
DSA HOURLY FEE SERVICES

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Division of the State Architect (DSA) documents referenced within this publication are available on the [DSA Forms](#) or [DSA Publications](#) webpages.

PURPOSE

This Interpretation of Regulations (IR) provides clarification of specific Code requirements relating to DSA services that are subject to the hourly fee charged to K–12 public school districts, community college districts and state agencies as part of DSA plan review and construction oversight.

SCOPE

DSA applies the hourly fee for review and approval of the following items:

- 1) Changes to DSA-approved construction documents.
- 2) Review of Evaluation and Design Criteria Report (EDCR) for rehabilitation of existing buildings.
- 3) Examination of existing buildings by DSA upon request by a school district.
- 4) Pre-check (PC) designs.

BACKGROUND

The amount charged by DSA for services outlined below shall be in accordance with published rates. The fee amount shall be set to cover the costs incurred by DSA in carrying out its responsibilities on the date of services rendered. For services performed from May 1, 2013 through December 31, 2016, the hourly fee was \$170 per hour.

CURRENT HOURLY FEE

Effective January 1, 2017, the hourly fee is \$215 per hour. DSA reserves the right to adjust the hourly rate in accordance with program costs and reserves, but the rate will not be adjusted more than once annually.

1. CHANGES TO DSA-APPROVED CONSTRUCTION DOCUMENTS

Upon filing of an application for DSA review of construction documents (i.e., plans, specifications and related documents), a client remits an application fee to DSA based on a percentage of the estimated project construction cost. Costs incurred for review and approval of changes to the construction documents after DSA approval are determined by the hourly fee defined above.

1.1 Revisions

Revisions are changes to the DSA-approved construction documents made after DSA approval and prior to start of construction, or substantial changes made during construction. DSA services for review of revisions are billed at the hourly fee rate.

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1.2 Addenda

Addenda are changes to the DSA-approved construction documents made during the bidding phase and prior to letting a construction contract for the work involved. DSA services for review of addenda are billed at the hourly fee rate.

1.3 Construction Change Documents (CCD)

Minor changes to the DSA-approved construction documents made after a contract for the work has been let (i.e., during construction) are made by means of CCD. The intent of CCD is to provide a way to submit and obtain approval for minor changes typically encountered during construction. It is the responsibility of the design professional in general responsible charge to determine those changes that affect the Structural Safety (SS), Access Compliance (AC), and/or Fire and Life Safety (FLS) portions of the project, as these changes must be submitted to DSA for review and approval as a CCD. Refer to *IR A-6: Construction Change Document Submittal and Approval Process* for additional information.

The design professional in general responsible charge shall prepare the CCD and is responsible for code and process compliance. The DSA hourly fee applies to time incurred by DSA staff for review and approval of each submitted CCD.

Substantial changes made during construction shall be submitted as a revision as described in Section 1.1 above. DSA may reject a change submitted as a CCD and require it to be resubmitted as a revision.

1.4 Determination of Final DSA Fees at Project Completion

When a construction project is completed, the district must file a form *DSA 168: Statement of Final Actual Project Cost* to determine whether any further fees are owed based on the difference between the estimated cost of construction used to determine initial application fees and the final cost of construction.

For addenda and revision, fees incurred by DSA review will be billed hourly and are in addition to all other fees.

For CCD, the amount of DSA hourly charges made will be taken into account in determining whether any further fees are due. The additional fee due will be based on the greater of hourly billings for CCD review or the statutory fee percentage of project cost changes during construction. The following examples illustrate the determination of fees due to DSA at project completion when hourly billings for CCD review are incurred.

Example #1: Cost of CCD review services exceeds fee adjustment due to changes during construction.

In this example, the applicant paid an original fee of \$64,300 based on the estimated construction cost of \$7,000,000. After bid the construction and construction management contracts totalled \$9,000,000, thus exceeding the estimate by \$2,000,000. Additionally, the construction contract amount was increased by \$1,000,000 due to change orders and used allowances and/or contingencies. The total project cost of \$10,000,000 results in an additional fee of \$22,200 based on the statutory fee rate. However, because DSA expended 40 hours reviewing CCD at a rate of \$215 per hour, the amount of this cost (\$8,600) in excess of the adjusted fee associated with changes during construction (\$7,400) is also due. The amount due to DSA at the completion of the project (i.e., the total fee adjustment added to that paid at the initial project submittal) is \$23,400.

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Line	Description	Project Cost	Fee per Statutory Rate	Adjustment of Initial Fee Paid
1	Estimated Cost	\$7,000,000	\$ 64,300	
2	Initial Fee Paid to DSA		\$ 64,300	
3	Construction and Construction Management Contracts (form DSA 168, Lines 1 and 3)	\$9,000,000	\$ 79,100	\$ 14,800
4	Increase to Contract during Construction (form DSA 168, Line 2)	\$1,000,000	\$ 7,400	\$ 7,400
5	Total Statutory Fee (Sum of Lines 3 and 4)	\$10,000,000	\$ 86,500	\$ 22,200
6	CCD Review Hourly Billings: 40 hours at \$215 per hour			\$ 8,600
7	CCD Review cost in excess of fee adjustment based on construction cost changes (Line 6 less Line 4, but not less than zero)			\$ 1,200
8	Adjusted Fee Due to DSA (Sum of Lines 5 and 7)			\$ 23,400

Example #2: Cost of CCD review services is less than fee adjustment due to changes during construction.

