



Aging Schools Program Administrative Procedures Guide

Interagency Commission on School Construction

Prepared January 2020

These procedures are available for download at: iac.maryland.gov

Applications for this program must be submitted online at: [SharePoint1](#)

200 W. Baltimore Street
Baltimore, MD 21201
(410) 767-2153

Table of Contents

Record of Changes

<u>Date</u>	<u>Version</u>	<u>Description</u>	<u>IAC Approval Date</u>
01/21/2020	2.0	Updated COMAR Reference; 10 Future Project Funding – revised review level submission requirements	Informational only

Contents

1. Background	1
2. Purpose	1
3. Allocations	1
4. Eligible Aging School Projects	1
5. Ineligible Projects/Expenditures.....	2
6. Application Process	2
7. Project Approval Process	3
8. Procurement/Contract Awards.....	4
9. Processing For Payment.....	5
10. Future Project Funding.....	6
11. Excerpt from COMAR 14.39.02 Regulations for the Administration of the PSCP	7
12. SharePoint Instructions	8

1. Background

Maryland's Aging Schools Program was established by legislation in 1997. Subsequent legislation extended and modified it. Funds are distributed in accordance with the Education Article §5-206(f)(2). Beginning with fiscal year 2010, funding for the Program was provided from proceeds of State general obligation bonds. Eligible projects were thereafter restricted to those having at least a 15-year anticipated lifespan.

The ASP is administered by the Interagency Commission on School Construction (IAC) in accordance with COMAR 14.39.02 *Regulations for the Administration of the Public School Construction Program*, .18 Aging Schools Program. The IAC approves expenditures and develops administrative procedures for the Program.

2. Purpose

The Aging Schools Program (ASP) provides State funds to all school systems in the State of Maryland to address the needs of their aging school buildings. These funds may be utilized for capital improvement projects in existing public school buildings and sites serving students. These funds may also be used to fund window air-conditioning units.

3. Allocations

1. Funding allocations for each Local Education Authority's (LEA) are set forth in Education Article §5-206(f)(2).
2. By May 1 of each year the IAC staff will disseminate information regarding the annual allocation available for each LEA and the program schedule.
3. State funds provided through the ASP do not require matching local funds. The LEA is required to have local funds available for the payment of cost in excess of the State allocation and ineligible project cost.

4. Eligible Aging School Projects

Eligible projects are capital improvements to public school buildings and sites that, when completed, would protect the school building from deterioration, improve the safety of students and staff, and enhance the delivery of educational programs. This listing of eligible items can be found in Attachment I - *Eligible Projects\Expenditures and Required Project Approvals*.

1. The amount of ASP funding requested must be at least \$10,000 and no more than the total State allocation for the LEA, except as allowed by Section E of this procedures guide, and there are no restrictions on the LEA providing additional funds for the project.

2. The building or building system improved by the project must have a minimum calculated age of 16 years at the time the funding request is submitted. Age will be calculated from the following:
 - a) Original occupancy date if never renovated, or;
 - b) Occupancy date following a complete renovation, or;
 - c) Average of original occupancy date and post-partial renovation occupancy date.
3. The school's utilization rate should be at least 60%; however, the LEA may submit documentation for approval justifying the project if the rate is less.

5. Ineligible Projects/Expenditures

Ineligible projects and expenditures are the same as those specified in COMAR 14.39.02.11, Regulations on the Administration of the Public School Construction Program, Ineligible Expenditures. The listing of ineligible expenditures can be found in Attachment II - *Excerpt from COMAR 14.39.02 Regulations for the Administration of the PSCP 11. Ineligible Expenditures*. Additionally, ASP funds may not be used:

- a) To increase the State or local share of a project;
- b) To supplement an approved State allocation for a project;
- c) For improvements to property owned by a board of education that is not used by public school students;
- d) For a contractual period exceeding one year;
- e) For improvements to or the movement of relocatable classroom buildings;
- f) For the establishment of a contingency account for change orders for any public school construction project.

