

**DSA HOURLY FEE SERVICES****Disciplines:** All**History:**Revised 03/25/20 under 2019 CBC  
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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 the Division of the State Architect's (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.

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

- 1) Changes to DSA-approved construction documents.
- 2) Pre-application for rehabilitation of existing, nonconforming buildings.
- 3) Examination of buildings by DSA upon request by a school district.
- 4) Pre-check designs.

**FEE AMOUNT**

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. Effective May 1, 2013, through December 31, 2016, the hourly fee was \$170 per hour. Effective January 1, 2017, the hourly fee is \$215 per hour. Beginning in 2018, the fee will be adjusted annually using the first January issue of *Engineering News-Record's U.S. 20 City Construction Cost Index*.

**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 district submits an application fee to DSA based on a percentage of the estimated project construction cost. (Note that the percentage fee schedule changed for projects submitted on or after October 1, 2017. In accordance with Education Code Sections 17300 and 81133, the fee percentages will be readjusted for projects submitted on or after March 1, 2019.) Changes to construction documents after DSA approval are subject to the hourly fee, as defined above.

**1.1 Revision**

Revisions are changes to 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.

**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 (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 which affect the Structural, Access or Fire & Life Safety portions of the project, as these changes must

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be submitted to DSA for review and approval (see *DSA IR A-6: Construction Change Document Submittal and Approval Process*).

The design professional in 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 submitted CCDs.

Substantial changes made during construction shall be submitted as a Revision (DSA may reject a change submitted as a CCD and require it to be re-submitted as a Revision).

**1.4 Determination of Final DSA Fees at Project Completion**

When a construction project is completed, the district must file a Statement of Final Actual Project Cost (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 projects with Addenda and/or Revision; fees incurred by DSA review will be billed hourly and are in addition to all other fees.

For projects with CCDs, the amount of DSA hourly charges made will be taken into account in determining whether any further fees are due. The further fee will be based on the greater of initial filing fee plus hourly billings or the statutory fee based on the final actual project cost. The following are examples for determination of fees due to DSA at project completion.

**Example #1: Project submitted before October 1, 2017, with CCD services rendered before and after January 1, 2017**

			<b>Required Fees</b>	<b>Fees Paid</b>	<b>Further/CCD Review Fees Due</b>
<b>1</b>	Estimated Project Cost (Structural) and Original Application Fee	\$7,000,000	\$43,000		
<b>2</b>	<b>Initial Fees Paid to DSA</b>			<b>\$43,000</b>	
<b>3</b>	Original Construction Contract Amount and Construction Management Amount (DSA 168, lines 1 and 3) and Fee	\$9,000,000	\$55,000		\$12,000
<b>4</b>	Increases to contract amount (change orders & used allowances/contingencies, DSA 168, line 2) and Fee	\$1,000,000	\$6,000		\$6,000
<b>5</b>	<b>Total Statutory Fee Due</b>				<b>\$18,000</b>
<b>6</b>	# of CCD Review Hours at \$215 per hour rate and calculated CCD Review Cost	32 hours	\$6,880		
<b>7</b>	# of CCD Review Hours at \$170 per hour rate and calculated CCD Review Cost	16 hours	\$2,720		
<b>8</b>	<b>Total CCD Review Cost</b>		<b>\$9,600</b>		
<b>9</b>	Line 8 minus Line 4 (not less than zero)		\$3,600		\$3,600
<b>10</b>	<b>Total Amount Due DSA</b> Line 5 plus Line 9				<b>\$21,600</b>

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The original construction contract amount and construction management amount of \$9,000,000 plus increases to contract amount of \$1,000,000 totals \$10,000,000, resulting in \$18,000 further fee due. Calculated CCD review cost of \$9,600 minus fees associated with increases to contract amount of \$6,000 (Line 4), results in a net CCD review fee due of \$3,600. Total amount due to DSA at the completion of the project is \$21,600.

**Example #2: Project submitted on or after October 1, 2017, with CCD services rendered on or after January 1, 2017 (CCD hours invoiced and paid)**

**Note: this example reflects the required fees based upon the October 1, 2017 adjustment and does not reflect the March 1, 2019 readjustment.**

