FUND RELEASE AUTHORIZATION

SCHOOL FACILITY PROGRAM

SAB 50-05 (REV. ~~02/26~~ 11/26)

GENERAL INFORMATION

(Refer to title 2, California Code of Regulations, sections 1859.90 and 1859.91)

Pursuant to Regulation Section 1859.19, the School District must submit all Board-required forms and supporting documentation for a valid and complete Application using OPSC Online.

After a School Facility Program (SFP) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the School District has completed and submitted this form to the OPSC. Design funds apportioned pursuant to Section 1859.81(e) will automatically be released to the School District within 30 days of the following, whichever occurs last: an Apportionment or submittal by the district of a Grant Agreement pursuant to Section 1859.90.4, with the exception of Preliminary Apportionments.

The following documents must be submitted through OPSC Online, with this form (as appropriate):

1. Signature page of the contract(s) that meets the requirement for a fund release (Part V and/or VII).
2. Notice(s) to Proceed.
3. For projects for which construction contracts were awarded prior to January 1, 2012, and that require a Labor Compliance Program (LCP) pursuant to Labor Code Section 1771.7:
   - All School District and/or third party provider Department of Industrial Relations approval letters (initial, extension(s) and/or final).
   - Third party contract(s).
   - A written finding that the School District has initiated and enforced, or had contracted with a third party to initiate and enforce, an LCP pursuant to Section 1859.97(a).
   - If the School District is submitting this form pursuant to Section 1859.90.2 on or after July 1, 2013, and if the district's LCP approval or contract date with an approved third party is subsequent to the construction contract date(s), the district must have submitted an LCP third party's report, pursuant to Section 1859.97(b), at least 60 days prior to submitting this form.
4. For new construction projects that complete Part V attach:
   - Accepted bid documents including additive/deductive alternates.
5. A Grant Agreement for the project signed by an authorized District Representative.

For the purposes of completing this form to obtain a fund release for a Final Charter School Apportionment, a charter school shall be treated as a School District.

For the purposes of completing this form to obtain a fund release for a Final Career Technical Education Facilities Apportionment, a joint powers authority shall be treated as a School District.

Specific Instructions

Part I. Preliminary Apportionment—Design Only

Check the boxes if the School District has current financial hardship status pursuant to Section 1859.81 and is requesting release of Preliminary Apportionment funds for design, engineering, and other preconstruction project costs. Attach to this form the California Department of Education (CDE) Letter pursuant to Section 1859.149(a)(2).

Part II. Preliminary Charter School Apportionment

Check the boxes if the charter school is requesting a release of a Preliminary Charter School Apportionment for design and/or separate site apportionment pursuant to Section 1859.164.2. Attach to this form the Charter School Agreements.

Part III. Preliminary Small School District Program Apportionment

Check the boxes if the School District is requesting a release of a Preliminary Small School District Program Apportionment for a design and/or separate site apportionment pursuant to Section 1859.157.3.

Part IV. Separate Site Apportionment

Check the box, for release of a separate site apportionment provided pursuant to Sections 1859.75.1 or 1859.81.1 or for release of Preliminary Apportionment site only acquisition pursuant to 1859.153(b) or (c).

Part V. Overcrowding Relief Grant - Advance Site Funds

Check the boxes if the School District is requesting an advance release of funds pursuant to Section 1859.184.1.

Part VI. New Construction/Modernization/Charter School Rehabilitation

Check the box(es) for release of new construction, modernization or rehabilitation funds and enter the following:

a. Date of written approval by the Division of the State Architect (DSA).
b. Enter the percent of the construction the School District has under binding contract(s).
c. Issue date of the Notice to Proceed for the construction phase of the project(s); and,
d. Award date(s) of the construction contract(s) entered into by the School District for this project. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

For Final Charter School Apportionment attach to this form the Charter School Agreements if not previously submitted or if since revised.

Part VII. New Construction—Site Acquisition Only

Check the boxes if the School District is requesting a separate release of site acquisition funds as part of a new construction project.

Part VIII. Joint-Use Projects

Check the boxes if the School District is requesting release of joint-use project funds.

Part IX. Identify District and Joint-Use Partners' Funding Sources

Check the appropriate box(es) that identify the School District funding sources that have or will be used for the district's share of the project.

Part X. Career Technical Education Facilities Projects

Check the appropriate box(es) in Part IX if the School District is requesting a release of Career Technical Education Facilities funds.

Part XI. Natural Disaster Assistance Projects

Check the appropriate box(es) in Part X if the School District is requesting a release of Natural Disaster Assistance funds.

Part XII. Identify District's Construction Delivery Method

Check the appropriate box that identifies the construction delivery method that the district utilized for this project.

Part XIII. Submittal of Project Grant Agreement

Check the appropriate box that identifies the timing of the submittal of the signed Grant Agreement for the project.

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

Part I. Preliminary Apportionment—Design Only

☐ The School District certifies it has complied with Section 1859.149(a).

