

July 9, 2018

Application No.: 50/72736-00-008
School: Loma Rica Elementary
County of Yuba

Dr. Gay S. Todd
District Representative
Marysville Joint Unified School District
1919 B Street
Marysville, CA 95901

Dear Dr. Todd:

The Office of Public School Construction (OPSC) has completed its review of Loma Rica Elementary, OPSC application number 50/72736-00-008. Review of the District's project financing, expenditures, and certifications to ensure compliance pursuant to Education Code Sections 17072.35, 17074.25, and 17076.10 and School Facility Program (SFP) Regulation Section 1859.106 was conducted. In addition, the review examined the District's compliance with applicable SFP Regulations in effect when the funding application was received by OPSC, dated December 5, 2007.

The project is a non-financial hardship new construction project that was funded on a 50 percent State and 50 percent District basis. As permitted in SFP Regulation, a district may expend the savings not needed for the project on other high priority capital facility needs of the District.

The District has incurred savings of \$294,654 on this project. Please be advised that once the project savings have been expended on other high priority capital facility needs of the District, they must be reported to the OPSC on the *Detailed Listing of Project Expenditures–Savings*, pursuant to School Facility Program Regulation Section 1859.103. Education Code Section 17076.10(a) requires the District to continue to submit expenditure reports annually, until all project funds, State share plus the District's required matching share, have been expended.

OPSC has received the signed *Summary of Project Financing and Expenditures* dated March 24, 2016 from the District. As the District has concurred with the review findings in the *Summary of Project Financing and Expenditures*, the project is considered closed. Enclosed is the final report.

This final report includes the:

1. Summary of Project Financing and Expenditures and Supporting Schedules
2. State Allocation Board Apportionment Approval
3. Division of the State Architect Plan Approval
4. California Department of Education Final Plan Approval

Dr. Gay S. Todd

July 9, 2018

In order to promote School Facility Program transparency, this report will be posted to our website.

Thank you for your assistance and cooperation during the review process. Should you have any questions concerning this report, you may call the Fiscal Services Unit at (916) 376-1771.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Asbell".

RICK ASBELL, Chief, Fiscal Services
Office of Public School Construction

Enclosure

cc: Yuba County Office of Education
Project file

Schedule 1
Non-Monetary Audit Discussion Item(s)

District Name:	<u>Marysville Joint Unified</u>
School:	<u>Loma Rica Elementary</u>
County:	<u>Lindhurst High Yuba</u>
SFP Application Number:	<u>50/72736-00-008</u>
LPP Application Number:	<u>N/A</u>
Auditor Name:	<u>Ying Yu</u>
Date:	<u>3/23/2016</u>

Explanation(s):

During the course of our review the Office of Public School Construction (OPSC) identified the following items. While they are non-monetary in nature they still warrant a discussion.

- 1 Architect Expenditures on Detail Listing of Project Expenditures (DLOPE) vs. General Ledger totals
School Facility Program (SFP) Regulations 1859.104 requires an expenditure report from the district. The OPSC's oversight responsibilities focus on verifying that a project funded through the SFP comply with applicable state laws and program certifications, and expenditures made by districts comply with the Education Code Sections 17072.35 and 17074.25 and Regulation Sections 1859.77.2 (new construction) and 1859.79.2 (modernization).

There is no difference between the Final Billing Amount and the reported costs on the expenditure report, however, there is a \$11,769.40 difference between the expenditure report and those listed on the general ledger. According to the District, this is because it's accounting department was transitioning to a new accounting system and had no report to show this project's GL exclusively.

It should be noted for future projects that accurate accounting of SFP expenditures on the schools accounting systems is necessary to verify eligible expenditures reported.

- 2 Change Order Amounts

The change order amounts were accurately reported and supported. However, the total change orders constituted more than 10 percent of the original contract. The total change orders for this project were 18 percent of prorated construction costs.

To maintain the integrity of the bidding process, the change order exception must only be used when
(1) the change order work fits within the scope of the original project and
(2) the reason for the change is something that was unanticipated or unforeseen at the time the original contract was awarded.

While funding for this project is not affected, exceeding the 10 percent change order threshold on a future project may constitute a violation of Public Contract Code competitive bid statutes and may jeopardize future project funding.

Schedule 1A (Continued)
Non-Monetary Audit Discussion Item(s)

District Name:	<u>Marysville Joint Unified</u>	
School:	<u>Loma Rica Elementary</u>	
County:	<u>Lindhurst High</u>	Yuba
SFP Application Number:	<u>50/72736-00-008</u>	
LPP Application Number:	<u>N/A</u>	
Auditor Name:	<u>Ying Yu</u>	
Date:	<u>3/23/2018</u>	

Explanation(s):

During the course of our review the Office of Public School Construction (OPSC) identified the following items. While they are non-monetary in nature they still warrant a discussion.

3 New Construction and Modernization Grant Determinations

SFP Regs. Section 1859.70 states a district seeking New Construction or Modernization funding shall complete and file Form SAB 50-04, concurrently or after completing the applicable requirements in Sections 1859.20 and 1859.40. The Board shall only provide New Construction funding if the Approved Application was received by the OPSC prior to the date of Occupancy for any classrooms included in the construction contract. After the date of Occupancy of any classroom in the construction contract, a district will be ineligible to seek New Construction funding and the classrooms will be reduced from the baseline eligibility pursuant to Section 1859.51(i) if not previously reduced.

The occupancy date for the project was August 20, 2007, but the 50-04 was received by OPSC on August 22, 2007. Although the 50-04 was dated on August 16, 2007, prior to the date of occupancy, future 50-04's submitted by the District should account for any delays in mailing and be received by OPSC prior the occupancy of the project. Not doing so may jeopardize future project funding.

4 Program Reporting Requirements

SFP Regs. Section 1859.104(a)(B) states in part...A district receiving funds in accordance with the Act shall submit the following: (a) An expenditure report from the district on the Form SAB 50-06. The program reporting requirements are as follows: (B) Three years from the date of the final fund release for an elementary school project or four years from the date of the final fund release for a middle or high school project. Any expenditures made after the three years date are not eligible for SFP funding. The exception being any expenditures that were under contract prior to the three or four year date.

The Marysville Joint Unified School District (MJUSD) leased portables prior to purchasing. However, its original contract terms didn't specify it was a lease to own contract and \$100,123 in payments towards the purchase of the portables occurred outside the 3 year timeframe to complete an elementary school. Although the District may have intended to lease its portables then buyout from the beginning, a lease to own contract should clearly state the buyout terms in the original contract to show it was encumbered prior to the project completion deadline. Otherwise, the expenditures may be deemed ineligible for funding since they occurred after the 3 year timeframe.

SCHOOL DISTRICT DATA

Application No: 50/72736-00-008	County: Yuba
School District: Marysville Joint Unified	School Name: Loma Rica Elementary

PROJECT DATA

Type of Project:	Elementary School
K-6:	50
7-8:	
9-12:	
Non-Severe:	
Severe:	
Application Filing Basis:	District Wide
Number of Classrooms in This Project:	3
Master Acres:	6
Existing Acres:	5.22
Proposed Acres:	
Recommended Acres:	5.5
Facility Hardship (a):	No
Financial Hardship Requested:	No
Alternative Education School:	No
Addition to Existing Site:	Yes

ADJUSTED GRANT DATA

New Construction Grant	\$	416,950.00
Fire Detection Alarm		500.00
Labor Compliance		9,572.00
Service Site		18,748.00
Utilities		112,016.00
Small Size Project		50,034.00
Total State Share (50%)		607,820.00
District Share (50%)		607,820.00
Total Project Cost	\$	1,215,640.00

PROJECT FINANCING

<u>State Share</u>	
This Project	\$ 607,820.00
<u>District Share</u>	
Cash Contribution	607,820.00
Financial Hardship	
Total Project Cost	\$ 1,215,640.00

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Previously Authorized	Authorized This Action	State Apportionment This Action
<u>State Share</u>				
New Construction/Add. Grant	055-500	\$	\$ 607,820.00	\$ 607,820.00
<u>District Share</u>				
Cash Contribution			607,820.00	
Total		\$	\$ 1,215,640.00	\$ 607,820.00

Funding Source: Bonds/2004-March.

Pursuant to Article 10, Section 1859.90, the District is required to submit a complete Fund Release Authorization (Form SAB 50-05) within 18 months; otherwise, the apportionment will be rescinded.

CONSENT
000074



State of California • Arnold Schwarzenegger, Governor
State and Consumer Services Agency

DGS DEPARTMENT OF GENERAL SERVICES
Division of the State Architect - Sacramento Office

6/18/2007 - APPROVAL OF PLAN(S)

MS. Gay Todd
MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT
1919 B STREET
MARYSVILLE 95901-3798

Project: VARIOUS SITES (MARYSVILLE JT. UNIFIED SD)
Total Scope of Project: Construction of 4 - Relocatable C.R. Bldg/s at Dobbins E.S. 2-Relo C.R., 1-Reloc Library, 1-Reloc Admin Bldg & 1-Reloc Toilet Bldg at Loma Rica E.S.; 4-Relo C.R. Bldgs at McKenney Int. School
Increment #: 0
Application #: 02-108994
File #: 58-17

Drawings and specifications for the subject project have been examined and stamped by the Division of the State Architect (DSA) for identification on 6/18/2007. This letter constitutes the "written approval of the plans as to safety of design and construction" required before letting any contract for construction, and applies only to the work shown on these drawings and specifications. The date of this letter is the DSA approval date.

Approval is limited to the particular location shown on the drawings and is conditioned on construction starting within one year from the stamped date. The inspector must be approved and the contract information, including the construction start date, must be given to DSA prior to start of construction.

DSA does not review drawings and specifications for compliance with Parts 3 (California Electrical Code), 4 (California Mechanical Code), and 5 (California Plumbing Code) of Title 24. It is the responsibility of the professional consultants named on the application to verify this compliance.

Please refer only to the boxes checked below which indicate applicable conditions specific to this project:

- Buildings constructed in accordance with approved drawings and specifications will meet minimum required standard given in Title 24, California Code of Regulations, for structural, and fire and life safety.
- Due to the nature of the building(s), certain precautions considered necessary to assure long service have not been required. In the condition as built, the building(s) will meet minimum required standards for structural, and fire and life safety. The owner must observe and correct deterioration in the building in order to maintain it in a safe condition.
- Your attention is drawn to the fact that this application was submitted under the provisions of Sections 39140/81130 of the Education Code which permit repairs or replacement of a fire damaged building to be made in accordance with the drawings and specifications previously approved by this office. The drawings and specifications approved for the reconstruction of this building conform to the drawings and specifications approved under application # _____.
- These drawings and specifications meet the rules, regulations, and building standards in effect at the time of the original approval and do not necessarily comply with rules, regulations, or building standards currently in effect.
- Due to the nature of the poles, certain precautions considered necessary to assure long service have not been insisted upon. In their condition as built, they will meet minimum required safety standards; however, your attention is directed to the comparatively short life of wood poles. It will be the responsibility of the owner to maintain them in a safe condition.

Application #: 02-108994

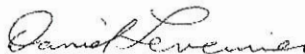
File #: 58-17

- Bleachers or grandstands constructed in accordance with approved drawings and specifications will meet minimum required standards for structural, and fire and life safety. The owner should provide for and require periodic safety inspections throughout the period of use to ensure framing and other parts have not been damaged or removed. On bleachers or grandstands having bolts, locking or safety devices, the owner shall require that all such components be properly tightened or locked prior to each use.
- This approval is for the part shown only since the drawings and specifications for the proposed work include only the portion of the building to be partially constructed on the subject site. It is understood that a separate application will be subsequently filed, together with drawings and specifications showing a plot plan and details of work necessary for completion. A contract for completion shall not be let before the written approval of such drawings has been obtained from the Department of General Services.
- The building(s) was designed to support a snow load of _____ pounds per square foot of roof area. Snow removal must be considered if the amount of snow exceeds that for which the building(s) was designed.
- This constitutes the written approval certifying that the drawings and specifications are in compliance with State regulations for the accommodation of the disabled which are required before letting any contract for construction. (See Section 4454, Government Code.)
- Your application for the construction of a relocatable building submitted under the provisions of Section 17293 of the Education Code is hereby approved. This approval certifies that the drawings and specifications are in compliance with state regulations for accommodation of the disabled, structural safety, and fire and life safety. This approval applies only to the drawings and specifications for the foundation system, anchorage of the overhead nonstructural elements, and site work related to this project. Documentation has been received indicating that the building was constructed after December 19, 1979, and bears a commercial coach insignia of approval from the Department of Housing and Community Development (HCD). Confirmation that the construction of the HCD building conforms to the appropriate state regulations is done by others. (See Section 17307, Education Code and Section 4454, Government Code.)
- Deferred Approval(s) Items:
 - 30 psf snow load at Dobbins E.S.

This Project has been classified as **CLASS 4 & RBIP**. An Inspector who is certified by DSA to inspect this class of project must be approved by DSA prior to start of construction.

Please refer to the above application number in all correspondence, reports, etc., in connection with this project.

Sincerely,



Digitally signed by DAN LEVERNIER
DN: st=CA, l=SACRAMENTO, o=California
Department of General Services, ou=Division of
the State Architect, ou=www.verisign.com/
repository/CPS Incorp. by Ref., LIAB.LTD(c)99,
title=REGIONAL MANAGER, cn=DAN
LEVERNIER, email=dan.levernier@dgs.ca.gov
Date: 2007.06.25 13:46:44 -07'00'

for David F. Thorman, AIA
State Architect



cc:
Architect



CALIFORNIA
DEPARTMENT OF
EDUCATION

1430 N STREET
SACRAMENTO, CA
95814-5901

August 16, 2007

JACK O'CONNELL
State Superintendent of
Public Instruction
PHONE: (916) 919-0800

Marysville Joint Unified
1919 B St.
Marysville, CA 95901

Project Tracking No: 72736-52
Re: Loma Rica Elementary
County: Yuba
Square Feet: 5,280
Grade Level: K - 5

Dear Superintendent:

Subject: Final Plan Approval - New Buildings

The California Department of Education approves the plans with the title sheet date of April 9, 2007, for the above referenced project. The plans were received on August 1, 2007. The plans meet the California Department of Education's standards for educational adequacy (California Code of Regulations, Title 5, et seq. and Education Code 17251(c) and (d)).

It is the responsibility of the school district to meet all requirements concerning toilet facilities, drinking water supply, sewage disposal, food service facilities and other plan elements having primary health and safety implications. The plans should be reviewed by the local health agency having jurisdiction and a written approval should be secured and filed in the school district's records. If the approved project involves work on an existing school building, it is the responsibility of the school district to meet all Federal, State and local requirements relating to the identification, remediation and/or removal of hazardous levels of lead and asbestos containing materials before or during construction. It is the responsibility of the district to complete all of the mitigation measures identified in the documents submitted to the California Department of Education for review.

The school site for this project is 5.22 usable acres. This represents 94.91% of the California Department of Education's recommended site size of 5.5 acres, as contained in the California Department of Education's "Guide to School Site Analysis and Development(2000)," for the current CBEDS enrollment of the site and the student capacity added by this project as calculated pursuant to SAB Regulation 1859.83(d).

The California Department of Education's recommended acres for the master plan capacity of the site is 6 acres, to be used for purposes of requesting funding from the State Allocation Board pursuant to SAB Regulations 1859.73, related to multi-story construction, and 1859.76(a)11, related to parking structures. This site is 87% of the California Department of Education's recommended master plan site size.

Marysville Joint Unified
August 16, 2007
Page 2

PTN: 72736-52
Loma Rica Elementary

The project as approved consists of:

<u>TEACHING STATIONS</u>	<u>GRADE LEVEL</u>	<u>ROOMS</u>	<u>STUDENTS</u>
Relocatable Classrooms	1 - 6	3	75

Based on the standards specified in Education Code 17071.25 and the number of teaching stations in the project, the student capacity of this project is 75.

CORE FACILITIES:

Administration	Teacher Work Room	Toilets
----------------	-------------------	---------

The district has certified that this project is either exempt from, or has completed, the California Environmental Quality Act (CEQA) process.

The applicant has certified to the California Department of Education that: 1) the district has consulted with a career technical education advisory committee regarding the need for career and technical facilities, or 2) the district is not required to consult with a career technical education advisory committee because the project is not a large project as defined in SAB Regulation 1859.2, or 3) the district is not required to have a career technical education advisory committee.

The district has indicated to the California Department of Education that this is a minor addition project that is eligible for a statutory or categorical exemption under the CEQA. The completion of a Phase I Environmental Site Assessment (ESA) and/or Preliminary Endangerment Assessment and review by the Department of Toxic Substances Control is not required for this project per Education Code 17268(c).

For projects to be funded under the Leroy F. Greene School Facility Act of 1998, funding requests to the State Allocation Board must be submitted within two (2) years of the date of this letter. If the district is not seeking financial assistance from the State Allocation Board, the project must commence construction within two (2) years of the date of this letter. Regardless of the funding source, if, prior to construction, changes are made to the plans that would affect or alter the California Department of Education's original approval (including but not limited to changes in surrounding land uses, the master plan capacity of the project, changes in code and/or regulation, or a subsequent CEQA determination), the plan may be subject to reevaluation using the most recent standards.

Marysville Joint Unified
August 16, 2007
Page 3

PTN: 72736-52
Loma Rica Elementary

Please contact the consultant identified below if you have questions regarding this letter.

Sincerely,



Fred A. Yeager, Assistant Director
School Facilities Planning Division



Patricia Jones, Ed.D.
School Facilities Planning Division
(916)324-8989

DP4648/P3912
cc: Architect