controlled Insurance Programs. By lowering up-front costs and reinvesting premium rebates back into capital funds, your district can demonstrate its commitment to prudent spending of state and local money to the taxpayers and voters who narrowly passed Proposition 55 and deliver what they deserve most—new and better school facilities. 

Eric R. Dill is Director of Risk Management for the San Dieguito Union High School District

Legislative Update

SCHOOL FACILITY PROGRAM

AB 1790 (Corbett) Seismic Safety Retrofit and Replacement Program

Status: Amended, April 13, 2004

Location: Assembly Appropriations Committee

Position: SPONSOR

Summary: AB 1790 would require the State Allocation Board to develop and adopt regulations to establish, and provide grants for a Seismic Safety Upgrade Program for school facilities by January 1, 2006. The bill establishes parameters for eligible projects, including, but not limited to, projects within 10 kilometers of an active fault classified as Category 2 buildings under the *Seismic Safety Inventory of California Public Schools*. Furthermore, the bill requires the SAB to develop a two-phase program. A Phase One grant would fund a school's review of seismic upgrade needs, which must be complete within one year; however, a district may be permitted a one-year extension by the Board. A Phase Two grant would fund the design and construction to upgrade a facility if the SAB determines there is a need after the Phase One review. Such funds shall be reserved for eligible projects for no more than two years. Moreover, if the Phase One review reveals that the costs of a seismic upgrade would exceed 75% of the cost of a new building, the facility would be eligible to participate in the New Construction Program. The bill would entitle eligible school districts to receive 50% of seismic upgrade costs from state funds specifically reserved for such projects as specified in a bond act approved by the California electorate on or after January 1, 2006.

Comment: AB 1790, with the assistance of C.A.S.H., is Assembly Member Ellen Corbett's response to the DGS report, *Seismic Safety Inventory of*

California Public Schools, and its findings and the current void in the current State School Facility Program to assist in funding necessary seismic retrofit projects for school facilities.

AB 2343 (Nation) Modernization Projects: Automatic Fire Sprinkler Systems

Status: Amended, April 28, 2004

Location: Assembly Appropriations Committee

Position: OPPOSE

Summary: AB 2343 expands the provisions set forth in SB 575 (O'Connell) for modernization projects that are funded by Propositions 47 and 55 and which exceed construction costs of \$200,000 to include automatic sprinkler systems.

Comment: C.A.S.H. is concerned about the fiscal impact AB 2343 will have on school districts and on the remaining state funds for modernization projects.

AB 2567 (Benoit) Supplemental Enrollment

Status: Introduced, April 27, 2004

Location: Assembly Appropriations Committee

Position: SUPPORT WITH AMENDMENTS

Summary: AB 2567 requires the State Allocation Board to develop regulations to ensure that local subdivision maps are used accurately to calculate a district's projected enrollment and eligibility to participate in the School Facility Program.

Comment: Late 2003, C.A.S.H. was contacted by a number of school districts seeking clarification on the use of tentative tract maps to augment enrollment projections. In our letter of support to the Assembly Education Committee, we requested that amendments be adopted to require school districts to demonstrate due diligence in obtaining and maintaining appropriate

documentation, including meeting minutes and resolutions by cities and/or counties approving tentative and final tract maps. Furthermore, we requested that AB 2567 be amended to allow that student projections from the use of such maps continue to be used in a district's enrollment until the dwellings are occupied.

AB 3001 (Nuñez) Portable Classrooms

Status: Amended, April 16, 2004

Location: Assembly Appropriations Committee

Position: WATCH

Summary: AB 3001 would require DSA, CDE and OPSC to assess the age and conditions – including type, energy efficiency, indoor air quality and acoustics – of all portable classrooms in the state by June 1, 2005. The bill also requires the agencies to submit a summary report to the Legislature by July 30, 2005 with appropriate recommendations on improving design specifications, conducting a pilot study of a high performance portable classroom – both new and retrofitted – and on operations and maintenance guidelines.

Comment: C.A.S.H. has met with Assembly Speaker's staff about AB 3001 and asked about the intent of the bill. The stated intent of the bill, if deemed necessary after a study by DSA, CDE and OPSC, is to improve the learning environments in portable classrooms with high performance criteria including air quality, energy efficiency and acoustics. Though C.A.S.H. has not taken an official position on the bill, we have been asked to support the effort to cooperate in a study.

SB 628 (Vasconcellos) School Facility Program Eligibility Calculations

Status: Amended, January 6, 2004

Location: Assembly Appropriations Committee

Position: WATCH

Summary: SB 628 would authorize an elementary school district with an ADA

over 9,000 to calculate its eligibility to participate in the State School Facility Program on the unhoused pupil population(s) of one or more high school attendance areas rather than on the district-wide average. Moreover, the bill specifies that the elementary school district may use this calculation only if the high school district contains more than five high schools and the eligibility will serve an overcrowded student population.

Comment: Current law enables unified school districts to calculate their eligibility to participate in the School Facility Program on unhoused populations of high school attendance areas; however, the law does not explicitly allow the use of that calculation for elementary school districts.

DEFERRED MAINTENANCE

SB 409 (Hollingsworth):

Deferred Maintenance:

Calculations

Status: Amended, May 10, 2004

Location: Assembly

**Position: OPPOSE UNLESS
AMENDED**

Summary: Existing law requires school districts that receive funding under the Greene Act of 1998 to deposit 3% of the district's general fund into a fund for maintaining school facilities. SB 409 would require that the 3% calculation be based on the general fund less any restricted accounts.

Comment: This bill is intended to give school administrators more flexibility in developing budgets in the face of the state's fiscal constraints; however, C.A.S.H. has an Oppose Unless Amended position on SB 409 because removing restricted accounts from the 3% calculation will result in less funding available to maintain school facilities. C.A.S.H. has offered an amendment that would allow districts to remove restricted accounts that cannot be used for maintenance. Recognizing the difficulty in developing school budgets with diminishing

resources, C.A.S.H. believes that this compromise would allow school districts additional flexibility in developing budgets, and yet still ensure that sufficient funding is available to maintain schools. The bill cleared the Assembly Education Committee on consent and Assembly Appropriations as an urgency bill.

SB 1562 (Murray)

Deferred Maintenance:

School Restroom Inspections

Status: Amended, April 12, 2004

Location: Senate Education Committee

Position: OPPOSE

Summary: Requires schools to permit a city or county to inspect school restrooms and would give a city and county the authority to make these inspections. This is a follow-up bill to last year's SB 892 (Murray) which requires school districts to keep restrooms maintained and cleaned regularly, fully operational, and stocked with soap and paper supplies.

Comment: C.A.S.H. opposes this bill on the grounds that, as a result of the approval of SB 892, as well as OPSC's efforts to implement the new law, it is unnecessary. C.A.S.H. believes also that the roles of other local agencies need not be expanded to control district actions or to oversee them other than county offices of education.

FUNDING

AB 1126 (Dutton)

School Facility Program:

Modernization Program - Grant

Adjustments for Access Compliance

Status: Amended, February 26, 2004

Location: Senate Education Committee, Anticipated Hearing Date: June 9, 2004

Position: SPONSOR

Summary: AB 1126 would authorize the State Allocation Board to develop regulations and guidelines to adjust the per pupil grants for modernization projects to include site and systems development costs associated with compliance with ADA Guidelines as

required by the Division of the State Architect.

Comment: The costs of meeting access compliance requirements when school districts modernize their facilities at times preclude districts from fully modernizing their facilities to meet their programmatic needs. C.A.S.H. has been working with the Division of the State Architect and the Office of Public School Construction on the issue, and is now seeking a legislative solution to assist districts with these costs.

SB 1129 (Johnson)

Use of Funds from Surplus Property

Status: Amended, April 21, 2004

Location: Senate Appropriations Committee

**Position: OPPOSE UNLESS
AMENDED**

Summary: SB 1129 would allow school districts to deposit into their general funds proceeds from the sale, lease or leaseback of certain district property to be used for a one-time general fund purpose. The fiscal flexibility of this bill would terminate on January 1, 2007 unless subsequent statute is enacted to either delete or extend the provision.

Comment: C.A.S.H. disagreed with the basic intent of this bill on the grounds that it erodes the traditional firewall between the appropriate use of funds for operational and capital outlay purposes. While C.A.S.H. recognizes the need for school districts to have flexibility during tough fiscal times, we believe that the bill's policy may encourage fiscal mismanagement and would set the wrong precedent regarding the use of funds traditionally reserved for school facilities needs.

SB 1491 (McPherson)

Capital Facilities Fees

Status: Amended, April 13, 2004

Location: Senate Energy, Utilities and Communications Committee

Position: SUPPORT

Summary: SB 1491 would ensure that

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public utility service agencies do not impose unfairly capital facilities fees on one class of customer over another. In the case of school districts, Government Code Section 54999.3 provides fiscal protection that prohibits the subsidization of operational costs of a public utilities agency and capital costs of private customers with public agency resources, including local and state bond funds. SB 1491 ensures this fiscal protection.

Comment: In 2003, Assembly Member Jackie Goldberg authored AB 1051, which was vetoed by Governor Davis. AB 1051 sought to allow public utility service agencies to unilaterally determine, increase and impose capital facilities fees on public agencies, such as school districts. C.A.S.H. opposed AB 1051 on the grounds that it eroded the statutory fiscal protection of Government Code Section 54999.3 and that it would diminish the general purpose revenue from which districts educate children, transport them, buy books, and maintain school facilities. We support the bill because SB 1491 affirms that public agencies cannot be charged with capital facilities fees that result in the unfair subsidization of other classes of utility customers.

SB 1599 (Hollingsworth)
Use of Funds from Surplus Property

Status: Amended, April 12, 2004

Location: Senate Education Committee

Position: OPPOSE UNLESS AMENDED

Summary: Would allow the Santee Unified School District to deposit into their general fund proceeds from the sale, lease or leaseback of certain district property to be used for a one-time general purpose.