Projects placed under contract before approval by the IAC are not eligible.

6. Application Process

1. The LEA shall submit the ASP application to the SharePoint portal for review and final approval by the IAC and preliminary approval by the designees using the ASP Application form located on <http://sp1.pscp.state.md.us>. Refer to the *Instructions for Submission of Aging Schools Program (ASP) Application to the PSCP SharePoint Portal* document for specific directions. The Instructions for Submission of ASP is located on the IAC website ([Aging Schools Program](#)).

- a) The project must be of a distinctive type in a single building and within the list of eligible expenditures shown in Attachment I - *Eligible Projects\Expenditures and Required Project Approvals*.
- b) The application should list the proposed projects in priority order and include one or two paragraphs describing in detail the existing conditions and the proposed scope of work including the determination of the applicability of the Emergency Shelter Compliance Process. The submission should also include:
 - i. The actual age of the building or building system improved.
 - ii. The number of units or square footage involved, if appropriate.
 - iii. A cost estimate for the project.
 - iv. The anticipated dates of commencement and completion of the work.
 - v. The method by which the work will be accomplished, e.g. competitive bids, existing open-ended contracts, or purchase orders.
 - vi. The category identified for design or specification services that will be utilized for the project, e.g. architect, engineer, consultant, staff.
- c) For those projects that would qualify as systemic renovations under the Capital Improvement Program, the same information required for CIP submissions is required for the ASP.
- d) The ASP list of projects may be submitted following a date specified by the IAC annually, and must be submitted at least 60 days before the end of the fiscal year for which funding is available.
- e) After projects are approved and assigned a PSC/ASP number, the LEA may determine that another project is of a higher priority. The LEA may then request a substitution for the previously approved ASP project. The request will be subject to review and approval as for all ASP projects.
- f) The cumulative cost estimate for the proposed projects may exceed the LEA's allocation by no more than ten (10) percent. The proposed work estimate may be adjusted upon request from the LEA at the time of contract award approval or approval of the purchase order. Funding is limited to the LEA's total annual allocation.

7. Project Approval Process

1. Requests from the school systems will be reviewed and processed as they are received. The following will be considered:
 - a) Type of work;
 - b) Age of the building or system;
 - c) Current CIP for other work planned at the facility;
 - d) The utilization rate of the school.

2. It is anticipated that projects will be approved within ten (10) working days of a complete submission. A PSC/ASP project number will then be assigned. A project can then proceed through the design and/or procurement process.
3. Attachment I - *Eligible Projects\Expenditures and Required Project Approvals* lists the levels of review required for eligible expenditures prior to advertising and bidding. The State may alter these requirements at its discretion. Failure to comply with these review requirements will result in the project being deemed ineligible for State funding. The submission requirements for projects that repair or replace components of a building system could be reduced during the initial review process.
4. The LEA will be required to provide an (IAC/PSCP Form 104.2) Environmental Assessment Form (<http://www.pscp.state.md.us/forms/apgindex.cfm>) to the State Clearinghouse if the project will change the footprint of the existing facility.
5. The Maryland Emergency Management Agency (MEMA) is to be consulted for each project that the LEA determines will be used for public shelter during a national, state, or local emergency event.
6. The Maryland Historical Trust (MHT) must be consulted on all projects for State funding, requiring standard review as set forth in the Programmatic Agreement. The LEA should review the MHT *Schools by Category* list for projects receiving State funding to determine if consultation with MHT is applicable to the requested project. The project review submission form is available at <http://mht.maryland.gov>. Contact Amanda Apple, Maryland Historical Trust at (410) 697-9533- or Amanda.apple@maryland.gov if you have any questions.

8. Procurement/Contract Awards

1. Procurements shall be in compliance with COMAR 14.39.03 *Construction Procurement Methods* as well as § 5-112 of the Education Article. State ASP funds may only be expended for projects which are placed under contract or procured after a PSC/ASP number is assigned and the project has proceeded through the required review process for the specific project type. Failure to comply with this requirement will result in the withholding of funds for that project. The school system may then substitute another project for review and approval.

