

April 4, 2017

Application No.: 50/69369-00-008  
School: Alum Rock Union Elementary  
County of Santa Clara

Dr. Hilaria Bauer  
District Representative  
Alum Rock Union Elementary School District  
2930 Gay Avenue  
San Jose, CA 95127

Dear Ms. Harrington:

The Office of Public School Construction (OPSC) has completed its review of San Antonio Elementary, OPSC application number 50/69369-00-008. 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 October 30, 2009.

The project is a non-financial hardship, new construction project that was funded on a 50 percent State and 50 percent District basis. The project has expended funds beyond the SFP grant and is considered overspent.

OPSC has received the signed *Summary of Project Financing and Expenditures* dated March 13, 2017 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

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,



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

Enclosure

cc: Kolvira Chheng, Assistant Superintendent of Business Services  
Santa Clara County Office of Education  
Project file

**Summary of Project Financing and Expenditures**

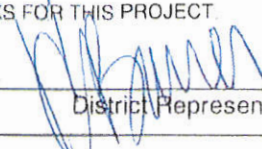
District Name: Alum Rock Union Elem  
 School: San Antonio Elem  
 County: Santa Clara  
 SFP Application Number: 50/69369-00-008  
 LPP Application Number:  
 Date: March 3, 2017

Line			
1	LPP State Apportionment	1	\$ -
2	SFP State Apportionment	2	\$ 7,217,949
3	Financial Hardship Apportionment	3	\$ -
4	District Contribution	4	\$ 7,217,949
5	Interest	5	\$ 85,434
6	<b>Total Project Funding</b>	<b>6</b>	<b>\$ 14,521,332</b>
7	Reported Expenditures	7	\$ 19,527,063
8	Reported Savings/Overspent	8	\$ 5,005,731
9	Grant Adjustments	9	\$ -
10	Total Review Adjustments	10	\$ 366,383
11	<b>Revised Expenditures</b>	<b>11</b>	<b>\$ 19,160,680</b>
12	<b>Net Overspent</b>	<b>12</b>	<b>\$ 4,639,348</b>
13	Interest Due	13	\$ -
14	<b>Total to be Returned to the State</b>	<b>14</b>	<b>\$ -</b>

**Explanations:**

These are the final authorized amounts needed to bring the District's accounting records into compliance. Amounts shown supersede all authorized amounts shown on the Office of Public School Construction Fund Release documents.

ON BEHALF OF THE DISTRICT I CONCUR WITH THIS ANALYSIS AND REQUEST THAT THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION CLOSE ITS BOOKS FOR THIS PROJECT.

  
 District Representative

3/13/17  
 Date

### Schedule Review Adjustments

District Name: Alum Rock Union Sch  
 School: San Antonio Elem  
 County: Santa Clara  
 SFP Application Number: 50/69369-00-008  
 LPP Application Number:   
 Date: March 3, 2017

	A	B	C	D
Line	Reported Amount	Verified Amount	Difference (A-B)	Comments
1	\$ 290,700	\$ -	\$ 290,700	Architect Fees
2	\$ 1,134	\$ -	\$ 1,134	Architect Fees
3	\$ 300	\$ -	\$ 300	Site Other Fees
4	\$ 300	\$ -	\$ 300	Site Other Fees
5	\$ 300	\$ -	\$ 300	Site Other Fees
6	\$ 289,242	\$ 215,593	\$ 73,649	CM Fees
7	Total Audit Adjustments:		\$ 366,383	

#### Explanations:

Line 1 & 2

The District reported \$290,700 and \$1,134 in architect fees paid to NTD architect. District could not provide detail or supporting documentation for the expenditure. Per School Facility Program (SFP) Regulation Section 1859.106, "Districts shall be required to maintain all appropriate records that support all district certifications and expenditures for all costs associated with SFP projects ... for a period of not less than four years from the date the notice of completion is filed for the project in order to allow other agencies, including without limitation, the Bureau of State Audits and the State Controller to perform their audit responsibilities." Expenditures are ineligible.

Line 3- 5

The District reported a total of 3 expenditures totaling \$900 paid to Old Republic Title Company for title report. Expenditures cannot be verified for the project. Per SFP Regulation Section 1859.106, The project will be audited to assure that the expenditures incurred by the district were made in accordance with the provision of Education Code Section 17072.35 for new construction projects. Expenditures are ineligible.

Line 6

The District reported \$289,242 in construction management fees. The District could not provide final billing. Per School Facility Program (SFP) Regulation Section 1859.106, "Districts shall be required to maintain all appropriate records that support all district certifications and expenditures for all costs associated with SFP projects ... for a period of not less than four years from the date the notice of completion is filed for the project in order to allow other agencies, including without limitation, the Bureau of State Audits and the State Controller to perform their audit responsibilities." The auditor was able to verify \$215,592.69 in CM fees. The difference of \$73,648.90 is ineligible.

## SCHOOL DISTRICT DATA

Application No: 50/69369-00-008  
 School District: Alum Rock Union Elementary

County: Santa Clara  
 School Name: San Antonio Elementary

## PROJECT DATA

Type of Project: Elementary School  
 K-6: 525  
 7-8:  
 9-12:  
 Non-Severe:  
 Severe:  
 Application Filing Basis: District Wide  
 Number of Classrooms: 22  
 Master Acres: 14.7  
 Existing Acres: 5.36  
 Proposed Acres:  
 Recommended Acres: 9.9  
 Facility Hardship (a): No  
 Financial Hardship Requested: No  
 Alternative Education School: No  
 Addition to Existing Site: Yes  
 Core Facilities: Multi-Purpose/Kitchen,  
 Administration, Toilet

## ADJUSTED GRANT DATA

New Construction Grant	\$	4,587,450.00
Fire Detection Alarm		5,250.00
Sprinkler System		77,175.00
Labor Compliance		37,620.00
Multi-Level Constr.	20Crs.	524,280.00
Service Site		597,189.00
Off-Site		79,813.00
Utilities		38,872.00
Urban/Security/Impacted Site		1,003,707.00
Total State Share (50%)		6,951,356.00
District Share (50%)		6,951,356.00
Total Project Cost	\$	13,902,712.00

## PROJECT FINANCING

<u>State Share</u>	
This Project	\$ 6,951,356.00
<u>District Share</u>	
Cash Contribution	6,951,356.00
Financial Hardship	
Total Project Cost	\$ 13,902,712.00

## HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Previously Authorized	Authorized This Action	Unfunded Approval This Action
<u>State Share</u>				
New Construction/Add. Grant	955-500	\$	\$ 6,951,356.00	\$ 6,951,356.00
<u>District Share</u>				
Cash Contribution			6,951,356.00	
Total		\$	\$ 13,902,712.00	\$ 6,951,356.00

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List. This approval does not constitute a guarantee or commitment of future State funding.

The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

The District has certified it is enforcing a Labor Compliance Program (LCP). Please be advised this project has been apportioned with funds that require a LCP pursuant to Labor Code Section 1771.7.





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

**DGS**

**DEPARTMENT OF GENERAL SERVICES**  
**Division of the State Architect – Oakland Office**

## **10/29/2009 - APPROVAL OF PLAN(S)**

MR. Jose L. Manzo  
ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT  
2930 GAY AVENUE  
SAN JOSE 95127-2398

**Project:** SAN ANTONIO ES  
**Total Scope of Project:** Construction of 1-Classroom Building, 1-Multi-purpose Building, 1-Administration Building, 1-Kindergarten Building  
**Increment #:** 0  
**Application #:** 01-110885  
**File #:** 43-4

Drawings and specifications for the subject project have been examined and stamped by the Division of the State Architect (DSA) for identification on 10/29/2009. 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.

- ☐ 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:  
Skylights, Automatic Fire Sprinkler Systems, Elevator Guide Rails and Support Bracket Anchorage, Basket ball backstop.

This Project has been classified as **CLASS 1**. 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 NAT CHAUHAN  
DN: st=CA, l=OAKLAND, 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, ou=Registered Engineer License  
Number - S1744, title=DSA OAKLAND REGIONAL  
MANAGER, cn=NAT CHAUHAN, email=nat.  
chauhan@dgs.ca.gov  
Date: 2009.10.29 11:30:07 -0700

for David F. Thorman, AIA  
State Architect



CC:  
Architect



CALIFORNIA  
DEPARTMENT OF  
EDUCATION

JACK O'CONNELL

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

October 27, 2009

Alum Rock Union Elementary  
2930 Gay Ave.  
San Jose, CA 95127

Project Tracking No: 69369-44  
Re: San Antonio Elementary School, Phase I  
County: Santa Clara  
Square Feet: 40,528  
Grade Level: K - 6

Dear Superintendent:

Subject: Final Plan Approval - New Buildings

The California Department of Education approves the plans with the title sheet date of August 18, 2009, for the above referenced project. The plans were received on October 1, 2009. 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 5.36 usable acres. This represents 54.14% of the California Department of Education's recommended site size of 9.9 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 14.7 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 36.46% of the California Department of Education's recommended master plan site size.

The project as approved consists of:

<u>TEACHING STATIONS</u>	<u>GRADE LEVEL</u>	<u>ROOMS</u>	<u>STUDENTS</u>
Classrooms	1 - 6	19	475
Kindergartens	Kindergarten	2	50
Non-severe Special Education	Special Education	1	13
	Non-Severe	<u>22</u>	

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 538.

CORE FACILITIES:

Administration

Multi-Purpose

Storage

Toilets

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

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.

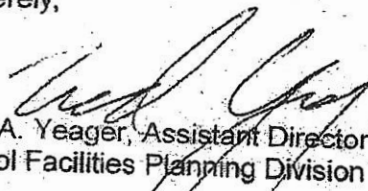


Alum Rock Union Elementary  
October 27, 2009  
Page 3

PTN: 69369-44  
San Antonio Elementary School, Phase I

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

Sincerely,



Fred A. Yeager, Assistant Director  
School Facilities Planning Division

DP6129/P5345  
cc: Architect



Dave Hawke, Consultant  
School Facilities Planning Division  
(916)322-1459