In this example, the applicant paid an original fee of \$64,300 based on the estimated construction cost of \$7,000,000. After bid the construction and construction management contracts totalled \$9,000,000, thus exceeding the estimate by \$2,000,000. Additionally, the construction contract amount was increased by \$1,000,000 due to change orders and used allowances and/or contingencies. The total project cost of \$10,000,000 results in an additional fee of \$22,200 based on the statutory fee rate. DSA expended 32 hours reviewing CCD at a rate of \$215 per hour. Because the amount of this cost (\$6,880) is less than the adjusted fee associated with changes during construction (\$7,400) no further adjustment is required. The amount due to DSA at the completion of the project (i.e., the total fee adjustment added to that paid at the initial project submittal) is \$22,200.

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4	Increase to Contract during Construction (form DSA 168, Line 2)	\$1,000,000	\$ 7,400	\$ 7,400
5	Total Statutory Fee (Sum of Lines 3 and 4)	\$10,000,000	\$86,500	\$22,200
6	CCD Review Hourly Billings: 32 hours at \$215 per hour			\$6,880
7	CCD Review cost in excess of fee adjustment based on construction cost changes (Line 6 less Line 4, but not less than zero)			\$ 0
8	Adjusted Fee Due to DSA (Sum of Lines 5 and 7)			\$22,200

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1.5 Determination of Final DSA Fees for Voided/Canceled Projects

When a construction project is canceled/voided, DSA will reconcile costs to determine the amount of refund due.

Project Status	Refund	Other Adjustments
Plan review has not started.	SS: 100 percent. FLS: 100 percent. AC: 100 percent.	Not applicable.
Plan review has started and project is not approved.	SS: 30 percent. FLS: 30 percent. AC: 0 percent.	Not applicable.
Project is approved and construction has not started.	SS: 30 percent.* FLS: 30 percent.* AC: 0 percent.**	Charges for revisions, addenda and CCD are applicable and may be due or deducted from the refund.
Construction has started.	SS: 0 percent. FLS: 0 percent. AC: 0 percent.	Charges for revisions, addenda and CCD are applicable and reconciled similar to completed project.
* May be reduced for other adjustments upon request. ** Other adjustments may be applicable.		

No refund is allowed for projects for which only the minimum fee has been paid or for which only an increment was voided.

2. REHABILITATION OF EXISTING BUILDINGS

Prior to submitting a rehabilitation project for review, California Administrative Code (CAC) Sections 4-306 and 4-307 requires submission and approval of an Evaluation and Design Criteria Report (EDCR). Refer to *IR EB-3: Evaluation and Design Criteria Report* for additional information.

In accordance with CAC Section 4-326, the EDCR is subject to an initial fee deposit and subsequent hourly charges in the event that the costs incurred by DSA for review and approval exceed the initial fee deposit amount. An EDCR shall be submitted utilizing form *DSA 1-REH: Pre-Application for Approval of a Rehabilitation Project Evaluation and Design Criteria Report*.

3. EXAMINATION OF BUILDINGS BY DSA UPON REQUEST BY A SCHOOL DISTRICT

CAC Section 4-345 outlines the process by which a school district may request DSA examine a school building and report on whether the building is compliant with applicable codes. In addition, a district may retain a structural engineer to examine and report on the structural condition of any school building and consult with DSA in performing this evaluation. The cost of DSA services in relation to these activities is subject to the actual expense incurred by DSA, based upon the established hourly fee.

4. PRE-CHECK (PC) SUBMITTALS

The PC submittal process provides for DSA approval of the design of a structure in advance of submittal for specific school campus construction projects. The PC process is typically used for the design of commonly used structures, such as relocatable buildings, shade structures, light poles, and solar carport structures.

A fee deposit is required when a new or revised PC project is submitted to DSA for review. Final fees are charged based on the number of hours used to perform the review at the established



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hourly fee. If additional fees are required, payment must be received before PC plans are approved.

For more information on the PC submittal process, refer to procedure *PR 07-01: Pre-Check (PC) Approval*.

REFERENCES:

California Code of Regulations (CCR) Title 24

Part 1: California Administrative Code, Sections 4-306, 4-307, 4-323, 4-338, 4-326 and 5-106

California Education Code, Sections 17300, 17352, 81133 and 81142

California Government Code, Section 4454

This IR is intended for use by the DSA staff and by design professionals to promote statewide consistency for review and approval of plans and specifications as well as construction oversight of projects within the jurisdiction of DSA, which includes State of California public schools (K–12), community colleges and state-owned or state-leased essential services buildings. This IR indicates an acceptable method for achieving compliance with applicable codes and regulations, although other methods proposed by design professionals may be considered by DSA.

This IR is subject to revision at any time. Please check DSA's website for currently effective IRs. Only IRs listed on the webpage at <https://www.dgs.ca.gov/dsa/publications> at the time of project application submittal to DSA are considered applicable