The following will apply:

- a) **Projects which cost less than \$50,000** do not require IAC approval of the procurement and, generally, sealed bids are not required unless a local board of education policy or procedure has a dollar value that requires sealed bids.
- b) **Projects which cost at least \$50,000 but less than \$100,000 are required to be bid, consistent with Section 5-112 Bids of the Education Article.** IAC approval of contracts with a total cost of less than \$100,000 is not required prior to entering into the contract but is subject to State review at the time reimbursement is requested. A copy of the bid tabulation must be submitted with IAC/PSCP Form RE 4000 *Project Reimbursement/Expenditure Report* for the ASP project.
- c) **Projects which cost \$100,000 or more are required to be bid, consistent with Section 5-112 Bids of the Education Article.** IAC approval of the contract award is required prior to the

board of education entering into the contract. A copy of the bid tabulation with a copy of the low bidder's proposal must be submitted for State review and approval of the contract award.

2. An existing State or local contract which was previously competitively bid can be utilized for any project in the funding levels described above. The previously approved contract number, the bid date, and the expiration date of the contract should be submitted.
3. Projects over \$500,000 in which the State participation is more than 25% of the total contract value, can utilize an existing State or local contract, so long as verification is provided that prevailing wages are paid, in accordance with State Finance and Procurement Article §17-201 through §17-226.
4. The LEA must utilize its MBE procedures for all ASP project procurements. All requests for reimbursement must include a completed *Project Reimbursement/Expenditures Report, Minority Business Enterprise Participation Form* is located on the PSCP website: (<http://www.pscp.state.md.us/programs/asp/aspindex.cfm>).
5. Adherence to the MBE procedures is required for all ASP project procurements to ensure reimbursement at project completion. Projects with a construction value estimate in excess of \$50,000 are required to submit a *MBE Goal Setting Analysis* to PSCP, as specified in Subsection 5.d of the amended Section 4.0 *MBE Goals Setting Procedures*. For projects with a construction value in excess of \$200,000, the Form should also be sent to the Governor's Office of Small, Minority & Women Business Affairs (GOSBA). Any questions regarding MBE submissions should be direct to:

Interagency Commission on School Construction
200 W. Baltimore Street
Baltimore, MD 21201
Phone: 410-767-0617
Fax: 410-333-6522

6. A State school construction sign is required for ASP projects costing \$100,000 or more. These signs are available from the Maryland Correctional Enterprises (MCE) Sign Plant #111, C/O Patuxent Institution, Attn: Charles Behnke, Plant Manager, 7555 Waterloo Road, Jessup, MD 20794; their telephone number is (410) 799-5102. They may be ordered by faxing a purchase order to (410) 799-7911. The e-mail address for the Sign Shop is Charles.Behnke@maryland.gov. The Construction Sign mock-up is located on the PSCP website ([ASP website](#)).

9. Processing For Payment

1. Payment for work completed under the ASP will be through reimbursement to the school system. The State will provide a single payment to the school system at the completion of the project. Upon completion of the project, the school system should submit IAC/PSCP form RE 4000 *Project_Reimbursement/Expenditure Report* ([ASP documents and forms](#)) and IAC/PSCP form 306.4 page 3 *Certified Minority Business Enterprise Participation* ([ASP documents and forms](#)). Copies of cancelled checks and contractor's requisitions/invoices or paid purchase orders must accompany this form. If the contractor's requisitions/invoices do not provide a description of the type of work performed, a copy of the purchase order or contract shall be provided. No other financial reports or documentation need be submitted to process the reimbursement request. As with

all State-funded school construction projects, supporting documentation must be retained until future audit.