Comment: This bill is identical to SB 1129 (Johnson) except that it narrows the provision of the bill to the Santee Unified School District.

LABOR COMPLIANCE PROGRAMS TOXICS & INDOOR AIR QUALITY

AB 1995 (Cox)

Public works – Off-site, Prefabricated Work

Status: Introduced, February 13, 2004

Location: Assembly Labor and Employment (failed passage)

Position: WATCH

Summary: AB 1995 would exempt from the payment of prevailing wages on public works projects prefabricated work performed at a permanent, off-site facility.

Comment: AB 1995 did not survive its first policy committee hearing and it is likely that the bill is dead. However, the issue of prevailing wage applicability to prefabricated work was introduced last year when the Director of DIR issued determinations in two cases that stated that the work, specific to those cases, requires the payment of prevailing wages. C.A.S.H. and other stakeholders appealed to DIR at meetings and public hearings requesting that the determinations be withdrawn. In October 2003 and at the behest of former Governor Gray Davis, an indefinite stay was put on those determinations until the appeals are resolved; the issue is still under appeal. C.A.S.H. has met with Labor to inquire about the status of the appeals and we are told that the matter will be resolved soon.

SB 1204 (Margett)

Public works – Labor Compliance Programs

Status: Introduced, February 10, 2004

Location: Senate Labor and Industrial Relations (failed passage, reconsideration granted)

Position: WATCH

Summary: SB 1204 would repeal Labor Code §1771.7, which requires that school districts that use funds from the Kindergarten-University Public Education Facilities Bond Acts of 2002 or 2004 (Propositions 47 or 55) initiate and enforce labor compliance programs.

Comment: SB 1204 did not survive its first policy committee hearing and it is likely that the bill is dead.

AB 2863 (Pavley)

Indoor Air Quality

Status: Amended, May 4, 2004

Location: Assembly Appropriations Committee

Position: OPPOSE UNLESS AMENDED

Summary: This bill **a)** allows for use of deferred maintenance funds to prevent indoor air quality problems and implement the Tools for Schools program (TSP); **b)** commencing on January 1, 2006 requires a school district to incorporate best practices for improved indoor air quality, as contained in the Best Practices Manual developed by the Collaborative for High Performance Schools (CHPS), into design and construction of the new facility “to the extent feasible within its budget”; **c)** requires school districts to specify in its application to the Division of the State Architect (DSA) in projects involving replacement of ventilation systems in existing schools, the best practice items it has incorporated into its construction plans; **d)** requires that by January 1, 2006 DSA must submit to the California Building Standards Commission, as part of the annual building code review process, revised building standards for schools facilities that incorporate practices from the Best Practices Manual developed by CHPS; **e)** requires school districts to include in their plans and specifications for new construction and modernization projects an indoor air quality construction management plan based on the recommendations of CHPS and submit the plan to OPSC; **f)** requires that school districts applying for new construction and modernization funds to submit a plan for implementing TSP at any school that will receive construction or modernization funds within one year of completion of the project, and must include a description of the program elements and a timetable for when program elements will be com-

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C.A.S.H. Spring Conference and Pre-Conference Workshop

The C.A.S.H. Spring Conference and Pre-Conference Workshop were held May 11-13 at the Westin Horton Plaza in San Diego.

Pre-Conference Workshop

The pre-conference workshop on Alternative Delivery Methods on Tuesday, May 11, brought over 100 school districts and associate members alike to learn about new and different ways that schools are being delivered.

Topics covered were:

- Agency Construction Management
- Construction Management At-Risk
- Design-Build
- Lease Lease Back

Evaluations from the delegates were very positive about this workshop.

Thank you to the following presenters for making this workshop a great success:

- Mike Vail, Vista Unified School District
- Paula de Sousa, Best Best & Krieger LLP
- Dana LeSher, Harris & Associates
- Tony Lief, FL Construction Management
- Eric Stenman, General Counsel, Douglas E. Barnhart, Inc.
- Mark Mardock, McCarthy Building Companies, Inc.
- Peggy Strand, Best Best & Krieger LLP
- Robert Hartung, The Haskell Company
- Dick Cowan, Clark & Sullivan Builders
- Ernest Silva, Murdoch, Walrath & Holmes

That evening, the Association of California Construction Managers

hosted a reception. During the reception they had a drawing for a \$500 gift certificate to Fry's Electronics which was won by Janet Dixon of the Riverside USD.

Spring Conference

The Spring Conference was kicked-off on Wednesday, May 12 by Pamela Johnson, C.A.S.H. Vice Chair, with over 300 school district and associate



C.A.S.H. Past Chairs, Dave Doomey, Kathleen Moore (accepting for Constantine Baranoff), and Terry Bradley honored for their work as Co-Chairs of the C.A.S.H. Issues Committee



(l to r) ACCM Secretary/Treasurer Jack Moore, PHASEOne Construction Group, ACCM Board Member Dana LeSher, Harris & Associates, \$500 Gift Certificate Winner Janet Dixon, Riverside USD, and ACCM Vice Chair Terry Zinger, Golden State Labor Compliance

members in the audience. The co-Chairs of the C.A.S.H. Issues Committee, Constantine Baranoff, Elk Grove USD; Dave Doomey, Capistrano USD; and Terry Bradley, Clovis USD, were recognized for all of their hard work in leading the charge to raise funds for Propositions 47 and 55.

