

APPLICATION FOR PRELIMINARY APPORTIONMENT**SCHOOL FACILITY PROGRAM**

SAB 50-08 (REV 10/14)

GENERAL INSTRUCTIONS

Once the Board has determined or adjusted the district's eligibility for new construction funding on the Eligibility Determination, Form SAB 50-03 the district may file an application for a Preliminary Apportionment by use of this Form. If the district has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file this application until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03. Requests with this form may be made as follows:

For purposes of this Preliminary Apportionment, the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
- An Appraisal or Preliminary Appraisal of the property, or documentation supporting the Median Cost of the property, within the General Location, if requesting site acquisition funds. See Section 1859.145.1(a)(1).
- Supporting documentation for relocation expenses and Department of Toxic Substance Control (DTSC) costs, if requesting amounts other than the 21 percent standard allowance. See Section 1859.145.1(a)(2).
- A cost estimate for site development using the historical data of School Facility Program projects within the district or adjacent school districts within the General Location, if requesting amounts other than the standard allowance of \$70,000 per acre. See Section 1859.145(d).

For purposes of determining an amount for site acquisition pursuant to Section 1859.153(b), the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.

This request is available only to districts that currently meet the financial hardship criteria in Section 1859.81. Districts may apply for a separate amount for the design and for the site acquisition on the same project. Districts may apply for a separate amount for the design of the project by submittal of Form SAB 50-05.

For purposes of determining an amount for site acquisition for environmental hardship pursuant to Section 1859.153(c), the following documents must be submitted with this form (as appropriate):

- Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03 (if not previously submitted).
- Contingent site approval letter from the CDE.
- Preliminary appraisal of property.
- Approval letter from the Department of Toxic Substances Control.

After submittal of this form and notification by the OPSC of the eligible site acquisition costs, pursuant to Section 1859.153(b) or (c), the district may apply for a separate amount for the site acquisition of the project by submittal of Form SAB 50-05.

For a complete list of the application submittal guidelines, consult the Office of Public School Construction (OPSC) Web site at www.dgs.ca.gov/opsc.

Prior to acceptance of an application that includes a financial hardship request, the district must have its financial hardship status "pre-approved" by the OPSC. To apply for financial hardship "pre-approval", consult the OPSC Web site at www.dgs.ca.gov/opsc. See Section 1859.145(i).

If the district is requesting a Preliminary Apportionment after the initial baseline eligibility was approved by the Board and the district's current California Basic Education Data System (CBEDS) enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01, based on the current year CBEDS enrollment data, and submit it to the OPSC with this form. The district must also update its eligibility by separation of Special Day Class from regular K–12 grade level pupils by submitting a revised Form SAB 50-02 and Form SAB 50-03, if it has not already done so. A small district with 2,500 or less enrollment as defined in Section 1859.2 will have its eligibility adjusted as provided in Section 1859.51(j).

SPECIFIC INSTRUCTIONS

The district must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the Division of the State Architect (DSA) and the California Department of Education (CDE) for all project applications submitted to those agencies which assist those agencies to track a particular project through the entire state application review process. If the district has already assigned a PTN to this project by prior submittal to the OPSC or the P&S to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the OPSC Web site at www.dgs.ca.gov/opsc "P.T. Number Generator."

1. Type of Request

Check the appropriate box that indicates the type of request the district is applying for with this form. If the district is requesting a determination of eligible site acquisition costs from a Preliminary Apportionment previously approved by the Board, complete boxes 2, 3, 4, the site acquisition data in 6b, and boxes 7, 8, 9 and 12 only.

2. Type of Project

Select the type of project that best represents this application request and enter the number of pupils assigned to the project for each grade group. Include pupils to be housed in an addition to an existing school or a new school project. The amount entered cannot exceed the district's new construction baseline eligibility determined on Form SAB 50-03 as adjusted by Section 1859.51. The amount entered will be the basis for the amount of the Preliminary Apportionment provided for the project.

Check the applicable box if the pupils assigned represent eligibility determined at another grade level, as prescribed in Section 1859.77.3(b). The total requested pupil grants may not exceed the capacity of the project.

Is this request an addition to an existing site? Yes or No. If yes, enter school name.

3. Financial Hardship Request

Check the box if the district is requesting financial hardship assistance. Refer to Sections 1859.81 and 1859.145(i) for eligibility criteria. The districts requesting financial assistance must have received a pre-approval for financial hardship status by the OPSC. Consult the OPSC Web site at www.dgs.ca.gov/opsc for details and necessary documentation needed in order to determine eligibility.

4. Number of Classrooms/Useable Acres

Enter the:

- Estimated number of classrooms in the proposed project.
- Existing Useable Acres (if addition to existing site).
- Proposed Useable Acres. The proposed Useable Acres identified should be for that amount the district reasonably anticipates acquiring or has acquired. When applicable, the amount shall be the lesser of the net Useable Acres included in an appraisal, preliminary appraisal or multiplying the pupils assigned by 0.01775 for elementary school pupils, 0.021 for middle school pupils and 0.02472 for high school pupils. Assign Severely Disabled and Non-severely Disabled Individuals with Exceptional Needs as either elementary, middle or high school pupils based upon the type of project selected in item 1. See Section 1859.74.1.

