

C.A.S.H. 28TH ANNUAL CONFERENCE ON SCHOOL FACILITIES

IN TUNE, INFORMED & INVOLVED: INSIDE CALIFORNIA SCHOOL FACILITIES

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2:15 p.m. - 3:15 p.m.
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Room # 307

Workshop # 2

Building Agency Relationships

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Building Agency Relationships

Who? What? When? Why? & How?

Moderator: David Stevenson
Director of Facilities Planning & Operations
Yucaipa-Calimesa Joint USD

Presenters: Ron Kuehl
Vice President, Neff Construction, Inc.
Lynne Murray
Construction Manager, Corona-Norco USD

Building Agency Relationships

- Building Effective Relationships
- Negotiating Agreement Without Giving In
- Desired Traits of a Effectual Representative
- Tips for State Agencies
 - CDE
 - DTSC
 - DSA
 - OPSC
- Other Types of Agencies
- Tips of the Trade
- Resources

Building Effective Relationships

- Be Proactive
- Begin with the End in Mind
- Put First Things First
- Think Win-Win
- Seek First to Understand
- Synergy
- Sharpen the Saw

Negotiating Agreement Without Giving In

- Build a relationship with your counterpart.
- Promote efficient and clear communication.
- Do your homework.
- Dig under positions for each party's interest.
- Prepare numerous options for solutions.
- Legitimize your request.
- Know when to stop and seal the deal.

Desired Traits of a Effectual Representative

- A diplomatic advocate who...
 - Knows the agency players
 - Understands the approval processes
 - Is quick on their feet
 - Is a finessed and skillful communicator
 - Has skills and resources appropriate to the task
 - Considers both parties' objectives

Tips for State Agencies

- California Department of Education – CDE
- Dept. of Toxic Substance Control – DTSC
- Division of State Architect – DSA
- Office of Public School Construction - OPSC

CDE

- Understand role of CDE in Planning Process
- Have a current School Facilities Master Plan
- Work closely with CDE Field Representative
- Ensure consultants understand Title 5
- Properly define project scope
- Submittal of site and plan approvals

DTSC

- Plan for TIME, DTSC approval is a lengthy process
- Consider DTSC consultant as part of project team
- Provide all pertinent information regarding site
- Attend DTSC scoping meetings & be knowledgeable
- Learn from others who've been through the process
- Form a trusted team to cover relevant requirements

DSA

- Meet with plan reviewer early in design
- Address plan review comments & disputes timely and in person when necessary
- Rapid Interpretation Process (RIP)
- Invite Field Engineer to pre-con meeting
- Involve Field Engineer during construction

OPSC

- Demonstrate your knowledge of the program
- Follow OPSC's procedures
- Keep eligibility up-to-date
- Dialogue with your OPSC Project Manager
- Thoroughly complete all applications and responses to inquiries, 15 day and 4-day OPSC letters
- Provide accurate data with supporting documentation

Other Types of Agencies

- Transportation / Traffic Safety
- Utility Companies
- Environmental Health
- Local Fire Agencies
- Regional Water & Sewer Providers
- Local Law Enforcement
- Local Planning Commissions

NOTE: See handout for a listing of agencies which may impact a school project.

Tips of the Trade

- Communicate early, frequently, and in person
- Squeaky wheel gets the grease
- Move up or laterally within the agency
- When necessary, horsetrade
- Network with agency's decision makers
- Expect consistency in personnel & service

Tips of the Trade

- Develop trust with competency & follow-thru
- Hire the appropriate consultant when dealing outside your area of competencies
- Know project's scope, schedule, and budget
- Expect the unexpected
- Zig when they zag
- Don't hide the ball

Resources

- C.A.S.H. The State Agencies' Top Tips for Getting Your Project Approved-An Overview of the State Agencies by Dave Hawke, Fred Yeager, Chip Smith, Steve Paul
- C.A.S.H. Site Acquisition and Agency Approvals: Hoops, Hurdles & Milestones by Alice Grundman, Dwayne Mears, and Denise Clendening
- Getting to Yes: Negotiating Agreement Without Giving In by Roger Fisher, William L. Ury, and Bruce Patton
- Seven Habits of Highly Effective People by Stephen Covey

BUILDING AGENCIES RELATIONSHIPS

STATE AGENCIES

- **Department of General Services - Office of Public School Construction (OPSC)** - The Office of Public School Construction (OPSC), as staff to the State Allocation Board (SAB), implements and administers the School Facility Program and other programs of the SAB. The OPSC is also charged with the responsibility of verifying that all applicant school districts meet specific criteria based on the type of funding which is being requested. The OPSC also prepares recommendations for the SAB's review and approval.
- **State Allocation Board (SAB)** - The State Allocation Board (SAB) is responsible for determining the allocation of state resources (proceeds from General Obligation Bond Issues and other designated State funds) used for the new construction and modernization of local public school facilities. The SAB is also charged with the responsibility for the administration of the School Facility Program, the State Relocatable Classroom Program, and the Deferred Maintenance Program. The SAB is the policy level body for the programs administered by the Office of Public School Construction.
- **California Department of Education - School Facility Planning Division (CDE)** – Under State law, the CDE through the School Facility Planning Division, must approve all new school sites and additions to school sites to ensure that the site provides safety and supports learning, when a school district requests State funds. In addition to site approval, the School Facility Planning Division must review and approve of all plans for new school construction or modernization on State-funded projects.
- **Department of General Services - Division of the State Architect (DSA)** - The Division of the State Architect (DSA) acts as California's policy leader for building design and construction, and provides design and construction oversight for K–12 schools and community colleges.
- **Department of Toxic Substance Control (DTSC)** – DTSC's School Property Evaluation and Cleanup Division is responsible for assessing, investigating, and cleaning-up proposed school sites. The Division ensures that selected properties are free of contamination or, if the properties were previously contaminated, that they have been cleaned-up to a level that protects the students and staff who will occupy the new school. All proposed school sites that will receive State funding for acquisition or construction are required to go through a rigorous environmental review and cleanup process under DTSC's oversight.
- **Department of Industrial Relations (DIR)** – Labor Code sections 1771.7 and 1771.8 place certain obligations on an awarding body that chooses to use funds derived from the Kindergarten-University Public Education Facilities Bond Act of 2002, the Kindergarten-University Public Education Facilities Bond Act of 2004, or the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. Specifically, the awarding body "shall initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program, as

described in subdivision (b) of section 1771.5, with respect to that public works project."

- **State Water Resources Control Board - Storm Water Pollution Prevention Plan (SWPPP)** - Dischargers whose projects disturb 1 or more acres of soil are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

REGIONAL & LOCAL AGENCIES – COUNTY/CITY GOVERNMENTS

- **Planning Commission** - Before acquiring title to property for a new school site or for an addition to a present school site, the school district shall give the planning commission having jurisdiction notice in writing of the proposed acquisition. The planning commission shall investigate the proposed site and within 30 days after receipt of the notice shall submit to the governing board a written report of the investigation and its recommendations concerning acquisition of the site.
- **Fire Marshall Authority** – Enforces local fire safety regulations and access.
- **Environmental Health** – Enforces regulatory control including approval of plans and specifications of food service and restaurant programs and swimming pools.
- **Transportation / Traffic Safety** – Approves plans and specifications for street improvements and dedicated right-of-way easements for streets adjacent to site.
- **Storm Water Flood Control** – Approves plans and specifications for storm water run-off connections.
- **Regional Air Quality Management District** – Responsible for controlling emissions primarily from stationary sources of air pollution including dust control from construction-related activities.

UTILITY AGENCIES

- **Water & Sewer** – Approves plans and specifications for sewer and water connections and requires easements to access facilities at site.
- **Power** – Approves plans and specifications for electrical service and requires preservation of existing easements that involve power line relocations..
- **Natural Gas** – Approves plans and specifications for natural gas service.
- **Telephone** – Approves plans and specifications for telephone service.
- **CATV** – Approves plans and specifications for cable TV service.
- **Landscape & Lighting Maintenance** – Approves plans and specifications for public right-of-way landscaping and lighting adjacent to school site.