Luisa Park, Office of Public School Construction and Bruce Hancock, State Allocation Board gave an in-depth

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C.A.S.H. Spring Conference and Pre-Conference Workshop

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presentation on funds available from Propositions 47 and 55 and how long the money would last.

After the break additional state staff members gave presentations on Access and Impediments to State Funds. Specific issues that were covered are as follows:



(l to r) SAB Executive Officer Luisa Park, SAB Assistant Executive Office Bruce Hancock, and C.A.S.H. Vice Chair Pamela Johnson

- Tentative Tract Map Use and Self-Certification
- COS Milestones and Enrollment Projections
- Air Quality Studies in School Site Acquisitions

Thank you to the following staff for making presentations on these topics:

- Lina Lessa, OPSC



Wednesday's lunch general session speaker Nancy Sidhu, from the Los Angeles Economic Development Corporation

- Heather Doherty, OPSC
- T.J. Rapozo, OPSC
- Jessica Parr, OPSC
- Fred Yeager, CDE

At lunch attendees heard from Nancy Sidhu, VP and Senior Economist, Los Angeles Economic Development Corporation. Nancy has addressed the delegates of the Spring Conference for over 12 years. Each year attendees learn something new and appreciate her information on California's economy.

After lunch, attendees regrouped for the afternoon's general session. Ted Rozzi, C.A.S.H. Board Member, moderated the session. Topics included:

- From Concept to Close Out – Managing the Numbers, Lettie Boggs, Colbi Technologies
- Project Close-Out and the State Audit, Noé Valadez, OPSC and Lien Hoang, OPSC
- Maintenance Update, Joe Dixon, Maintenance Network Co-Chair
- Californians for Schools Update, Mike Vail, Vista USD

Wednesday evening there was a reception hosted by the following C.A.S.H. associate members:

- 3D/I
- Barnhart, Inc.
- Bradley Corporation
- Bunton Clifford Associates, Inc.
- California Financial Services
- DC Architects
- EDGE Development, Inc.
- FL Construction Management
- Haley & Aldrich, Inc.
- Heery International
- HMC Architects/schooladvisors
- Keenan & Associates
- Kleinfelder
- Meyers Nave
- Mobile Modular
- MTGI, Inc.
- MuniFinancial
- Murray & Downs, AIA Architects
- MVE Institutional, Inc.
- Ninyo & Moore
- RBC Dain Rauscher, Inc.
- School Site Solutions



(l to r) CDE Assistant Director Fred Yeager, Office of Public School Construction staff T.J. Rapozo, Jessica Parr, Lina Lessa, and Heather Doherty



(l to r) Office of Public School Construction Staff Noé Valadez and Lien Hoang, C.A.S.H. Board Member Lettie Boggs, C.A.S.H. Maintenance Network Co-Chair Joe Dixon, and C.A.S.H. Board Member Ted Rozzi



(l to r) Murdoch Walrath and Holmes Legislative Advocate Tom Duffy, C.A.S.H. Board Member Nina Young, Murdoch Walrath and Holmes Legislative Advocate Ian Padilla and Janice Rogala, Dimensions Unlimited, Inc.



Hamid Saebfar, Department of Toxic Substances Control, Duwayne Brooks, California Department of Education – School Facilities Planning Division, Richard Conrad, Division of the State Architect, Fred Yeager, California Department of Education – School Facilities Planning Division, and Dennis Dunston, C.A.S.H. Board Member

- Spectrum Communications
- Stone & Youngberg
- TBI & Associates, Inc.
- Turnkey, Inc.
- Vanir
- Williams Scotsman
- WLC Architects/WLC Construction Services


After the reception, a small contingent of folks went to the Padres game at the new Pectco Park in Downtown San Diego. Others enjoyed some of the fine restaurants in the historic Gas Lamp District of San Diego.

On Thursday, May 13 attendees returned for breakfast and the final General Session of the Conference. The morning session was moderated by Nina Young, C.A.S.H. Board Member. At this session attendees heard about Local Hazard Mitigation Plans, presented by Janice Rogala of Dimension Unlimited, Inc. There was also a segment on Legislative and Regulatory issues presented by the C.A.S.H. lobbyists.

After the break, there were updates by the Division of the State Architect, CDE/School Facilities Planning Division, and Department of Toxic Substances Control. This session was moderated by Dennis Dunston, C.A.S.H. Board Member. Thanks to the following presenters for making the state agency presentations:

- Richard Conrad, Division of the State Architect
- Duwayne Brooks, CDE/School Facilities Planning Division
- Fred Yeager, CDE/School Facilities Planning Division
- Hamid Saebfar, Department of Toxic Substances Control

Attendee evaluations were very positive about the conference. Many commented that the information that was disseminated was timely and would be very useful back in their districts and county offices.

Next year's Spring Conference will be held May 10-12, 2005 at the Westin Horton Plaza in San Diego. 

- Greg Golik

Legislative Update

Continued from page 6

pleted; **g**) commencing January 1, 2005 requires school districts to include procedures for preventing indoor air quality problems in any new or revised five-year plan for deferred maintenance submitted to OPSC, and include implementation of TSP at each school site in the district and allows for a phase-in of the program over five years; **h**) requires on or before June 30, 2005 the Division of Occupational Safety and Health to develop a self-assessment checklist for school districts and schools to assess compliance with ventilation and moisture intrusion regulations; **i**) requires by January 1, 2006 that school districts include completed checklists for ventilation and moisture intrusion for each school site in the district in the school district's submission of a new or revised five-year plan for deferred maintenance.

Comment: C.A.S.H. and others met with the author's office and the sponsors of the bill before the bill was heard in committee and offered amendments to replace the mandatory requirements with permissive requirements at the school site level. In addition, C.A.S.H. opposed the bill when it was heard in the Assembly Education Committee, initially proposed by the Committee for the Special Consent Calendar, along with the Association of California School Administrators (ACSA), the California School Boards Association (CSBA), and the Los Angeles Unified School District (LAUSD). C.A.S.H.'s opposition was not based on opposition to the Tools for Schools program or Collaborative for High Performance Schools which C.A.S.H. has actively supported, but rather objects to the inflexible nature of the bill in its current form. On behalf of C.A.S.H., Ian Padilla testified in Committee that "the bill would add significant complexity, expense, and of most concern, time to the application and approval process for

school construction projects." AB 2863 was approved by the Assembly Education Committee on an 11-0 bipartisan vote.

AB 2902 (Hancock) **CEQA, Statements of Overriding Consideration**

Status: Amended, May 10, 2004

Location: Assembly Appropriations Committee

Position: **OPPOSE**

Summary: AB 2902 would overturn a Court of Appeal decision in the case of *City of Marina v. Board of Trustees of the California State University* (Cal. Supreme Court Case No. S117816), which is currently pending before the California Supreme Court. Furthermore, the bill proposes to prevent a school district's Section 21081(a)(2) statement of overriding considerations unless another governmental agency (legally responsible for mitigation) agrees to perform its duty upon payment of a contribution by the school district.

Comment: This bill adds a new responsible and trustee agency power to halt school siting and construction; such extraordinary power is unwarranted. The process of building and modernizing educational facilities in California is complex; AB 2902 would only make such processes more difficult and onerous, and result in significant costs and delays.

SB 1224 (Ortiz) **School Facilities: Hazardous Waste**

Status: Amended, April 14, 2004
Location: Senate Education Committee
Position: **OPPOSE UNLESS AMENDED**

Summary: SB 1224 would expand DTSC oversight and review of school facilities into modernization projects. Moreover, the bill would allow Deferred Maintenance funds to be used for DTSC review and district mitigation of existing school sites for modernization projects. Under current law, DTSC does not have such authority nor can

districts use such funds for such purposes.

Comment: C.A.S.H. believes that before DTSC review of existing school sites can be allowed the state must establish objective statewide cleanup standards and fully pay for the costs of cleanup.

BIDDING

AB 2614 (Levine)

Bidder Selection Procedures

Status: Amended, April 13, 2004

Location: Senate Education Committee

Position: **SPONSOR**

Summary: AB 2614 would require prospective bidders on school facilities projects to submit questionnaires and financial statements required of them by the district at least 15 days prior to the date of the bid opening. The bill would also allow school districts to advertise for bids on the district's website in addition to publishing such notice in a generally circulated newspaper.

Comment: This bill was amended to delete the three lowest bidders selection option due to requests of both contractors and labor at least for this period. C.A.S.H. is working with the author and those opposed to the concept.


AB 1486 (Dutra)

Lease Lease Back

Status: Amended, May 17, 2004

Location: Senate

Summary: AB 1486 would require school district governing boards to advertise for competitive bids before they can lease school district property.

Comment: This bill responds to criticisms of Lease Lease Back by the State Allocation Board and at Implementation Committee hearings. Negotiations are underway to develop a competitive proposal process similar to Design Build. Critics have raised concerns about the lack of competition and public review of existing Lease Lease Back contracts. 

SAB Appoints Assemblywoman Lynn Daucher

Assemblywoman Lynn Daucher proudly serves the 72nd District, which is located within Orange County and includes the cities of Anaheim Hills, Brea, Fullerton, La Habra, Placentia, Yorba Linda, and portions of Orange and Buena Park. Lynn was first elected to the Assembly in 2000 after serving six years on the Brea City Council, including one year as Mayor.