5. Source School(s)

List the Source School(s) as identified on the CDE Source School List and the number of Qualifying Pupils from each that are utilized for this project. The number of Qualifying Pupils reported must be at least 75 percent, but cannot exceed the number of the pupils assigned in item 2. The Source School(s) assigned must be consistent with the type of project selected in item 2. If you are listing more Source Schools than room on this form, attach an additional page listing the Source Schools and the number of Qualifying Pupils from each that are utilized for this project. Refer to Sections 1859.142 and 1859.143.

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6. Increase in Preliminary Apportionment

Check the appropriate box(es) if the district requests an increase in the Preliminary Apportionment for the items listed. Refer to Sections 1859.145 and 145.1 for eligibility criteria. Enter the:

- a. Check the box if the district requests additional funding due to multilevel construction. See Section 1859.145(b).
- b. For site acquisition:
 - Enter 50 percent of the appraised value or the preliminary appraised value or the Median Cost of the property. See Section 1859.145.1(a)(1).
 - For the hazardous material/waste removal and/or remediation allowance, enter no more than 25 percent of the property value of the site being acquired. For an addition to an existing site with no additional acreage or for an application submittal made pursuant to Section 1859.153(b) or (c), enter 50 percent of the allowable specific costs and submit appropriate documentation to support the amount requested. See Section 1859.145(a)(4) or Section 1859.145.1(b).
 - To determine an allowance for relocation cost and DTSC cost, the district may request 21 percent of the property value determined above or specific or historic values of these costs. See Section 1859.145.1(a)(2). If specific or historic values are reported, the district must submit appropriate documentation to support the amount reported.
- c. To determine an allowance for site development, the district may request \$70,000 per proposed Usable Acres or a specific or historic value of the estimated costs. See Section 1859.145(d). If specific or historic estimated costs are used, the district must submit appropriate cost estimate of the proposed work conforming to Section 1859.76.
- d. Check the box if this request is for a small new school. See Section 1859.145(e).
- e. Check the box if the proposed project qualifies for an urban location allowance. See Section 1859.145(f).
- f. Check the box if the proposed project is eligible for an increase due to geographic location. See Section 1859.145(g).

7. Adjustment to New Construction Baseline Eligibility

Pursuant to Section 1859.51, certain adjustments to the district's new construction baseline eligibility must be made each time a district submits an application to the OPSC. Report all additional classroom(s) provided after the district submitted its request for termination of its new construction baseline eligibility for the grades shown, with the exception of a classroom that is/was:

- A trailer and transportable/towed on its own wheels and axles.
- Excluded pursuant to Education Code Section 17071.30.
- Under contract for lease, lease-purchase, or construction no more than 180 days before submittal of this form to the OPSC.
- Included in a new construction project where the district has funded a portion of the project beyond its required district contribution and the pupil capacity of the classroom does not exceed 150 percent of the number of pupils receiving a new construction grant (round up) for the project.
- Acquired with Joint-Use funds specifically available for that purpose.

8. Operational Grants

If the eligibility for this project was determined on a High School Attendance Area (HSAA) or Super HSAA pursuant to Section 1859.41, enter the number of pupils by grade level or type that were included in the latest report by the CDE pursuant to Education Code Section 42268 that received operational grants in that HSAA or Super HSAA.

9. Prevailing Wage Monitoring and Enforcement Costs

Check the appropriate box to indicate which of the following methods will be used to meet the requirement for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- The Department of Industrial Relations (DIR) Public works administration and enforcement
- A DIR-approved internal Labor Compliance Program (LCP)
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014.

10. Pending Reorganization Election

Indicate if there is a pending reorganization election that will result in a loss of eligibility for this project. If the answer is "Yes", the district must complete Form SAB 50-01, Form SAB 50-02, and Form SAB 50-03, to adjust the district's new construction baseline eligibility as a result of the reorganization and submit them with this form.

11. Priority Order

Enter the district priority order of this application in relation to other Applications for Preliminary Apportionment submitted by the district on the same date.

12. Prior Apportionment Under SFP Design

If the project received a separate apportionment under the SFP for the design, enter the application number of the project. Failure to report this information may delay the processing of the application by the OPSC. See Section 1859.142.

13. Certification

The district representative must complete this section.

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The school district named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code and the Regulations thereto.