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

☐ The School District certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

Part II. Preliminary Charter School Apportionment

A. Design Only

Pursuant to Section 1859.164.2(a), must be able to check all boxes:

☐ The Charter School certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the Charter School for the project
- will be expended by the Charter School prior to the Notice of Completion for the project

☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

B. Separate Site Apportionment

Pursuant to Section 1859.164.2(b), must be able to check all boxes:

☐ Release site acquisition funds. The Charter School certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The Charter School certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the Charter School for the project
- will be expended by the Charter School prior to the Notice of Completion for the project

☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

Part III. Preliminary Small School District Program Apportionment

A. Design Only

Pursuant to Section 1859.157.3(a), must be able to check the following boxes:

☐ The School District certifies it has complied with Section 1859.157.5.

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

☐ The School District certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

B. Separate Site Apportionment

Pursuant to Section 1859.157.3(b), must be able to check all boxes:

☐ Release site acquisition funds. The School District certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

Part IV. Separate Site Apportionment

☐ RA on additions to existing school sites pursuant to Section 1859.74.4.

Pursuant to Sections 1859.75.1 or 1859.81.1, School District must be able to check both boxes:

☐ Release site acquisition funds. The School District certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

Part V. Overcrowding Relief Grant - Advance Site Funds

Pursuant to Section 1859.184.1, School Districts that have received Financial Hardship approval that are acquiring sites through condemnation must be able to check all boxes:

☐ Release site acquisition funds. The School District certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

☐ The School District certifies that it will produce an order of prejudgment possession once obtained from the court, and prior to any additional fund releases for the project.

Part VI. New Construction/Modernization/Charter School Rehabilitation

School District/Charter School must be able to check all boxes:

☐ The School District certifies that its applicable matching share has either:

- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

☐ The School District certifies it has entered into a binding contract(s) for _____ _percent of the construction (must be at least 50 percent of the construction

included in the plans and specifications applicable to the state funded project), which received written DSA approval on _____, and has issued the Notice(s) to Proceed on _____ for that contract(s) awarded on _____.
(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

☐ If the School District certified compliance with Education Code Section 17070.955 on its Application for Funding (Form SAB 50-04) and if it was not previously sent with the Form SAB 50-04, then the district must submit written confirmation from the School District's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the School District consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.

The Charter School must also be able to check the following box:

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

The amount of State funds released for new construction shall be 100 percent of the total SFP New Construction Adjusted Grant, less any site acquisition funds previously released in Part III.
The amount of State funds released for modernization shall be 100 percent of the SFP Modernization Adjusted Grant.

Part VII. New Construction—Site Acquisition only

The School District must be able to check both boxes:

☐ The School District certifies it has entered escrow for the site (attach copy of escrow instructions).

☐ The School District certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project.

The amount of State funds released shall be equal to the additional grant provided for site acquisition.

Part VIII. Joint-Use Projects

☐ The School-District certifies that the Joint-Use Partners' financial contribution has either:
- been received and deposited in the County School Facility Fund
- has been received and expended by the School District
- will be received and expended by the School District prior to the Notice of Completion

for the project

☐ The School District certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), and has issued the Notice to Proceed on _____ for that contract signed on _____.

The amount of State funds released for new construction shall be 100 percent of the Joint-Use Grant.

Part IX. Identify School District and Joint-Use Partners' Funding Sources

☐ Available bond funds such as general obligation, or Mello-Roos.
☐ Available developer fees, proceeds from the sale of surplus property, or federal grants.
☐ Other funds available (identify)
☐ Funds already expended by the School District for the project.
☐ Funds already expended by the Joint-Use Partners for the project.
☐ Future revenue sources to be used for the project (identify)

Part X. Career Technical Education Facilities Projects

☐ The School District certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the School-District for the project
- will be expended by the School District prior to the Notice of Completion for the project. If the School District requested a loan for its matching share pursuant to Section 1859.194, the School District certifies that it has entered into a loan agreement with the State.

Part XI. Natural Disaster Assistance Projects

☐ The School District certifies it has complied with Section 1859.81.1.

☐ The School District certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the School District for the project
- will be expended by the School District prior to the Notice of Completion for the project

Part XII. Identify School District's Construction Delivery Method

☐ Design-Bid-Build
☐ Design-Build
☐ Developer Built
☐ Lease Lease-Back
☐ Energy Performance Contract
☐ This project includes or will include piggyback contract(s), as defined in Section 1859.2
☐ Other: _____

Part XIII. Signed Grant Agreement

☐ The School District has already submitted the signed Grant Agreement for this project.

☐ The signed Grant Agreement for this project accompanies this Form.

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 School District as authorized by the governing board of the School District; and
- The site where buildings will be modernized or rehabilitated must comply with Education Code Sections 17212, 17212.5, and 17213; and,
- The grant amount provided by the State, combined with local matching funds or the Joint-Use Partner's financial contribution, are sufficient to complete the school construction project, unless the request is for a separate site and/or design apportionment; and,
- The School District has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This project for which the grant amount is provided complies with Education Code Sections 17070.50 and 17072.30; and,
- The School District shall certify at the time of a fund release for the project that it complies with Section 1859.90.4.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC). In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- If required by Labor Code Section 1771.7, the School District has initiated and enforced an LCP that has been approved by the DIR.
- If required by Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, DIR has or will perform the required Prevailing Wage Monitoring and Enforcement for the project, or the requirement is waived pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The School 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 OR JPA REPRESENTATIVE	DATE
NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER