

Application No.: 54/64733-00-055
School: Antonio Maria Lugo Academy
County of Los Angeles

February 22, 2019

Mr. Michael Wimbish
Director of Finance
Aspire Public Schools
1001 22nd Street
Oakland, CA 94606

Dear Mr. Wimbish:

The Office of Public School Construction (OPSC) has completed its review of Antonio Maria Lugo Academy, OPSC application number 54/64733-00-055. 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 April 15, 2015.

The project is a non-financial hardship Charter School Facilities Program (CSFP) project that was funded on a 50 percent State and 50 percent District basis. SFP Regulation Section 1859.169.1 states "Projects funded under the CSFP do not generate savings pursuant to Section 1859.103. In addition, State funds remaining at the completion of the project may not be used to satisfy the local matching share obligation. Remaining funds must be returned to the State." Accordingly, any CSFP project savings must be returned to the State.

This CSFP project has savings in the amount of \$128,527.68. Pending final approval by the State Allocation Board at its next available monthly meeting, the District will be invoiced \$128,527.68 for the reduction in the apportionment.

The District DTSC fees are less than the total grant amounts. SFP Regulation Section 1859.106 states in part that "An adjustment in the SFP grant will be made for the following: (a) The difference in the value of the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs that were used to determine the New Construction Additional Grant and the actual amount paid by the district for the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs." The District has unused DTSC fees grants of \$11,342.44 and must return the State share of \$5,671.22 and CFSA Lease amount of \$5,671.22, the total of \$11,342.44. Pending final approval by the State Allocation Board at its next available monthly meeting, the District will be invoiced \$11,342.44 for the reduction in the site related grant apportionment. The District will be invoiced total of \$139,870.12 (\$128,527.68 + \$11,342.44).

OPSC has received the signed *Summary of Project Financing and Expenditures* dated February 12, 2019 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: Project file

Summary of Project Financing and Expenditures

District Name: Los Angeles Unified
 School: Antonio Maria Lugo Academy
 County: Los Angeles
 SFP Application Number: 54/64733-00-055
 LPP Application Number: None
 Date: February 6, 2019

Line		A		B	
		Adjusted Grant		Site Related Grant(s)	
1	LPP State Apportionment	1	\$ -	\$ -	
2	SFP State Apportionment	2	\$ 7,019,393.00	\$ 1,210,045.00	
3	CSFA Lease Amount	3	\$ 6,493,815.18	\$ 1,210,045.00	
4	District Contribution	4	\$ 525,577.82	\$ -	
5	Interest	5	\$ 7,581.82		
6	Total Project Funding	6	\$ 14,046,367.82	\$ 2,420,090.00	
7	Reported Expenditures	7	\$ 13,917,840.14	\$ 2,408,747.56	
8	Reported Savings	8	\$ 128,527.68		
9	Reported Adjustment Site Related Grants	9		\$ 11,342.44	
10	Grant Adjustments (State & District Share)	10	\$ -	\$ (11,342.44)	
11	Total Review Adjustments	11	\$ -	\$ -	
12	Final Expenditures	12	\$ 13,917,840.14	\$ 2,408,747.56	
13	Net Savings	13	\$ 128,527.68	\$ -	
14	Interest Due	14	\$ -	\$ -	
15	Savings to be Returned to the State (State share)	15	\$ 64,263.84		
16	Savings to be Returned to the State (CFSA Lease Amount)	16	\$ 64,263.84		
17	Site Adjustment to be Returned to the State (State share)	17		\$ 5,671.22	
18	Site Adjustment to be Returned to the State (CFSA Lease Amount)	18		\$ 5,671.22	
19	Total to be Returned to the State	19		\$ 139,870.12	

Explanations:

Line 10

See Schedules 1 and 2

Line 13, 15 & 16:

This is a Charter School Facilities Program (CSFP) project and has savings in the amount of \$128,527.68. SFP Regulation Section 1859.169.1 states "Projects funded under the CSFP do not generate savings pursuant to Section 1859.103. In addition, State funds remaining at the completion of the project may not be used to satisfy the local matching share obligation. Remaining funds must be returned to the State."

Line 17 & 18:

The District DTSC fees costs are less than the total DTSC Fee grant amounts. SFP Regulation Section 1859.106 states in part that "An adjustment in the SFP grant will be made for the following: (a) The difference in the value of the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs that were used to determine the New Construction Additional Grant and the actual amount paid by the district for the site, relocation costs, DTSC fees, and hazardous waste/materials removal costs." The District has unused DTSC fees grants of \$11,342.44 and must return the State share of \$5,671.22 and CFSA Lease amount of \$5,671.22, the total of \$11,342.44.

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.