2. In lieu of submitting a copy of the cancelled check from the bank, the *Contractor's Certification of Receipt of Payment* (Attachment VII - IAC/PSCP form 306.2a) will be accepted to initiate reimbursement. It must be signed by the contractor and notarized. This form must accompany IAC/PSCP form RE 4000 – *Project Reimbursement/Expenditure Report*. Cancelled checks (originals) must be maintained by the LEA for subsequent review by PSCP auditors.
3. If the request for reimbursement differs from the amount specified in the initial submission, the school system must submit a brief explanation of the difference and specify the action requested by the school system. All requests for reimbursement shall be submitted 30 days prior to the end of the calendar year in which reimbursement is required.

10. Future Project Funding

1. If a public school building is renovated through the Capital Improvement Program within 15 years of the completion of an ASP project, the maximum State construction allocation for the renovation or limited renovation of the building shall be adjusted to account for the State's previous ASP allocation. Local funds expended for such improvements will not be deducted in future years from the maximum State construction allocation.

Resources:

Public School Construction Program (iac.maryland.gov)

SharePoint Portal (<http://sp1.pscp.state.md.us>)

ASP documents and forms

IAC/PSCP RE 4000 - Project Reimbursement/Expenditure Report

IAC/PSCP 306.4 - Project Reimbursement/Expenditure Report – Minority Business Enterprise Participation

IAC/PSCP 306.2 - Contractors Certification of Receipt of Payment

- All projects require State review, approval and the assignment of a PSC/ASP number prior to award of contract.
- Any project with a total cost of \$100,000 or more requires State approval of the contract award prior to proceeding.

Review level submission requirements are as follows:

0 – No review required by MSDE or DGS.

1 – Abbreviated educational specifications, schematic drawings, design development documents/construction documents required for MSDE/DGS review as applicable.

2 – Design development documents/construction documents required for DGS review.

3 – Construction documents required for DGS review.

ADA accessibility (interior/exterior) 3

Asbestos and/or lead paint removal/abatement.....	4
Bleacher repair and/or replacement	4
Building renovations (interior/exterior)	2
Carpeting with a 15 year warranty (installation/replacement with VCT).....	4
Ceilings (replacement)	4
Communication systems (telephone and/or public address)	4
Career Technology Education program facilities.....	1
Doors and/or windows (interior/exterior)	3
Electrical systems.....	3
Elevators	3
Energy conservation projects.....	3
Fire protection systems and/or components (alarms and/or sprinklers)	3
Flooring materials (repair, replace and/or refinish).....	4
Folding partitions (installation/replacement).....	4
Heating, ventilating, air conditioning systems and/or components.....	3
Kindergarten/prekindergarten facilities.....	1
Lighting systems and/or components	3
Masonry work and/or components.....	4
Playground equipment.....	4
Plumbing, water, and/or sewer lines and fixtures	4
Renovation projects (related to educational programs/services)	1
Roofing systems and/or components.....	3
Science facilities (middle or high school).....	1
Security improvements.....	4
School Library facilities	1
Site redevelopment.....	3
Underground fuel tanks (remove and/or replace)	4
Wiring schools for technology (voice, video, & data)	3

ADDITIONAL NOTE:

Other projects will be reviewed for eligibility on a case-by-case basis, and required submittals will be specified.

11. Excerpt from COMAR 14.39.02 Regulations for the Administration of the PSCP

1. Ineligible Expenditures.

The following expenditures are ineligible for State funding:

- A. Site acquisition;
- B. Offsite development costs except those listed as eligible in Regulation .10 of this chapter;
- C. Architecture, engineering, or other consultant fees;
- D. Master plans, feasibility studies, programs, educational specifications, or equipment specifications;