			<b>Required Fees</b>	<b>Fees Paid</b>	<b>Further Fees Due</b>
<b>1</b>	Estimated Project Cost (Structural) and Original Application Fee	\$7,000,000	\$72,500		
<b>2</b>	<b>Initial Fees Paid to DSA</b>			<b>\$72,500</b>	
<b>3</b>	Original Construction Contract Amount and Construction Management Amount (DSA 168, lines 1 and 3) and Fee	\$9,000,000	\$92,500		\$20,000
<b>4</b>	Increases to contract amount (change orders & used allowances/contingencies, DSA 168, line 2) and Fee	\$1,000,000	\$10,000		\$10,000
<b>5</b>	<b>Total Statutory Fee Due</b>				<b>\$30,000</b>
<b>6</b>	# of CCD Review Hours at \$215 per hour rate and calculated CCD Review Cost	50 hours	\$10,750		
<b>7</b>	Line 6 minus Line 4 (not less than zero)		\$750		\$750
<b>8</b>	<b>Total Amount Due DSA</b> Line 5 plus Line 7				<b>\$30,750</b>

The original construction contract amount and construction management amount of \$9,000,000 plus increases to contract amount of \$1,000,000 totals \$10,000,000, resulting in \$30,000 further fee due. Calculated CCD review cost of \$10,750 minus the \$10,000 fee associated with the increase to contract amount on Line 4 (not less than zero), results in a net CCD review fee due of \$750. Total amount due to DSA at the completion of the project is \$30,750.

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**Example #3: Project submitted on or after October 1, 2017, with CCD services rendered on or after January 1, 2017 (CCD hours not invoiced)**

**Note: This example reflects the required fees based upon the October 1, 2017 adjustment and does not reflect the March 1, 2019 readjustment.**

			<b>Required Fees</b>	<b>Fees Paid</b>	<b>Further Fees Due</b>
<b>1</b>	Estimated Project Cost (Structural) and Original Application Fee	\$7,000,000	\$72,500		
<b>2</b>	<b>Initial Fees Paid to DSA</b>			<b>\$72,500</b>	
<b>3</b>	Original Construction Contract Amount and Construction Management Amount (DSA 168, lines 1 and 3) and Fee	\$9,000,000	\$92,500		\$20,000
<b>4</b>	Increases to contract amount (change orders & used allowances/contingen-cies, DSA 168, line 2) and Fee	\$1,000,000	\$10,000		\$10,000
<b>5</b>	<b>Total Statutory Fee Due</b>				<b>\$30,000</b>
<b>6</b>	# of CCD Review Hours at \$215 per hour rate and calculated CCD Review Cost	35 hours	\$7,525		
<b>7</b>	Line 6 minus Line 4 (not less than zero)		\$0		\$0
<b>8</b>	<b>Total Amount Due DSA</b> Line 5 plus Line 7				<b>\$30,000</b>

The original construction contract amount and construction management amount of \$9,000,000 plus increases to contract amount of \$1,000,000 totals \$10,000,000, resulting in \$30,000 further fee due. Calculated CCD review cost of \$7,525 minus the \$10,000 fee associated with the increase to contract amount on Line 4 (not less than zero), results in a net CCD review fee due of \$0. Total amount due to DSA at the completion of the project is \$30,000.

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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.

<b>Project Status</b>	<b>Refund</b>	<b>Other Adjustments</b>
Plan review has not started.	Structural, FLS and Access: 100 percent.	Not applicable.
Plan review started (not approved).	Structural/FLS: 30 percent. Access: 0 percent.	Not applicable.
Project approved and construction not started.	Structural/FLS: 30 percent reduced for other adjustments upon request. Access: 0 percent and other adjustments may be applicable.	Charges for revisions, addenda and CCDs are applicable and may be due or deducted from the refund.
Construction started.	Structural/FLS: 0 percent. Access: 0 percent.	Charges for revisions, addenda and CCDs are applicable and reconciled similar to completed project.

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

**2. PRE-APPLICATION FOR REHABILITATION OF EXISTING NONCONFORMING BUILDINGS**

When a district proposes to convert an existing nonconforming building for use as a school building, Title 24, Part 1, Section 4-307, requires that the building be retrofitted for compliance with the standards contained in Title 24, current effective edition. The code requires that a pre-application for the rehabilitation project be submitted to DSA, including an evaluation and design criteria report in which the design professional(s) propose the methodologies for evaluation and design and determine acceptance criteria for nonconforming construction. The pre-application 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. A pre-application and evaluation and design criteria report shall be submitted utilizing the DSA 1 application appropriately denoted.

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

Title 24, Part 1, Section 4-345, outlines the process by which a district may request DSA to 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 SUBMITTALS**

The Pre-Check (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 submittals are typically used for the design of commonly used structures, such as relocatable buildings, shade structures, light poles, solar photovoltaic systems and cellular towers.

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 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 *PR 07-01: Pre-Check Approval Process*.

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### REFERENCES:

- California Code of Regulations (CCR) Title 24  
Part 1: California Administrative Code, Section 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

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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