

DSA Close-Out

*"Just When I thought I Was Out,
They Pulled Me Back In"*



CASH Annual Conference

21 February 2006

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(SDUSD)

Panelists: Gerald Freeman (DSA)
Len Metcalf (GKK)

CONTEXT

Issues & Consequences Process & Procedures Managing the Process Scenarios Q&A

- San Diego City Schools Experience
- \$1.51 Billion Bond Program passed in 1998 for Whole Site Modernization and New Schools
- 105 Projects Completed and Closeout Packages Submitted to DSA as of February 2006
- Using DSA Tracker in lieu of 90-day Letter
- No Closeout Certification Letters to Date

Overview of Presentation

Issues & Consequences Process & Procedures Managing the Process Scenarios Q&A

- Issues & Consequences
- Process & Procedures
- Managing the Process
- Scenarios & Strategies
- Q&A

Issues & Consequences



Issues & Consequences

Issues & Consequences | Process & Procedures | Managing the Process | Scenarios | Q&A

- **The 2001 California Building Standards Administrative Code defines Additions and Alterations as applying only to existing certified buildings. Therefore, DSA cannot approve plans for additions or alterations to existing non-certified buildings**

5

Issues & Consequences

Issues & Consequences | Process & Procedures | Managing the Process | Scenarios | Q&A

- **Liability for the school district.**
81177. (a) No member of the governing board of a community college district shall be held personally liable for injury to persons or damage to property resulting from the fact that a school building was not constructed under the requirements of Article 7 (commencing with Section 81130), if the governing board complies with this article.
A licensed structural engineer or licensed architect, employed by a governing board to examine any school building under this article, shall not be held personally liable for injury to persons or damage to property as a result of the structural inadequacy and failure of a building, if he or she has exercised normal professional diligence in carrying out his or her functions under Article 7 (commencing with Section 81130) and this article.
(b) Except as provided in subdivision (a), nothing in this article shall be construed as relieving any member of the governing board of a community college district of any liability for injury to persons or damage to property imposed by law.

6

Process & Procedures



DSA Certification of School Construction

Issues & Consequences **Process & Procedures** Managing the Process Scenarios Q&A



8

DSA Certification of School Construction

Issues & Consequences **Process & Procedures** Managing the Process Scenarios Q&A

- Education Code § 81147(a) – DSA will issue a letter of certification after all documents have been accepted

9

DSA Certification of School Construction

- Projects closed with or without certification
- Four types of closing letters

Responsibilities

- 2001 California Building Standards Administrative Code
- Inspector
- Architect
- Testing Laboratory
- Engineers
- Contractor
- School District
- DSA



DSA Closing Process

- List of documents required may be requested at plan approval
- 90 Day Letter
- Extensions
- Closing Letter (as discussed above)
- Re-opening closed files

Required Documents

Forms are one page each and simple

- **PRIOR TO START OF CONSTRUCTION**
 - DSA-5 – Inspector qualification form
 - DSA-102 – Contract information form
 - Addenda & Revisions

Required Documents

DURING CONSTRUCTION

- **DSA APPROVAL OF:**
 - Change Orders
 - Deferred approvals
 - Revisions and other misc. construction documents
- **Resolution of:**
 - D.S.A. Field trip note issues
 - Testing Lab deficiencies

Required Documents

During Construction

- Approval of deviations from the approved plans during construction
- Laboratory reports
- Inspector semi-monthly reports

Required Documents

AFTER COMPLETION OF CONSTRUCTION

- DSA-6 – Inspector’s Affidavit Report
- DSA-6 – Architect’s Affidavit Report
- DSA-6 – Engineer’s Affidavit Report
- DSA-6 – Contractor’s Affidavit Report
- Laboratory Affidavit
- Special Inspection Affidavits
- Notice of Completion & fee (if any)


Suggestions on Achieving Certification

- Include regulatory responsibilities as a condition of contract
- Obtaining continuous written documentation from inspector.
- Keep complete records
- Collect all documents when available
- Resolve all issues when they arise

Suggestions on Achieving Certification

- Obtain DSA approval on Deferred Approvals prior to fabrication and installation.
- Obtain DSA approval of Change Orders during construction.
- Arranging a closing meeting with DSA (particularly on larger projects)
- Don't wait for the 90 day letter

DSA
Close-out
Managing the Process



From DSA's Perspective

Managing the Process to
Assure DSA Compliance

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

- Check the DSA Tracker site
- Stay on top of the process and forms
- Know the DSA Team
- Work with the DSA Team

20

Check the DSA Tracker Site

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

- Make sure information submitted is correct
- Check Approval of Plans Letter to ensure information submitted is correct
- Periodically check the Tracker to make sure Change Orders are logged in

21

Stay on Top of the Process

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

- Keep complete records
- Make timely submittals of:
 - ✓ Form 102
 - ✓ Form 5
 - ✓ Bid period Addenda
 - ✓ Preliminary Change Orders (PCO's)
 - ✓ Change Orders
 - ✓ Deferred Approvals

22

Know the DSA Team Members

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

- Meet the Regional members:
 - Structural
 - Access
 - Fire Life/Safety
 - Field Inspector
- Meet the outside plan checkers, go to their office

23


Work with the DSA Team

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

- Talk to the DSA Team members periodically, let them know what is happening and when
- The Site IOR – Discuss with him/her what needs to be inspected and when
- Hold Closing meeting with DSA

24

DSA
Close-out
Managing the Process



From the Architect's Perspective

Project Closeout Goal

Issues & ConsequencesProcess & ProceduresManaging the ProcessScenariosQ&A

“Closed With Certification” letter

- Remove liability from School Board
- Allows projects to proceed

26

Closeout Tools

Issues & ConsequencesProcess & ProceduresManaging the ProcessScenariosQ&A

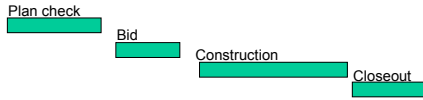
1. Begin with the DSA **checklist**

- Keep a separate closeout file
- Use the DSA Website

27

Closeout Tools

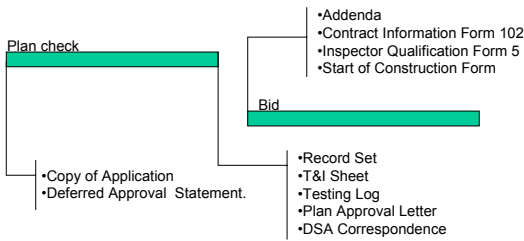
2. Integrate the checklist with your project **schedule**.



- Coordinate and review with the District

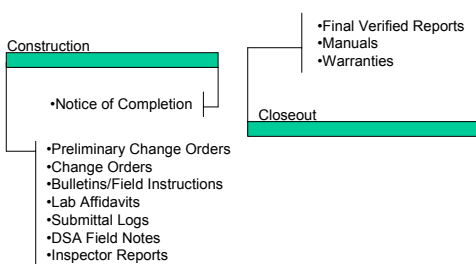
Closeout Tools

Checklist/Schedule



Closeout Tools

Checklist/Schedule



Closeout Tools

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

3. Meet with the District to discuss key elements

- Roles/Responsibilities
- Lead Time for
 - Board Approvals
 - Securing Testing Lab
 - Hiring Inspector/DSA Approvals
 - PCO/CO Approvals
 - Notices of Completion
 - Manuals/Training/Warranties
- Checklist/Schedule

31

Closeout Tools

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

4. Invite Field Inspector to the Preconstruction Meeting

- Team Member Roles
- Reporting/Schedules
- Lines of Communication
- Expectations

32

Closeout Tools

Issues & Consequences Process & Procedures **Managing the Process** Scenarios Q&A

5. Develop Communication standards with DSA Field Inspector and office.

- Review/Resolve Issues ahead of Meetings
- Meet with inspector independently
- Resolve issues as a team

33

Closeout Tools

6. Provide **In-Service Education** in closeout firm wide

- Make all A/E Team members aware of requirements

Closeout Tools

7. Provide In-House **Closeout Specialist**

- Primary DSA Liaison for close-out
- Most knowledgeable of process/can handle hurdles
- Project team oversight
- Consistent Product/Methods