- E. Projects proposed in buildings or portions of buildings that have been constructed or renovated within 15 years, except that a building or portion of a building in which a limited renovation was performed is eligible for additional work within 15 years of the date that the limited renovation construction was completed;
- F. Systemic renovation projects to replace, upgrade, or renovate building systems that have been replaced, upgraded, or renovated within 15 years.
- G. Ancillary construction costs such as:
 - (1) Permits;
 - (2) Test borings;
 - (3) Soil analysis;
 - (4) Bid advertising;
 - (5) Water and sewer connection charges;
 - (6) Topographical surveys;
 - (7) Models;
 - (8) Renderings; or
 - (9) Cost estimating;
- H. Leasing school facilities except as provided in COMAR 14.39.05;
- I. Construction inspection services;
- J. Relocation costs for site occupants;
- K. Salaries of local employees;
- L. Construction of administrative or support facilities, including regional or central administrative offices, warehousing, resource, printing, vehicle storage, and maintenance facilities;
- M. Movable equipment, furnishings, and artwork as defined by the IAC;
- N. Maintenance; and*
- O. Temporary storage.

*** NOTE: ITEM N. MAINTENANCE IN COMAR 14.39.02.18 IS ELIGIBLE UNDER THE AGING SCHOOLS PROGRAM**

In any case, where a local board desires to proceed with a capital improvement project, or part thereof, which is ineligible for State funding, the Commission, shall determine the added cost to the approved project generated by the ineligible aspects, and the local board may proceed with the project but without State funding for the added cost.

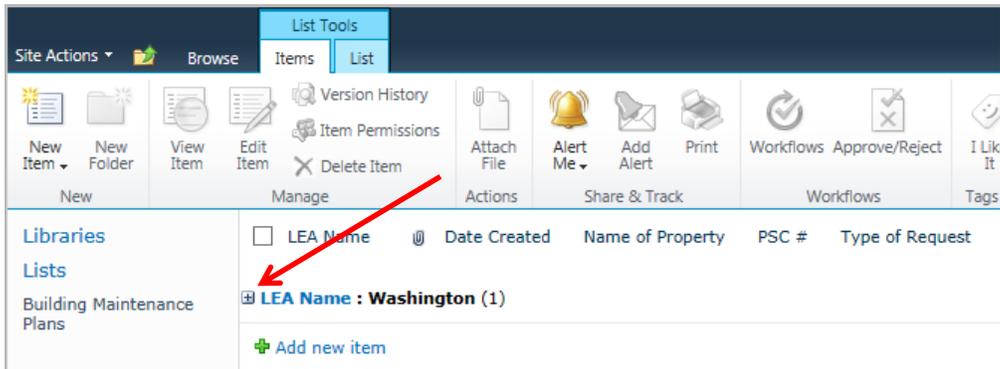
12. SharePoint Instructions

1. When possible, provide single sentence description or less.
2. Enter the username and password provided by IAC Staff.

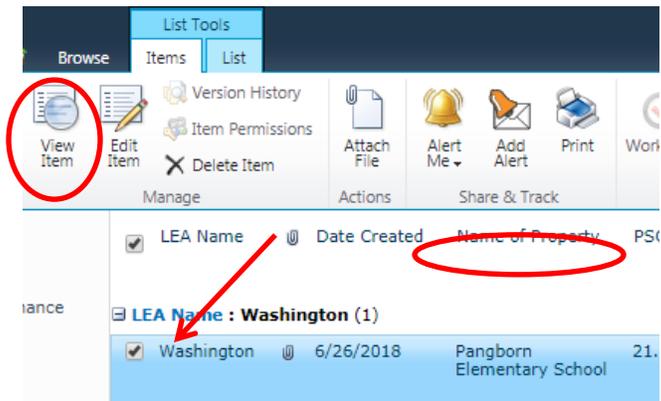


3. Provide picture for each step if possible. See an example in the next step.

4. Click the  sign next to the correct LEA name to open a list of submissions



5. Highlight pictures by underlining, circling or using pointer arrows. Shape should always be 2 pt width at minimum in red text unless another color would be more appropriate in picture.



6. Refer to Process Document Naming List to determine what the next available number is for naming/numbering a controlled document.

END OF DOCUMENT

Procedures prepared by:

Interagency Commission on School Construction

200 West Baltimore Street

Baltimore, MD 21201

iac.maryland.gov

iac.msde@maryland.gov