

PROCEDURES
FOR THE
NONPUBLIC AGING SCHOOLS PROGRAM
(FISCAL YEAR 2015)
August 2014

These procedures are available for download at:

<http://www.pscp.state.md.us>

Applications for this program must be submitted online at:

<https://mdstatedepartmentofeducation.wufoo.com/forms/nonpublic-aging-schools-program/>

Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201-2595
410-767-0097
410-333-6522 FAX

Public School Construction Program
200 West Baltimore Street
Baltimore, Maryland 21201-2595

Email: barbara.bice@maryland.gov (after 8/11/14)

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PROCEDURES FOR THE NONPUBLIC AGING SCHOOLS PROGRAM (FISCAL YEAR 2015)

1. Introduction/Overview

The Maryland General Assembly is providing \$3.5 million in fiscal 2015 (July 1, 2014 – June 30, 2015) in grants for renovations and improvements to existing nonpublic school buildings.

Funds will be distributed to nonpublic schools eligible for the purchase of textbooks or computer hardware and software for loan to students (the textbook loan program) in fiscal 2015 for expenditures eligible under the fiscal 2015 Public School Construction Program (PSCP) Aging Schools Program.

Payment for work completed under this program will be through reimbursement to the grant recipient. No matching grant is required, but the nonpublic school shall be responsible for all project costs exceeding the amount of the grant.

New in FY15: Preliminary grant approvals will be announced in the fall 2014. Final grant approvals will be determined only after schools qualify for the fiscal 2015 textbook loan program, anticipated January 31, 2015.

New in FY15: Individual grant allocations will be based on the number of schools meeting certain criteria. Preliminary allocations will be established after all applications have been received and reviewed. If more eligible schools apply and qualify for grants than the total authorization, MSDE shall prorate the grants. Final allocations will be established only after schools qualify for the fiscal 2015 textbook loan program, anticipated January 31, 2015.

New in FY15: Grant recipients will have until June 30, 2016 to contract for approved project work.

2. Eligible Schools

Nonpublic schools participating in the Maryland State Department of Education (MSDE) Nonpublic Student Textbook Loan Program in fiscal 2015 (School Year 2014-2015) are eligible for this program.

School buildings and components of school building systems to be improved must have a minimum calculated age of 16 years at the time of the application.

New in FY15: The school must offer kindergarten and/or higher grades. Preschools are not eligible. For the purposes of this program, “preschools” means schools that generally enroll students ages 4 and below and do not provide formal kindergarten programs.

New in FY15: Nonpublic schools that participated in the fiscal 2014 (School Year 2013-14) textbook loan program and those that intend to apply for the fiscal 2015 (School Year 2014-2015) are eligible to apply for this program.

3. Eligible Aging Schools Projects

- a) Eligible projects are capital improvements to nonpublic school buildings and sites that, when completed, will protect the school building from deterioration, improve the safety of students and staff, and enhance the delivery of educational programs.
- b) Projects must be in buildings that are 16 years or older. Building system components to be replaced, such as boilers and roofs, must be 16 years or older.

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New in FY15: Security improvements in buildings less than 16 years are not eligible. An exception to the age requirement was made in fiscal 2014.

- c) Projects must have an estimated life expectancy of at least 15 years with normal maintenance.
- d) Individual projects do not have a minimum cost. Several separate, eligible projects may be requested in the same building to reach the total maximum grant allocation.

New in FY15:

- e) **Projects in buildings leased by nonpublic schools are eligible providing the school and the building owner sign an agreement assuring repayment to the State of the grant should the school cease occupancy of the building within the fifteen year bond period.**

4. Sample List of Projects Eligible for Reimbursement

- ADA accessibility modifications
- Asbestos and/or lead paint removal/abatement
- Bleacher repair/replacement (interior only)
- Carpeting replacement (only if new carpet carries 15 year warranty)
- Ceiling replacement
- Doors and/or windows replacement, including security hardware and devices
- Electrical system upgrades
- Elevator refurbishment or upgrades
- Energy conservation projects
- Fire protection system and/or components (replace and/or upgrade)
- Flooring materials (repair, replace, and/or refinish)
- Folding partitions (installation and/or replacement)
- Heating, Ventilating, and Air Conditioning (HVAC) systems and/or components
- Lighting systems and/or components
- Playground equipment
- Renovation projects, including security vestibule entries
- Roofing systems and/or components
- Site redevelopment
- Telecommunication (data, voice, and video) distribution systems (hard-wired), including safety and security systems, are eligible. Components must have a 15 year life expectancy.
- Underground fuel tanks (remove and/or replace)

5. Ineligible Projects and Expenditures

The following projects and expenditures are not eligible for this program:

- a) Projects in spaces used primarily for religious instruction, programs, and worship
- b) Projects in buildings used primarily for administration, maintenance, storage, or other non-instructional, ancillary services
- c) Projects for improvements to, or the movement of, temporary or portable classroom buildings

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- d) Expenditures to supplement an approved State allocation for a project
- e) Design, construction management, project management, testing, or inspection fees
- f) Salaries or wages paid to employees for project work
- g) Maintenance such as painting and repairing equipment
- h) Non-capital furnishings and equipment
- i) Supplies and materials

For more detailed information on project eligibility and ineligibility see Code of Maryland Regulations (COMAR) 23.03.02.11 and .12. *Board of Public Works, Public School Construction, Administration of the Public School Construction Program, Eligible Expenditures, and Ineligible Expenditures*. Go to www.dsd.maryland.gov/comar and search codification numbers.

6. Requirements for All Projects

- a) Grant recipients are encouraged to obtain MSDE project approvals before awarding a contract for the work.
- b) Contracts shall have been signed on or after June 1, 2014.
- c) All work shall be under contract by June 30, 2016.
- d) All work shall be completed and the request for reimbursement shall be submitted to MSDE/PSCP by December 1, 2016.
- e) Grant recipients shall consult with the Maryland Historical Trust (MHT) and determine the project will have no adverse effects on historic properties or shall identify measures to be taken to avoid and reduce such effects. A one page project review form is available on the MHT website. Go to "Resources for Project Review" at <http://mht.maryland.gov/projectreview.html>. Grant recipients are not required to submit a copy of the review form to MSDE.
- f) Grant recipients shall comply with State roofing policy on all roof projects. Go to *Roofing Policy*, www.dgs.maryland.gov/OFP/ProcedureManual/2012/RoofingPolicy.pdf.
- g) Grant recipients shall not contract with any individuals or firms suspended or debarred from work in Maryland. A list of suspended or debarred individuals or firms is available at www.bpw.maryland.gov/pages/debarments.aspx.
- h) Grant recipients are encouraged to comply with COMAR 23.03.03 – *Board of Public Works, Public School Construction, Construction Procurement Methods*, including competitive bidding processes.
- i) Grant recipients are encouraged to solicit and hire Maryland resident businesses.
- j) Grant recipients are encouraged to use the Maryland Correctional Enterprises for furniture and equipment needs. Go to www.mce.md.gov.

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- k) Grant recipients are encouraged to use energy conservation and green building technologies.
- l) Grant recipients are encouraged to solicit and hire minority-owned businesses certified by Maryland Department of Transportation (MDOT.)

7. Application Process

New in FY15: All nonpublic schools interested in participating in the program shall submit an online application. Applications must be received by the close of business Monday, September 15, 2014. Applications are available at:

<https://mdstatedepartmentofeducation.wufoo.com/forms/nonpublic-aging-schools-program/>

8. Application Review and Preliminary Approval Process

- a) MSDE shall review applications to confirm the eligibility of the school and the eligibility of the proposed project(s.)
- b) MSDE shall notify the school of the preliminary approval or disapproval of the application and the estimated maximum grant allocation.

New in FY15: Schools receiving preliminary approval may proceed with the work at their own risk. The earliest final grant allocations will be determined is January 31, 2015. Schools that do not qualify for the fiscal 2015 textbook loan program will not receive reimbursement for expenditures.

9. Final Approval Process

New in FY15:

- a) The MSDE Division of Student, Family, and School Support is expected to receive Letters of Intent to Participate, postmarked no later than December 31, 2014, and to announce eligibility for the fiscal 2015 textbook loan program no later than January 31, 2015.
- b) The MSDE Office of Business Services, School Facilities Branch shall confirm eligibility of the schools that received preliminary approval for the fiscal 2015 NASP in the fall 2014, confirm the maximum grant allocations and notify eligible schools.

10. Project Design and Approval Process

- a) No project design review or approval by MSDE or PSCP shall be required, except as described below.
- b) No further submissions to MSDE or PSCP are required until the project is complete.
- c) Exception: MSDE and PSCP reserve the right to review technical designs, specifications, and procurement documents if either agency determines it to be necessary. Schools will be notified as soon as such determination is made.

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11. Reimbursement Process

- a) Upon completion of the project and no later than December 1, 2016, the grant recipient shall submit a single, signed Request for Reimbursement to Nonpublic Schools (*IAC/PSCP Form 306.2, Revised for NASP*) with attachments.
- b) MSDE will review the reimbursement request for consistency with the approved project and grant allocation amount and for the required attachments.
- c) If the request is consistent and complete, MSDE will forward the request to PSCP Fiscal Services staff for final reviews and payment.
- d) If the request is inconsistent or incomplete, MSDE will notify the grant recipient to revise or complete the submission.
- e) PSCP will review the request for accuracy, inclusion of required documents, consistency among the documents, and required signatures and dates.
- f) If the request is approved, PSCP will provide a single payment to the grant recipient.
- g) If the request is not approved, PSCP shall notify school of reasons.

12. Appeals Process

Nonpublic schools may appeal the decision of MSDE and/or PSCP staff to the Designees of the Interagency Committee on School Construction (IAC). The IAC Designees are staff members of the Maryland Department of Education, the Maryland Department of Planning, and the Department of General Services authorized to act in place of the IAC member. To appeal a decision to the IAC Designees, submit a letter by U. S. Mail explaining the circumstances and any mitigating conditions to:

Dr. David Lever, Executive Director
Interagency Committee on School Construction
200 West Baltimore Street
Baltimore, Maryland 21201-2595

New in FY15: Nonpublic schools may appeal the decision of the IAC Designees to the IAC by submitting a similar letter to the Executive Director.

13. Audit Requirements

The grant award is subject to audit by the Public School Construction Program. Grant recipients shall maintain records for five years and make all records related to the program available for review and audit by the Public School Construction Program upon request.

14. Schedule

June 1, 2014 **Nonpublic ASP funds are available in PSCP budget**

August 2014 **MSDE School Facilities Branch releases procedures**

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August 5, 2014	MSDE/PSCP participates in State Superintendent's Nonpublic Schools Workgroup meeting to answer questions on program, application, and reimbursement process
September 15, 2014	Last day for nonpublic schools to submit applications for FY15 NASP <u>online</u>
Sept. – Dec. 2014	MSDE School Facilities Branch reviews applications, classifies requests, and prorates preliminary grant awards MSDE School Facilities Branch notifies schools of preliminary awards
December 31, 2014	Last day for schools to submit letters of intent to participate in fiscal 2015 textbook loan program to MSDE Division of Student, Family, and School Support
January 31, 2015	MSDE Division of Student, Family, and School Support notifies schools approved for the textbook program
February 2015	MSDE School Facilities Branch notifies schools of final FY15 NASP approvals
Sep 2014 – Jun 2016	Nonpublic school designs project and procures contract. (Schools that proceed to contract prior to final grant approval do so at their own risk.)
June 30, 2016	Last day for school to sign contract for project work
December 1, 2016	Last day for school to submit Request for Reimbursement Form to MSDE (All construction must be complete and all contractors fully paid)
January 2016	PSCP reimburses school up to the amount of the maximum grant award.

15. Budget Language

SENATE BILL 171 - 2014

DE02.01 BOARD OF PUBLIC WORKS

DE02.02 PUBLIC SCHOOL CONSTRUCTION (Statewide)

DE02.02(C) Nonpublic Aging Schools Program.....\$3,500,000

Provide funds to be distributed as grants to nonpublic schools in Maryland for expenditures eligible under the Aging Schools Program established in §5-206 of the Education Article, including school security improvements. Provided that grants may only be provided to nonpublic schools eligible to receive Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loan to students in eligible nonpublic schools), excluding preschools, in fiscal 2015 with a maximum amount of \$100,000 per eligible school. Further provided that:

- (a) an eligible school may apply and qualify for a grant as specified below based on the following criteria:*
 - (1) at least 20% of the school's students are eligible for the free or reduced price meal program;*
 - (2) tuition charged to students is less than the statewide average per pupil expenditure for public schools as calculated by the Maryland State Department of Education; and*

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- (3) the school has a facility with an average age of 50 years or more; and
- (b) if a school meets:
 - (1) all three of the criteria specified above, the school may receive up to \$100,000;
 - (2) two of the three criteria specified above, the school may receive up to \$75,000;
 - (3) one of the three criteria specified above, then the school may receive up to \$25,000; and
 - (4) none of the criteria specified above and the school has a school facility with an average age of 16 years or more, the school may receive up to \$5,000.

Further provided that if more eligible schools apply and qualify for grants than the total authorization, the Maryland State Department of Education shall prorate the grants based on the total authorization amount provided that \$250,000 shall be awarded to schools that qualify under subsection (b)(4) of this item. Further provided that the funds shall be administered by the Maryland State Department of Education and the Interagency Committee on School Construction.

16. Instructions for Forms

New in FY15: The Grant Application must be completed and submitted online. Other forms are available in .pdf format. The applicant may complete the forms online, but will need to print out the completed forms for signature and the record. Applicant must then transmit the signed forms in .pdf format to the MSDE School Facilities Branch.

Procedures and forms are available at: <http://www.pscp.state.md.us>

- a) Grant Application
The Grant Application must be completed online. The application includes a link to the Grant Assurances Form.
- b) Grant Assurances Form
The Grant Assurances Form may be completed online, but must be printed out and signed. The applicant shall upload the signed form to the Grant Application Form before submitting the online application.
- c) Request for Reimbursement to Nonpublic Schools (IAC/PSCP Form 306.2 Revised for NASP)
 - a. Complete school and contact information.
 - b. Complete payment information including contractor's name, invoice numbers, and amounts
 - c. Attach W-9 Form.
 - d. Attach copies of invoices.
 - e. Attach canceled checks (front and back).
 - f. Read and confirm assurance statement.
 - g. Sign and date completed form.
 - h. Transmit form with all attachments to the MSDE School Facilities Branch. (Please do not staple attachments.)

If the canceled checks required above are not available, the school may substitute the contractor's certification form below, or another third party verification statement, for canceled checks. Note: Copies of invoices are still required.

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- d) Contractor's Certification of Receipt of Payment (IAC/PSCP Form 306.2a Revised) (OPTIONAL)
1. Complete school information.
 2. Complete contractor's information.
 3. Obtain notarized signature of contractor.
 4. Mail original, notarized copy of form with complete Request for Reimbursement form and attachments to:

Maryland State Department of Education
School Facilities Branch, Room 204
200 West Baltimore Street
Baltimore, Maryland 21201-2595
ATTN: School Facilities Branch Chief

17. Contacts

For questions on **Nonpublic Aging Schools Program** and project eligibility, please contact Ms. Barbara Bice, MSDE School Facilities Branch Chief, at 410-767-0097 or by email to barbara.bice@maryland.gov.

For questions on **Nonpublic Aging Schools Program** funding reimbursement, please contact Ms. Sandra Ranieri, PSCP Administrative Specialist III, at 410-767-0102 or sandra.ranieri@maryland.gov.

INFORMATION NEEDED FOR ONLINE APPLICATION

1. Name and address of school and project building, if different
2. Grades taught
3. MSDE Advance Link Number, if known. (This is assigned by MSDE.)
4. Federal Taxpayer ID Number
5. County
6. Name, title, email, and telephone for two contact persons
7. Brief description of project
8. Proposed project start and completion dates
9. Estimated total project cost, funds available, estimated grant required
10. Student information: (Complete blank cells.)

CY = Calendar year SY = School year FY = Fiscal year		Projected	Actual (Historical)		
		CY 2014 SY 2014-15	CY 2013 SY 2013-14	CY 2012 SY 2012-13	CY 2011 SY 2011-12
A	Total enrollment as of September 30				
B	Number of students eligible for free or reduced price meal programs as of October 31				
C	Percentage of students eligible for meal programs (B/C)				

11. Tuition information: (Complete blank cells.)

FY = Fiscal year		Projected	Actual (Historical)		
		FY 2015 (7/1/14-6/30/15)	FY 2014 (7/1/13 – 6/30/14)	FY 2013 (7/1/12 – 6/30/13)	FY 2012 (7/1/11 – 6/30/12)
D	Total tuition revenue				
E	Tuition revenue per student enrolled (D/A)				

12. Construction dates and gross square footage of building: (Complete blank cells.)

GSF = Gross Square Feet	Original Construction		Renovated		Demolished		Total
	GSF	Date	GSF	Date	GSF	Date	GSF
Original							
Addition							
Addition							
Total							

GRANT ASSURANCES FORM

In my capacity as the _____ of _____, I hereby certify to the best of my knowledge, information, and intent:

1. The proposed project(s) is a capital improvement that when completed will protect the school building from deterioration, improve the safety of students and staff, and enhance the delivery of educational programs.
2. The project (s) is in a building 16 years of age or older. Building system components to be replaced are 16 years of age or older.
3. The proposed project(s) has an estimated life expectancy of at least 15 years with normal maintenance.
4. The proposed project(s) shall be under contract for construction by June 30, 2016.
5. All requests for reimbursement shall be submitted no later than December 31, 2016.
6. Funds will not be used for projects in spaces used primarily for religious instruction, programs, and worship.
7. Funds will not be used for projects in buildings that are primarily used for administration, maintenance, storage, or other non-instructional, ancillary services.
8. Funds will not be used for projects in or movement of temporary or portable classroom buildings.
9. Funds will not be used to supplement any other approved State allocation for the same project(s).
10. Funds will not be used for design, construction management, project management and testing or inspection fees.
11. Funds will not be used for salaries or wages to employees for project work, for maintenance, non-capital furnishings and equipment, or for supplies and materials.
12. The school is fully responsible for all costs in excess of the approved maximum grant allocation.
13. The school shall consult with the Maryland Historical Trust and determine the project will have no adverse effects on historic properties or will identify measures to be taken to avoid and reduce such effects.
14. The school shall comply with the State roofing policy on all roof projects.
15. The school shall not contract with any individuals or firms suspended or debarred from work in Maryland.

Signature: _____ Title: _____

Print Name: _____ Date: ____/____/____

REQUEST FOR REIMBURSEMENT TO NONPUBLIC SCHOOLS

NAME OF SCHOOL: _____ FEDERAL TAX ID: _____

PROJECT: _____ MSDE SCHOOL: 09 _____

CONTACT PERSON E-MAIL ADDRESS: _____

MAX. GRANT ALLOCATION: \$ _____ TOTAL PROJECT CONTRACTS: \$ _____

MAIL PAYMENT TO THE FOLLOWING ADDRESS:

I REQUEST REIMBURSEMENT FOR THE FOLLOWING PROJECT(S):

CONTRACTOR	INVOICE NUMBER	INVOICE DATE	DATE PAID	AMOUNT

TOTAL AMOUNT OF PROJECT CONTRACTS: _____

AMOUNT PAID BY SCHOOL/OTHER: _____

AMOUNT REQUESTED FROM STATE: _____

ATTACHMENTS REQUIRED: (Do not staple.)

1. IRS Form W-9
2. Copy of invoice from each contractor
3. Copy of canceled check to each contractor, front and back, showing bank endorsement stamp or original, notarized copy of Contractor's Certification of Payment (IAC/PSCP 306.2A) or third party (bank) statement

I hereby certify that this reimbursement request represents invoices that have been approved for payment by all school responsible persons, is for a project previously approved by the Maryland State Department of Education for funding under the Public School Construction Program/Nonpublic Aging Schools Program, is applicable to contractual arrangements approved by the school, has not been previously submitted for payment of reimbursement and payment of this amount has been made by this school to the applicable contractor(s) from funds other than tax-exempt bond proceeds.

 Signature of Nonpublic School Representative

 Date

CONTRACTOR’S CERTIFICATION OF RECEIPT OF PAYMENT FORM (OPTIONAL)

School may submit an original of this form with the Request for Reimbursement to Nonpublic Schools Form ONLY if cancelled check(s) or other documentation of payment is not available.

NAME OF SCHOOL: _____ FEDERAL TAX ID: _____

PROJECT: _____ MSDE SCHOOL: 09 _____

I hereby certify that payment in the amount of \$ _____, check number _____ dated _____, has been received from _____ and deposited to _____ (bank) on _____ (date) for capital improvements made to _____ (name of school/project).

Name of Contractor Firm

Authorized Signature

Date

NOTARIZATION

County _____, to wit:

I hereby certify that on this _____ day of _____ in the year of _____ before me, a Notary Public for said County, personally appeared _____ (name), and made oath in due form of law that he/she is _____ (title) of _____ (name of firm), and on behalf of said firm stated that the matters and facts set forth in the foregoing verification are true to the best of his/her knowledge, information and belief. He/she acknowledged that he/she executed the same purposes herein contained and that they had full authority to execute same.

As witness my hand and official seal:

NOTARY PUBLIC