DSA Close-out Managing the Process



From a District's Perspective

SDUSD CHALLENGES

The following challenges have delayed the gathering and issuing final closeout documents to DSA:

- Change Orders not issued by architect to DSA for review and approval
- Litigation between district and contractor, preventing filing of documents
- Incomplete work, waiting for contractor to complete the punch list, defective work, ADA issues, safety and health issues so that inspector cannot submit Form 6

SDUSD CHALLENGES

- Work that was pulled from the scope of work, being subsequently repackaged and bid under the same DSA application number
- Laboratory discrepancies, which occur when the tests shown on the T & I Sheet are not performed for whatever reason, and not addressed by architect

SDUSD CHALLENGES

- Testing Laboratory failing to submit final affidavits/reports in a timely manner
- Portable certification work pulled from main contract - if it is under the same DSA application number, then certification of main project will not be issued by DSA until the portable work has been completed
- Form 6 for contractor (architect unable to obtain for various reasons)

SDUSD CHALLENGES

- Form 6A/E for architect/consultants
- Form 6 for either project inspector or assistant inspector
- Deferred approvals not addressed by architect

Scenarios & Strategies



DSA Certification of Construction

- Obtaining DSA Certification when an outstanding document is unobtainable or an issue is unresolved.
- Education Code Section 81147(b)
- DSA IR A-2

Scenarios & Strategies

Program Level Strategies

District with multiple, concurrent projects, and overlapping schedules

Situation:

- Modernization of prototype schools
- Multiple additional small projects
- Paperwork Multiplied 10X +

Strategies:

- Scanning/Electronic Records
- Assign Document control Assistance
- Regular Coordination with DSA
- Oversight of closeout specialist

Scenarios and Strategies

- **Scenario #1** Project closed without certification. File re-opened and DSA-6A from Architect cannot be obtained.
- **Scenario #2** Project inspector dies during construction.

Scenarios and Strategies

- **Scenario #3** Project closed without certification due to no DSA approval on the Fire Sprinkler system deferred approval.

Scenarios and Strategies

Issues & Consequences Process & Procedures Managing the Process **Scenarios** Q&A

- **Scenario #4** As plans are being prepared to modernize an existing certified building it is discovered that construction had been performed subsequent to the original construction without DSA approval.

46

Scenarios and Strategies

Issues & Consequences Process & Procedures Managing the Process **Scenarios** Q&A

- **Scenario #5** A district decided to construct an addition to an existing building on campus, only to later find out the building was not only non-certified, but the plans had never been submitted to DSA.

47

Definitions Section 4-314 – 2001 CA Bldg. Stds. Admin. Code

Issues & Consequences Process & Procedures Managing the Process **Scenarios** Q&A

- **Rehabilitation** is the evaluation and retrofit of an existing non-conforming building or a building conforming to earlier code requirements to bring the building, or portion thereof, into full compliance with the safety standards of the currently effective regulations, Parts 2,3,4,5,6,7,8,9 and 12, Title 24, CCR.
- **Non-conforming building** is a building that has not been certified by DSA as a school building.

48

DSA Task Force

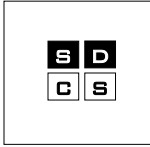
- DSA has established task force to evaluate close-out process
- How you can provide input & constructive feedback into the process
- Expected timeline for task force recommendations

Rehabilitation of Non-Conforming Buildings

- DSA Internet Website – www.dsa.dgs.ca.gov/Publications
- Adaptive Re-Use: An Option for California's Schools (Feasibility Guidelines)
- Procedures for Rehabilitation of Non-conforming Buildings for Public School Use

QUESTIONS?





DEPARTMENT PROCEDURE
FACILITIES MANAGEMENT DEPARTMENT
SAN DIEGO UNIFIED SCHOOL DISTRICT

CATEGORY: Construction Contracts
SUBJECT: DSA Contract Closeout Process

NO: 5.11.1
EFFECTIVE:
REVISED:

1.0 PURPOSE

The purpose of this procedure is to identify the closeout process and the method used to notify the Division of State Architect (DSA) once a construction project has been completed.