Deanne Hawk
 District Representative (printed name)

Deanne Hawk
 Signature

2/12/19
 Date

RECEIVED
 OFFICE OF PUBLIC
 SCHOOL CONSTRUCTION
 2019 FEB 15 PM 12:11

MAIL ROOM

Schedule 1
Refund/Reimbursement Summary

District Name: Los Angeles Unified
School: Antonio Maria Lugo Academy
County: Los Angeles
SFP Application Number: 54/64733-00-055
LPP Application Number: None
Date: February 6, 2019

SITE RELATED GRANTS ADJUSTMENTS				
	A	B	C	D
Line	Total Adjustment	Adjustments to District Share	Adjustments to State Share	Comments
1	\$ (11,342.44)	\$ (5,671.22)	\$ (5,671.22)	DTSC Fees
2		TOTAL	\$ (5,671.22)	

Explanations:

Line 1

The total adjustment of DTSC Fees grant in \$11,342.44. The State share will be decreased by \$5,671.22.

Please see Schedule 2, Grant Adjustments

Schedule 2
Grant Adjustments

District Name: Los Angeles Unified
 School: Antonio Maria Lugo Academy
 County: Los Angeles
 SFP Application Number: 54/64733-00-055
 LPP Application Number: None
 Date: February 6, 2019

SITE RELATED GRANT ADJUSTMENTS				
	A	B	C	D
Line	Total Grant Amount (State & District Share)	Eligible Amount	Difference (A-B)	Comments
1	\$ 24,850.00	\$ 13,507.56	\$ (11,342.44)	DTSC Fees
2		TOTAL	\$ (11,342.44)	To Page 1, Column B, Line 10

Explanations:

Line 1

The project has funded DTSC Fees in the amount of \$24,850; the district reported eligible DTSC Fees costs in the amount of \$13,507.56. Therefore, the district needs to return the remaining unused grant back to the State.

SCHOOL DISTRICT DATA

Application No: 54/64733-00-055
School District: Los Angeles Unified

County: Los Angeles
School Name: Antonio Maria Lugo Academy

PROJECT DATA

Type of Project: Elementary School
Pupils Assigned: K-6: 356
7-8:
9-12:
Non-Severe:
Severe:
Application Filing Basis: District Wide
Number of Classrooms: 16
Master Acres: 9.2
Existing Acres:
Proposed Acres: 1.86
Recommended Acres: 9.2
Facility Hardship (a): No
Financial Hardship Requested: No
Alternative Education School: No
Addition to Existing Site: No
Core Facilities: Multi-Purpose/Kitchen,
Library/Media Center,
Administration

ADJUSTED GRANT DATA

CSFP New Construction Grant	\$	3,682,820.00
Fire Detection Alarm		4,272.00
Sprinkler System		61,588.00
Multi-Level Constr.	16 CRs.	441,938.00
Site Acquisition		1,257,950.00
Service Site		208,153.00
Off-Site		17,188.00
Utilities		11,271.00
General Site		282,756.00
Urban/Security/Impacted Site		2,261,502.00
Total State Share (50%)		8,229,438.00
Charter School Share (50%)		8,229,438.00
Total Project Cost	\$	16,458,876.00

PROJECT FINANCING

State Share
This Project \$ 8,229,438.00
Charter School Share
Cash Contribution 0.00
CSFA Lease Amount 8,229,438.00
Total Project Cost \$ 16,458,876.00

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	State Apportionment This Action
<u>State Share</u>					
CSFP New Construction/Additional Grant	957-540	1D	\$ 4,769,673.90	\$ (4,769,673.90)	
CSFP New Construction/Additional Grant	057-540	1D	3,459,764.10	4,769,673.90	\$ 4,769,673.90
<u>Charter School Share</u>					
CSFA Lease Amount	957-540	1D	4,769,673.90	(4,769,673.90)	
CSFA Lease Amount	057-540	1D		4,769,673.90	4,769,673.90
CSFA Lease Amount	047-510	47	3,459,764.10		
Cash Contribution					
Total			\$ 16,458,876.00	\$ 0.00	\$ 9,539,347.80

Funding Sources: Proposition 47 Bonds/2002-Nov.; Proposition 1D Bonds/2006-Nov.

Pursuant to the Board's action on September 8, 2015, the District is required to submit a complete Fund Release Authorization (Form SAB 50-05) on or before December 7, 2015; otherwise, the apportionment will be rescinded without further Board action and will receive a new Unfunded Approval date of December 7, 2015.

The Form SAB 50-05 submittal must contain an original signature from a designated District or Charter School Representative and must be physically received by the Office of Public School Construction at 707 Third Street, West Sacramento, CA 95605 prior to the close of business on December 7, 2015.

Assembly Bill 436 (Solorio), Chapter 378, Statutes of 2011, requires school districts and charter schools to notify the Department of Industrial Relations (DIR) of School Facility Program projects with a public works contract awarded on or after January 1, 2012. Except for projects exempt pursuant to Labor Code Section 1771.3(b)(3), DIR is required to provide prevailing wage monitoring services for the projects.