A teacher by profession, as well as a full-time mother of four, Lynn began her career in public service after winning election on the school board for Brea Olinda Unified School District. While on the school board, Lynn was active in promoting the construction of the Brea Olinda High School, which she proudly notes was built without any taxpayer dollars. Because of her background in education and her deep love for children, Lynn is always searching for new and innovative ways to improve schools and to attract the "best and the brightest" teachers. She holds a



bachelor's degree in education, with a minor in mathematics, from the University of Rochester in Rochester, New York. Lynn also fuels her passion for teaching by volunteering her time at local schools to educate youngsters about important issues affecting their communities and California.

Recognizing the importance of senior issues in California and Orange County, Lynn serves as Chair of the Assembly Committee on Aging and Long Term Care. She also serves on the Budget Committee; the Budget Subcommittee No. 2 on Education and Finance; the Appropriations Committee; the Local Government Committee, and the Water, Parks and Wildlife Committee. In addition, Lynn is a member of the Select Committees on Biotechnology and Community Colleges and School to Career, and she sits on the Joint Committees on Legislative Audits and the Master Plan for Higher Education. The Assembly Republican Leader has also chosen Lynn to serve on the Republican Caucus' Leadership Team as Minority Whip and Assistant Caucus Chairperson.

While serving on the Brea City Council, Lynn actively participated in a

Continued on page 12

C.A.S.H. Workshops Scheduled for June

Dates and Locations:

Tuesday, June 22, 2004

Doubletree Hotel
2001 Point West Way
Sacramento, CA

Friday, June 25, 2004

Ontario Airport Marriott
2200 E. Holt Blvd.
Ontario, CA

A.M. Workshop: A Primer on Bonds, Insurance, and Warranties and How Districts Can Protect Themselves in the Construction Process

Registration: 8:30 a.m. to 9:00 a.m.
Program: 9:00 a.m. to 12:00 p.m.
Lunch: 12:00 p.m. to 1:00 p.m.

Registration Fees:

	EARLY	REGULAR & ON-SITE
Received By 6/7/04		After 6/7/04
Member Rate	\$100	\$135
Non-Member	\$120	\$155

Topics to be covered will include:

- Districts' rights under the payment and performance bonds
- Common insurance practices
- OCIPS: Practices, Benefits, Issues
- Responsibility of inspectors, architects, construction managers, and contractors

P.M. Workshop: Construction Litigation Issues

Registration: 12:30 p.m. to 1:00 p.m.
Program: 1:00 p.m. to 3:30 p.m.

Registration Fees:

	REGULAR	EARLY & ON-SITE
Received By 6/7/04		After 6/7/04
Member Rate	\$85	\$120
Non-Member	\$105	\$140

This workshop will discuss:

- Statutory and regulatory interpretation
- Recent Court of Appeal and Supreme Court cases
- What to include in your contracts

For more information or to register for these workshops, please visit the C.A.S.H. website at www.cashnet.org in the meetings and conference section.



CSF Makes Annual Spring Trip to Washington D.C.


By John Dominguez

Sixteen representatives from Californians for School Facilities (CSF) traveled to Washington, D.C. on their annual spring trip to lobby for the extension and expansion of the federal Qualified Zone Academy Bond Program (QZAB) as proposed under S. 1637. CSF representatives met with the offices of California legislators to request their support for the QZAB reauthorization and expansion.

Under the organization and encouragement of Congressman Robert Matsui, the California Democratic Delegation has indicated their support

for the QZAB Program to Congressman Bill Thomas, Chair of the House Ways & Means Committee. This allowed CSF representatives to focus their efforts on obtaining equally enthusiastic support from California's Republican representatives and Washington officials. To this end, CSF met with the Associate Director of the Domestic Policy Council for the White House and the Acting Assistant Secretary for Tax Policy for the US Department of Treasury. This was really a great opportunity to lobby the cause to key Administration players.

The main point of discussion in these meetings was that the demand for the QZAB Program, in California and in virtually every other state, exceeds the available allocation. In 2003, California School Districts submitted applications to the Department of Education totaling \$113 million. The QZAB allocation of \$49.9 million left many much-needed projects unfunded. In fact, California has fully utilized all of its QZAB allocations since 1997, totaling over \$300 million.


The CSF representatives on the trip considered it once again to be a great success, and are looking forward to following up with the contacts that were made on the trip. The next CSF legislative visit will take place this fall. For information on CSF and the next legislative trip, please contact Emily Stone, CSF's Executive Director at (916) 441-5063. 

John Dominguez is a CSF member and partner at School Site Solutions in Sacramento

SAB Appoints Assemblywoman Lynn Daucher

Continued from page 11

number of endeavors important to her community. She served on the Orange County Library Board, and the Orange County Waste Management Board. Lynn was instrumental in successful efforts to expand the presence of police officers on school campuses, institute after-school day care programs at elementary schools for working parents, and promote the City of Brea's highly successful "Volunteens" program, which places young volunteers in community service positions.

Lynn has been happily married to Don, a successful attorney, for 34 years and has called Brea home for the past 31 years. She and Don have four children: twins Kelly and Carl, Jill, and Brian. When time permits, the Dauchers love to travel and especially enjoy exploring California's majestic mountains, beaches and deserts. 

CSF Votes on New Leadership

Californians for School Facilities' general meeting held on May 12, 2004 during the CASH Spring Conference in San Diego marked another milestone for the organization. This was the last meeting conducted by CSF's Chair, Mike Vail. Vail served as the founding President of the organization in 1997 (then called the Cal-Fed School Infrastructure Coalition) and became Chair in May of 2002. Under Vail's leadership CSF's membership has grown significantly and we have continued to play an active role in securing and implementing additional school facility federal funding for the Qualified Zone Academy Bond Program. CSF has become a known organization on Capitol Hill and in the Administration through our meetings with the U.S. Department of the Treasury, Education and the White House.

Mr. Tom Robinson of the San Diego County Office of Education was elected CSF's Chair at the May 12, 2004 general membership meeting. Robinson previously held the position of Secretary/Treasurer.

CSF would like to thank Mike Vail for his dedication and support as Chair. We look forward to the future with the strong base of success created under his leadership.

This meeting also marked a change in the Vice Chair, Secretary/Treasurer and Board member positions. Jeffrey Baratta of Stone & Youngberg LLC, also a founding member of CSF, had served as Vice Chair since 2002 and will continue to serve CSF as an active Board member. Baratta has testified in front of the House Ways & Means Committee and continues to represent CSF to the U.S. Department of the Treasury, the White House and

Congress on financing issues as well as in California, for the Qualified Zone Academy Bond Program. CSF would also like to thank Jeffrey Baratta for his dedication.

Ms. Lettie Boggs of Colbi Technologies, Inc. was elected CSF's Vice Chair from her previous position on the Board.

In addition to commemorating our past Chair, CSF officially elected new Officers and Board of Directors for the 2004-2006 term. CSF's new leadership is as follows:

Officers

Chair: Tom Robinson, San Diego COE

Vice Chair: Lettie Boggs, Colbi Technologies, Inc.

Secretary/Treasurer: Gary Mekeel, Burton SD

Continued on page 15

C.A.S.H. Board Member Spotlight




Dennis L. Dunston, AIA, REFP

architectural issues. He has served on a number of C.A.S.H. committees including the SB 50 Cost Containment Committee and the SFP Grant Adequacy Committee. He has been a member of the SAB's Implementation Committee for the past 7 years and has been active in the development of the SFP regulations.

Dennis is a principal with HMC Architects, the largest architectural firm in California specializing in school design. He has been with the firm for 8 years in the Sacramento office. In addition to his involvement with the C.A.S.H. and the State program he is active in project management and business development for the firm. Dennis has over 20 years of experience,

the vast majority of which has been devoted to educational facilities development in California.

Dennis attended Iowa State University where he earned his Bachelor's degree in architecture and Master of Architecture degree with a minor in Energy Systems Engineering. He has a keen interest in energy conservation and sustainability and was a member of the Professional Advisory Committee to the Collaborative for High Performance Schools (CHPS).

He lives in Woodland, California, with his wife, Sherrie, son, Sean, and two young cats whose whole purpose in life is to bring a smile to your face. 



Springhill Elementary School Lafayette Unified School District

Arthur Tam & Associates was retained by the Lafayette Unified School District to assist with numerous projects dating back to 1989. We have prepared and helped to implement their master facilities plan. This plan included the demolition and construction of a new campus (Springhill Elementary School), and two major campus expansions including playground development and new buildings arranged to create new campus open space. In addition we completed two campus modernizations and other additions for a construction cost of approximately \$40 million.

Springhill Elementary School opened in 1955 and is located in the suburban community of Lafayette, California, approximately 30 miles east of San

Francisco. The school currently has approximately 470 students in a kindergarten through fifth grade.


The new elementary school project at Springhill Elementary School consists of the demolition of the existing campus with the exception of the multi-purpose building (designed by Arthur Tam & Associates, Inc. in 1989) and the construction of a new elementary school campus consisting of 28 classrooms including two kindergarten classrooms, a computer center, library, and administration buildings.

Although originally slated to be modernized, the existing campus was not able to handle the additional classrooms needed due to the sloping site constraints. In addition, the amount of work to be done to the

existing structures was substantial enough that a complete demolition was required. In our solution, we distributed classrooms to the upper and lower portions of the site with a grand stair connecting the two levels. This actually helped us to isolate the upper and lower grades which also allowed us to separate the playgrounds and create a better usage of the site.

Other features of this project include the construction of an outdoor amphitheater on the upper portion of the site, the creation of new playground spaces for lower grades (1-3), upper grades (4-6) and kindergartners. Our work also consisted of the design and rehabilitation of the play fields.

An additional constraint for this campus was the problem of temporarily housing the school for the duration of the construction. An alternate campus was not available, so our office created an entire temporary campus of portables in order to keep the school in operation during the building of the permanent campus. During construction we housed the students in a portable campus with the kindergartens separated on the upper field with drop-off and pick up isolated from the construction.

The final product is a very open and spacious campus grounds with ample space for playgrounds and play fields. Currently, the school is extremely happy with the manner in which the problem was solved. 

Profile Your Work in an Upcoming Issue of the **CASH Register**

In every issue of the *CASH Register*, a "school profile" features a recent project by C.A.S.H. member firms. The text and photos for the profile are contributed by the member architect or construction manager responsible for the project.

The profile feature is a cost-free way to showcase your company's work to the school facilities industry in California.

CASH Register School Profile Policy

- Profiles should be between 1 and 1-1/2 pages of typed text (approximately 500 words). The profile article must focus on the design and/or construction of the profiled school and cannot be a promotional piece about a specific company or product.
- Profiles should include one 4" x 6" black-and-white photo and one 5" x 7" black-and-white photo. Photos

may be sent electronically to sfife@m-w-h.com. Electronic photos should be grayscale, .jpg files with an actual-size resolution of 300dpi.

- Profiles are featured in the *CASH Register* in the order they are received.

Submit your school profile to:
CASH Register Editorial Office, 1130 K Street, Suite 210, Sacramento, CA 95814 or E-mail: sfife@m-w-h.com

CSF Votes on New Leadership

Continued from page 13

Board of Directors

Board Member: Jeffrey Baratta,
Stone & Youngberg LLC

Board Member: Eric Hall,
San Dieguito Union HSD


Board Member: Dave Doomey,
Capistrano USD

Board Member: Gary Rainwater,
Los Angeles USD

New Board Position: Jay Bell, Parsons
Brinckherhoff Construction Services

Member: Mike Vail, Immediate
Past Chair, Vista USD

Member: Terry Bradley, Past Chair,
Clovis USD

CSF is very excited to welcome our newly elected Officers and Board members. We are proud to have their experience and knowledge to lead us. We look forward to upcoming successes! 

CASH Register Advertising Policy

The *CASH Register* is published 11 times a year (January through November) and is circulated to school district superintendents, business managers, facility planners, architects, maintenance personnel, contractors, developers, financial institutions, attorneys, licensed professionals, construction inspectors and consultants throughout California. Distribution is approximately 1,800 copies.

The *CASH Register* will accept advertising from C.A.S.H. members only.

- Ads may identify specific products and services only and may not include specific prices for such products and services.
- Ad position is not guaranteed – we reserve the right to place and position all advertisements.
- All ads will be printed in black ink unless other arrangements are made.

Your ad must be submitted electronically in an Adobe .pdf file (300dpi at actual size - 100%). Ads need to be to the C.A.S.H. office by the 15th of the month prior to publication; with full payment, not a purchase order. Please make checks payable to "C.A.S.H."

Please send your advertising request form to: *CASH Register* Editorial Office
1130 K Street - Suite 210
Sacramento, CA 95814
sfife@m-w-h.com

Ad Rates:

Size	Duration	Rate
Quarter-Page (3-1/2" W x 5" H)	1 month	\$275.00
Half-Page (Horizontal only, 7-1/2" W x 4-1/2" H)	1 month	\$600.00
Full-Page (7-1/2" W x 10" H)	1 month	\$1800.00

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C.A.S.H. Meetings, Conferences & Workshops

June 22, 2004 Tuesday	OCIP/Wrap-Up Insurance (a.m.) and Construction Litigation (p.m.) Workshops Doubletree Hotel 2001 Point West Way, Sacramento, CA
June 23, 2004 Wednesday 11:00 a.m. - Noon	General Membership Meeting California Chamber of Commerce 1215 K Street 14 th Floor, Sacramento, CA 95814
June 25, 2004 Friday	OCIP/Wrap-Up Insurance (a.m.) and Construction Litigation (p.m.) Workshops Ontario Airport Marriott, 2200 E. Holt Blvd., Ontario, CA
July 27, 2004 Tuesday	TBD Workshops Doubletree Hotel, 2001 Point West Way, Sacramento, CA
July 28, 2004 Wednesday 11:00 a.m. - Noon	C.A.S.H. General Membership Meeting California Chamber of Commerce 1215 K Street 14 th Floor, Sacramento, CA 95814
July 30, 2004 Friday	TBD Workshops Ontario Airport Marriott, 2200 E. Holt Blvd., Ontario, CA
October 12, 2004 Tuesday	Workshop TBD Hilton Costa Mesa Hotel, 3050 Bristol Ave., Costa Mesa, CA
October 13-14, 2004 Wednesday-Thursday	C.A.S.H. Fall Conference Hilton Costa Mesa Hotel, 3050 Bristol Ave., Costa Mesa, CA
February 28, 2005 Monday	C.A.S.H. Annual Conference Golf Tournament Woodcreek Golf Course
March 1-3, 2005 Tues.-Thurs.	C.A.S.H. 26th Annual Conference Sacramento Convention Center, 1301 L Street, Sacramento, CA

Monthly C.A.S.H. meetings are held from 11:00 a.m. to Noon in Sacramento. The monthly meetings are always scheduled to coincide with the monthly meetings of the State Allocation Board on the fourth Wednesday of the month, except in November and December, to enable C.A.S.H. members to attend the SAB's afternoon session. Both SAB meetings and General membership meetings are subject to change.



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