2.0 SCOPE

This procedure identifies the document(s) that are required to be submitted to the Division of State Architect, once the project has been completed, beneficial occupancy occurs, all change orders processed and the project taken before the Board of Education to issue acceptance of the project.

3.0 DEFINITIONS

Form 6 - To report project progress/closeout by the inspector, assistant inspector and contractor. Also to be filed when the inspector or assistant inspector are exiting a project and a new inspector being assigned

Form 6A/E - Use to report project progress/closeout by architect, structural, mechanical and electrical engineers.

4.0 PROCEDURE

- 4.1 The following documents are required to be submitted to the Division of State Architect (DSA) before the Division of State Architect will issue the certification and closure of each project.

Documents Required:

- a. Form 6 for inspector **(prepared by District staff)**
 - b. Form 6 for assistant inspector (if applicable) **(prepared by District staff)**
 - c. Form 6A/E for architectural/consultants **(prepared by architect)**
 - d. Form 6 for contractor **(prepared by architect)**
 - e. Final laboratory affidavits/reports relating to specific tests performed during construction **(prepared by laboratory assigned to project)**
 - e. All change orders **(non-DSA change orders are sent to the architect as they are issued, to submit to DSA at the completion of the project; the DSA change orders are sent by district staff directly to DSA at time they are issued and approved)**
 - f. Copy of Notice of Completion **(prepared by District staff)**
 - g. Summary letter identifying the final cost of the project, and identifying all change orders **(prepared by District staff)**
- 4.2 All documents referenced a. through d. cannot be issued unless all parties agree that the "closeout documents" may be issued. The architect, inspector, contractor, construction manager and district staff have the responsibility to coordinate the issuance of these forms.

- 4.3 Generally the architect will request that the inspector issue the Form 6 before they will issue the Form 6A/E. At that time the architect generally will start the process to obtain signatures of the consultants.
- 4.4 District staff once the Notice of Completion has been filed, will prepare the following:
- a. Form 6 for inspector
 - b. Form 6 for assistant inspector (if applicable)
 - c. Letter to laboratory that performed testing requirements per the T & I Sheet, requesting final affidavits
 - d. Summary change order letter identifying which change orders are non-DSA and DSA related
- 4.5 Architect of Record, once the Notice of Completion has been filed, they will be responsible to prepare and issue the following documents:
- a. Form 6 for contractor
 - b. Form 6A/E
 - c. Send all non-DSA change orders
 - d. Address any issues relating to all DSA change orders
- 4.6 If the architect does not start preparing the Form 6 for contractor and Form 6A/E in a timely manner, district staff will prepare the form and forward to the architect requesting that the completion of the document be continued. District staff will also provide the change order closeout letter to architect, as a tool in assisting them to fulfill the above a. through d.
- 4.7 Specific information will be transferred onto the following forms from various sources as referenced below:
- a. Form 6 for inspector and/or assistant inspector – Obtain the DSA application numbers, project name, scope from the ORS-1 and/or Form 102. The change order closeout letter prepared by district staff will provide the actual contract dollar value and the total number of all change orders identifying which were non-DSA and which are DSA related. The inspector is responsible to identify the percentage of each category referenced on the Form 6 for each project.
 - b. Form 6A/E – Can be obtained from the same source(s) referenced in (a). above
 - c. Form 6 for contractor – Same source as referenced a. and b. above
- 4.8 If a project is a “multi-prime” contract, the required closeout documents are as follows:
- a. Only ONE Form 6 for inspector and assistant inspector will be required which will cover the **entire** scope under the multi-prime bids when project completed.
 - b. Only ONE Form 6A/E will be required which will cover the **entire** scope under the multi-prime bids when project completed.
 - c. A separate Form 6 for **EACH** multi-prime contractor will be required, which will reference their specific portion of the contract when that work is completed.

5.0 ATTACHMENTS

- a. Form 6 (same form used for inspector, assistant inspector and contractor)
- b. Form 6A/E
- c. Template of Final Laboratory letter
- d. Notice of Completion (prepared by other district staff)
- e. Change Order summary closeout letter (prepared by other district staff)