Senate Bill 854, Chapter 28, Statutes of 2014 repealed Labor Code (LC) Section 1771.3 which required school districts and charter schools to provide payment to Department of Industrial Relations (DIR) for prevailing wage monitoring. As a result, school districts and charter schools awarding a construction contract on or after June 20, 2014 are not mandated to provide payment for DIR monitoring and enforcement of prevailing wage requirements. Projects with an initial public works contract awarded on or after June 20, 2014 are not eligible to receive an additional grant for prevailing wage monitoring; however, school districts and charter schools are still required to notify DIR within five days of initial contract award pursuant to LC Section 1773.3(a)(1).

The Applicant previously received \$6,919,528.20 for advance design and site acquisition costs.

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



State of California • Edmund G. Brown Jr., Governor
State and Consumer Services Agency

DGS DEPARTMENT OF GENERAL SERVICES

Division of the State Architect – Los Angeles Office

11/25/2014 - APPROVAL OF PLAN(S)

JAMES WILCOX
ASPIRE PUBLIC SCHOOLS
1001 - 22nd AVENUE
OAKLAND, 94606

Project: ANTONIO MARIA LUGO ACADEMY

Total Scope of Project: Construction of 2-(N) Charter School with Two (N) Two-Story Prefabricated Buildings Separated by a Seismic Joint and Related Sitework./ Classroom Buildings

Increment #: 0

Application #: 03-115762

File #: 41-Aspire Public School

Drawings and specifications for the subject project have been examined and stamped by the Division of the State Architect (DSA) for identification on 11/25/2014. 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 #: 03-115762

File #: 41-Aspire Public §

- ☐ 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 0 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:
Elevator Guide Rails and Support Bracket Anchorage

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 Leslie Cho
DN: cn=Leslie Cho, o=Division of the
State Architect, ou=Structural Safety,
email=Leslie.Cho@dgs.ca.gov, c=US
Date: 2014.11.25 13:35:26 -08'00'

for Chester "Chet" Widom, FAIA
State Architect

cc:
Architect
gen.hasegawa@dgs.ca.gov



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

December 1, 2014

Mr. Viraj Patel, CFO
Aspire Public Schools
1001 22nd Avenue, Suite 100
Oakland, CA 94606

Project Tracking No: 64733-3347
Re: Aspire Antonio Maria Lugo Academy
County: Los Angeles
Square Feet: 34,290
Grade Level: K – 5

Dear Mr. Patel:

Subject: Supercede Final Plan Approval – Charter School

The California Department of Education approves the plans with the title sheet date of October 15, 2014 for the above referenced project. The plans were received on October 21, 2014. 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.

This letter revises and supercedes the letter issued on November 25, 2014.

The school site for this project is 1.86 usable acres. This represents 20.22% of the California Department of Education's recommended site size of 9.2 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 project as approved consists of:

<u>TEACHING STATIONS</u>	<u>GRADE LEVEL</u>	<u>ROOMS</u>	<u>STUDENTS</u>
Classrooms	1 – 6	13	325
Kindergartens	Kindergarten	3	75

To be

Mr. Viraj Patel, CFO
December 1, 2014
Page 2

PTN: 64733-3347
Aspire Antonio Mario Lugo Academy

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 400.

CORE FACILITIES:

Administration
Multi-purpose
Speech
Toilets

Custodial
Resource Specialist Prog
Storage

Library
Small Group Instruction
Teacher Work Room

This supercede reflects a change in the recommended acreage.

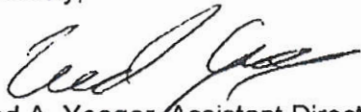
The district has certified that this project is either exempt from, or has completed, the California Environmental Quality Act (CEQA) process.

The district has met the requirements of Education Code 17213.1 regarding the preparation of a Phase 1 environmental assessment or a Preliminary Endangerment Assessment. The Department of Toxic Substances Control (DTSC) has issued a determination letter dated October 7, 2014 indicating that no action or no further action is required for this site.

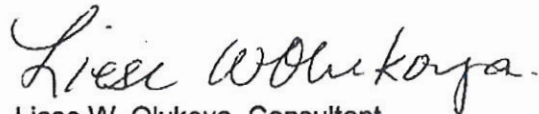
For projects to be funded under the Leroy F. Greene School Facility Act of 1998, funding request to the State Allocation Board must be submitted within two (2) years of the date of this letter. If the district is not seeking financial assistance from the State Allocation Board, the project must commence 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.

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

Sincerely,



Fred A. Yeager, Assistant Director
School Facilities Planning Division



Liese W. Olukoya, Consultant
School Facilities Planning Division
(916) 445-5657

DP8081/P7251
cc: Architect