SCHOOL DISTRICT	PRELIMINARY APPLICATION NUMBER
PROPOSED PROJECT NAME	PROJECT TRACKING NUMBER
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

1. Type of Request (Check Only One)

- ☐ Preliminary Apportionment
☐ Site Acquisition Costs [Section 1859.153(b)]
☐ Site Acquisition Costs—Environmental Hardship [Section 1859.153(c)]

2. Type of Project

- | | | |
|--|------------------|-------|
| <input type="checkbox"/> Elementary School | Pupils Assigned: | |
| <input type="checkbox"/> Middle School | K–6 | _____ |
| <input type="checkbox"/> High School | 7–8 | _____ |
| | 9–12 | _____ |
| | Non-Severe | _____ |
| | Severe | _____ |

Is this a use of grant request pursuant to Section 1859.77.3(b)? ☐ Yes ☐ No

Addition to existing site? ☐ Yes ☐ No
If yes, school name: _____

3. ☐ Financial Hardship Request (Must Have Pre-Approval by OPSC)**4. Number of Classrooms/Useable Acres**

Number of Classrooms: _____
 Existing Useable Acres: _____
 Proposed Useable Acres: _____

5. Source School(s)

LIST SOURCE SCHOOL	QUALIFYING PUPILS ASSIGNED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Increase in Preliminary Apportionment**a. ☐ Multilevel Construction****b. Site Acquisition:**

50 percent appraised value or median cost: \$ _____
 50 percent hazardous waste removal: \$ _____
 Relocation/DTSC Cost:
☐ 21 percent
☐ 50 percent of specific or historical cost: \$ _____

c. Site Development:

- ☐ \$70,000 per proposed useable acre
☐ 50 percent of specific or historical cost: \$ _____

d. ☐ Small New School Allowance**e. ☐ Urban Allowance****f. ☐ Geographic Percent Factor _____ %****7. Adjustment to New Construction Baseline Eligibility**

Additional Classrooms Provided:

K–6	_____
7–8	_____
9–12	_____
Non-Severe	_____
Severe	_____

8. Operational Grants (HSAA Only)

Number of Pupils:

K–6	_____
7–8	_____
9–12	_____
Non-Severe	_____
Severe	_____

9. Prevailing Wage Monitoring and Enforcement Costs:

Please indicate which method was or is being used to meet the prevailing wage monitoring requirement, pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- ☐ DIR Public Works administration and enforcement
☐ DIR Approved District LCP
☐ Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014

10. Pending Reorganization Election☐ Yes ☐ No**11. Priority Order**

12. Prior Apportionment Under SFP Design

New Construction 50/ _____

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13. Certification

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am an authorized representative of the district as authorized by the governing board of the district; and,
- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, Article 11, commencing with Section 17078.10, et. seq., of the Education Code was adopted by the School District's Governing Board on, _____; and,
- The district has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (Refer to Sections 1859.100 through 1859.102); and,
- The district has or will consider the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- The district will comply with all laws pertaining to the construction of its school building; and,
- All contracts entered for the service of any architect, structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This district has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- The district has or will utilize the Preliminary Apportionment for new construction to relieve overcrowding by providing new classroom capacity; and,
- The district understands that the lack of substantial progress toward increasing the pupil capacity of its facilities within the timelines prescribed for a Preliminary Apportionment shall be cause for rescission of the Preliminary Apportionment (refer to Section 1859.148); and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- The information utilized to establish the CDE Source School List has been or hereby is verified by the district as being true and correct; and,
- The district acknowledges this request may be subject to the material inaccuracy penalty provisions in Section 1859.104.1; and
- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximum interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- If the Preliminary Apportionment is requested for the construction of school facilities on leased land, the district has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- The district understands that when the Preliminary Apportionment is converted to a Final Apportionment, the funding available for the Final Apportionment is subject to the provisions of Section 1859.150; and,
- The district will comply with the reporting requirements in Section 1859.149 and shall annually hold, at a regularly scheduled meeting of the district's governing board, a public hearing to discuss, and receive public comment regarding the report(s). Refer to Education Code Section 17078.25(d); and,
- The district has or will initiate and enforce a Labor Compliance Program that has been approved by the Department of Industrial Relations, pursuant to Labor Code Section 1771.7, if the project is funded from Proposition 47 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003; and,
- If the district is submitting this application to determine eligible site acquisition costs, the district meets the requirements in Section 1859.153; and,
- The district understands that some or all the State funding for the project must be returned to the State as a result of an audit pursuant to Section 1859.148; and,
- The district has complied with the provisions of Section 1859.76 and that the portion of the project funded by the State does not contain work specifically prohibited in this Section; and,
- The district matching funds required pursuant to Section 1859.77.1 has either been expended by the district, deposited in the County School Facility Fund or will be expended by the district prior to the notice of completion for the project; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- If the application contains a "Use of Grant" request, the district has adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board on _____ as specified in Section 1859.77.3(b). The district's approved housing plan is as indicated (check all that apply):
 - ☐ 1. The district will construct or acquire facilities for housing the pupils with funding not otherwise available to the SFP as a district match within five years of project approval by the SAB and the district must identify the source of the funds.
 - ☐ 2. The district will utilize higher district loading standards providing the loading standards are within the approved district's teacher contract and do not exceed 33:1 per classroom.
 - ☐ 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project.
- The district has contracted with the DIR for prevailing wage monitoring and enforcement, pursuant to Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, if the construction contract was awarded on January 1, 2012 through June 19, 2014 and the district has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE