

IAC MEETING AGENDA

Thursday, August 11, 2022

Virtual Meeting
9:00 a.m.

Live and archived streams of IAC meetings are available at <https://mdschoolconstruction.org>
Please visit <https://mdschoolconstruction.org> to sign up for public comment.

Introduction

- Meeting called to order
- Roll Call
- Revisions to the Agenda
- Public Comment

		Presenter	Page
1	Consent Agenda	Alex Donahue, Acting Executive Director	
	A. Approval of July 14, 2022 Minutes		2*
	B. Contract Awards		7*
	C. Approval of Revisions to Previously Approved Contracts		8*
	D. Project Closeouts		9*
	E. Harford County Homestead/Wakefield Elementary School CIP/BTL Computation Worksheet Revision		13*
	F. Wicomico County Mardela Middle High School CIP/BTL Computation Worksheet Revision		15*
	G. Baltimore County Request to Rescind Local Planning for Bedford Elementary		17*
	Informational		
	H. Informational Facility Status Changes		19
	I. Built to Learn Act Project Status Report		20
2	COMAR Revisions	Cassandra Viscarra, Deputy Director for Administration	22*
3	Pass-Through Grant Administrative Procedures Guide Revisions	Cassandra Viscarra, Deputy Director for Administration	24*
4	Healthy School Facility Fund Administrative Procedures Guide Revision	Arabia Davis, Funding Program Manager	31*

Announcements

DRAFT Meeting Minutes – July 14, 2022

Call to Order:

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:01 a.m.

Members in Attendance:

Edward Kasemeyer, Appointee of the President of the Senate, Chair
Secretary Ellington Churchill, Department of General Services, Vice-chair
Michael Darenberg, Appointee of the Governor
Linda Eberhart, Appointee of the Speaker of the House
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Secretary Robert S. McCord, Maryland Department of Planning

Members Not in Attendance:

Superintendent Mohammed Choudhury, Maryland State Department of Education
Dick Lombardo, Appointee of the Governor

Revisions to the Agenda:

There were no revisions to the agenda.

Public Comment:

Joseph Jakuta, Lead Volunteer for the Climate Parents of Prince George's County, requested that the Commission consider updates to the Code of Maryland Regulations (COMAR) and the IAC Administrative Procedures Guide (APG) to make it clear that the full life cycle costs and energy usage are to be part of the basis for selecting a design and that the design submissions must show how a building will be net-zero by 2045 in line with Climate Solutions Now Act.

IAC Correspondence:

There was no IAC correspondence.

1. Consent Agenda – [Motion Carried]

Upon a motion by Ms. Eberhart, seconded by Secretary McCord, the IAC voted unanimously to approve the consent agenda.

A. Approval of the June 8, 2022 Minutes

To approve the minutes of the June 8, 2022 Interagency Commission on School Construction Meeting.

B. Summary of Contract Awards

To approve contract procurement as presented.

C. Project Closeouts

To approve the final State project costs as presented and to remove the projects from the active project detailed financial report.

D. Approval of Property Transfer – Baltimore City – Former West Baltimore Middle School Disposal

To approve the transfer of the former West Baltimore Middle School (Building #80), 201 N. Bend Road, Baltimore, MD, 21229, from the Baltimore City Public Schools Board of Commissioners (BOC) to the Mayor and City Council of Baltimore, as approved by the BOC on January 11, 2022, and in accordance with the Memorandum of Understanding for the Construction and Revitalization of Baltimore City Public Schools dated December 2016, with the agreement that the city government will reimburse the state the outstanding bond debt service in the amount of \$1,972,850.05, by the scheduled dates that will be determined by the State Treasurer's Office. The Baltimore City Government shall obtain approval of the Interagency Commission before transferring any right, title, or interest to any portion of the property.

E. Delegated Program Extension Requests - [Informational Only]

F. Baltimore City E15M Report – [Informational Only]

G. Informational Facility Status Changes – [Informational Only]

H. Built to Learn Act Project Status Report – [Informational Only]

2. Baltimore City Gilmore School Transfer Amendment – [Motion Carried]

Heidi Dudderar, Assistant Attorney General for the IAC, presented two motions to address a change in circumstance related to the closure and transfer of the Gilmore Elementary school building in Baltimore City. On August 22, 2019, the IAC approved the closure and transfer of the Gilmore Elementary school building to the Baltimore City government. When a closure and transfer occurs, the local government is required to reimburse the State for the outstanding State bond debt related to the building, but not in cases when the building continues to be used as a public school. After the approval of closure and transfer, the city government leased the building to New Song Academy, a public charter school, on October 27, 2021 prior to receiving the required IAC approval to lease the property. Commission members asked if the IAC staff reviewed the lease. IAC staff confirmed they have reviewed the lease with no notes of concern and that while the property transfer or rental of the property is required to be approved by the IAC, the lease agreement is not.

Upon a motion by Ms. Eberhart, seconded by Secretary Churchill, the IAC voted unanimously to amend the action of the IAC on August 22, 2019, approving the closure and transfer of Gilmore Elementary School by the Baltimore City Board of School Commissioners to the Mayor and City Council of Baltimore, to suspend the obligation of the City government to reimburse the State the outstanding bond debt service for so long as the building is used as a public school building, including a public charter school authorized under the laws of Maryland. This action does not affect the IAC's prior approval of the closure and transfer of the building from City Schools to the City government, nor the City government's obligation to obtain approval of the IAC before transferring any right, title, or interest to any portion of the property.

Upon a motion by Ms. Eberhart, seconded by Mr. Gibbons, the IAC voted unanimously to approve a request by the Mayor and City Council of Baltimore to lease the former Gilmore Elementary School building, located at 1311 N. Gilmore St., Baltimore, MD 21217, to New Song Community Learning Center, Inc., the operator of a public charter school known as New Song Academy, which entered into a Charter School Agreement with the Baltimore City Board of School Commissioners effective July 1, 2020 through June 30, 2025. This approval will be retroactive to the date of the lease entered into on

October 27, 2021, by and between the Mayor and City Council of Baltimore and the New Song Community Learning Center, Inc. The lease has a term of 25 years and New Song Community Learning Center, Inc. has the option of three (3) successive 5-year extensions.

3. Enhanced Approval Package – Frederick Douglass - Joseph Briscoe High Schools – [Motion Carried]

Gricel Muñoz, IAC Regional Facility Manager, presented Baltimore City's request to conditionally approve the Enhanced Approval Package (EAP) for the Frederick Douglass-Joseph Briscoe Renovation and Addition Project under the 21st Century Schools Buildings (21CSB) Program. The project was originally submitted to be a Built to Learn (BTL) project but in January 2022, Baltimore City informed the IAC of plans to submit the project under 21CSB. The IAC has not received a clear board-approved amendment to the 10-year plan or plan amendments to add Douglass-Briscoe under the 21CSB program MOU procedures. Contingent upon this item, the IAC staff recommends the conditional approval of the EAP for Douglass-Briscoe to allow the design procurement processes to move forward as scheduled.

Upon request from Commission members on further explanation on the transition from BTL to 21CSB, Alex Donahue, Acting Executive Director, explained that the project was approved in August 2021 by the Baltimore Board of School Commissioners (BOSC) as a BTL project and proceeded as such until plans were changed to include it in 21CSB. Mr. Donahue also noted that IAC staff had received some new information from City Schools the day prior to the IAC meeting and are assessing the submission to determine whether or not it satisfies this condition. The project was originally part of a package of five high schools approved in January 2020 for feasibility studies to be funded through the 21CSB program but not approved at that time for design or construction. The Maryland Stadium Authority and Baltimore City are working together to provide documentation to support approval of this project as a 21CSB project.

Upon a motion by Ms. Eberhart, seconded by Mr. Gibbons, the IAC voted unanimously to approve the Enhanced Approval Package (EAP) for Frederick Douglass-Joseph Briscoe Renovation and Addition Project under the 21st Century Schools Buildings (21CSB) Program, contingent upon approval of a 10-year plan amendment by the BOSC to add Douglass-Briscoe as a Renovation and Addition Project under the 21CSB Program per the MOU process and procedures. A tentative approval date is to be determined by City Schools.

4. FY 2024 Cost Per Square Foot for School Construction – [Motion Carried]

Tom Lockman, IAC Chief Financial Officer, presented the proposed FY 2024 Statewide per-square-foot school construction costs which were an increase of 7.5% from the FY 2023 figures. IAC Staff consulted several State projects from the previous year and industry resources in determining FY 2024's recommended cost. Commission members requested the average increase of costs over the last 5 years; IAC staff explained that the average cost increases range between 3% to 4.5% and that 7.5% was the highest increase in recent years. Commission members further requested the ability that the IAC has to compare bids from previous years. IAC staff explained the process that was used to calculate the FY 2024 costs, staff reviewed projects in the first half of FY 2022 which were close to 4% higher than the previous year, and reviewed the second half of FY 2022 and found costs that were higher than 7.5%. The presented costs are conservative calculations because it is projected that supply and material costs will decrease over the next several months and the IAC has flexibility to approve project specific cost increases.

Upon a motion by Ms. Eberhart, seconded by Secretary Churchill, the IAC voted unanimously to adopt the FY 2024 Statewide per-square-foot school construction costs of \$385 for building only and \$458 for building with site development work.

5. FY 2024 CIP Timeline – [Informational Only]

Arabia Davis, IAC Funding Programs Manager, presented the statutory dates that determine the timeline for the annual Capital Improvement Program application cycle.

6. FY 2023 School Safety Grant Program - [Motion Carried]

Ms. Davis presented the proposed FY 2023 School Safety Grant Program (SSGP) Memorandum of Understanding (MOU) with the Maryland Center for School Safety (MCSS) and the Notice of Funding Availability for IAC approval. In FY 2022, budgetary languages transitioned the administration of SSGP from the IAC to MCSS. In FY 2023, the administration was reverted back to the IAC. To maintain consistency and allow each organization to focus on their areas of expertise, the IAC staff recommends delegating administration of SSGP to MCSS in consultation with the IAC. Commission members requested information on how much of the \$10 million allocated to SSGP each year is used; IAC staff explained that on average 90% of the funds are used each year. There was \$1 million unexpended in FY 2022 and \$700,000 unexpended in FY 202. Staff are currently examining if the application period for those program funding years will be extended to allow the allocation of the remaining funds or if the funding will rollover to FY 2023.

Upon a motion by Ms. Lawlah, seconded by Mr. Gibbons, the IAC voted unanimously:

1. To delegate to the Maryland Center for School Safety (MCSS), in consultation with IAC staff for the purposes of determining project eligibility, authority to administer the FY 2023 School Safety Grant Program (SSGP) and grant extension requests for FY 2023 SSGP projects;
2. To approve the SSGP Notice of Funding Availability, pending non-substantive edits by MCSS and IAC staff;
3. To direct MCSS to solicit SSGP projects from LEAs and the Maryland School for the Blind with a maximum total FY 2023 allocation of \$10 million and available prior year funding;
4. To allocate funding as presented in this item to each LEA based on a combination of their proportion of total 2021 enrollment and their proportion of total facility square footage, with every LEA receiving a minimum allocation of \$200,000;
5. To authorize the Chair to execute the Memorandum of Understanding between the IAC and MCSS, pending non-substantive edits by MCSS and IAC staff.

7. Proposed COMAR Amendments - [Motion Carried]

Cassandra Viscarra, IAC Deputy Director for Administration, presented the proposed new regulations of the Educational Facilities Sufficiency Standards into COMAR. In May 2018, the IAC adopted these standards that establish acceptable minimum levels for the physical attributes, capacity, and educational suitability of existing schools and were used as the basis for the baseline Statewide Facilities Assessment that finished last September. With the completion of the baseline assessment, the next progressionary step is to codify these standards into COMAR.

Upon a motion by Mr. Gibbons, seconded by Secretary Churchill, the IAC voted unanimously to approve a new regulation, COMAR 14.39.07, as presented in this item and to authorize staff to make additional technical edits as necessary. The proposed COMAR revisions will be published in the

Maryland Register and will be open for public comment for a period of at least 30 days before returning to the IAC for final approval.

8. Executive Session – [Motion Carried]

Pursuant to § 3-305(b)(1) of the General Provisions Article, Annotated Code of Maryland, and with unanimous agreement by all members present, the Interagency Commission met in closed session on Thursday, July 14, 2022 to discuss personnel matters. All members were present at the closed session with the exception of Superintendent Choudhury and Mr. Lombardo. Also in attendance were Ms. Dudderar and Ms. Viscarra. The Executive Session commenced at 9:38 a.m.

The Executive Session concluded at 9:58 a.m. Chair Kasemeyer explained that the closed session was to receive an update from the Executive Director Selection Committee.

Announcements:

None

Adjournment:

Upon a motion by Secretary McCord, with a second by Mr. Darenberg, the IAC voted unanimously to adjourn the meeting at 10:00 a.m.

DRAFT

Item 1B. Summary Of Contract Awards

This item was unavailable at the time of publication. This agenda will be republished to include the final item before the August 11, 2022 IAC Meeting.

Item 1C. Approval of Revisions to Previously Approved Contracts

Motion:

To approve revisions to two previously approved contract awards to accurately reflect the correct allocation amount and reversion for the Gaithersburg Elementary School #8 new construction contract and to correct the contractor name for the Choptank Elementary School roof/HVAC materials contract.

Background Information:

June 8, 2022 - Approval of Contracts

Montgomery County

Gaithersburg Elementary School #8

PSC# 15.280.22 LP/C EGRC

Project Type: Construction – New

Correct allocation amounts to \$8,493,290 from \$4,997,170.

Revert \$231,710 to Montgomery County's reserve account due to the total contract allocation being capped at 24.99% due to prevailing wage rates not being utilized.

July 14, 2022 - Approval of Contracts

Choptank Elementary School

PSC #09.016.22 HSFF

Project Type: Systemic Renovation - Roof/HVAC Replacement -Materials-

Correct contractor name to The Garland Company from Apex Business Solutions, LLC.



Item 1D. Project Closeouts

Motion:

To approve the final State project costs as presented and to remove the projects from the active project detailed financial report.

Background Information:

The projects identified in the attached report are complete and reimbursed. IAC staff recommends that the IAC approve the final State allocation, contract, and expenditure amounts as presented. This action by the IAC allows the projects to be removed from the active project detailed financial reports.



INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION (IAC)
PUBLIC SCHOOL CONSTRUCTION PROGRAM
REPORT OF ACTIVE STATE CIP PROJECTS FOR CLOSEOUT
As of August 02, 2022

PROJECT NAME		CIP YEAR(S)	ALLOCATION	CONTINGENCY	CONTRACTED/		EXPENDITURES/		UNCONTRACTED	UNEXPENDED	DATE	# OF MONTHS	PROJECT					
PSC - #PID	PROJECT TYPE	IAC DATE			% CONTRACTED	% EXPENDED	% ALLOCATION	% CONTRACT			OF LAST	SINCE DATE OF						
STATUS																		
Montgomery County																		
Kemp Mill Elementary - SR-Roof 15.227.2020/2020EGRC -#10,109		2020 01/1900	\$274,890	\$0	\$274,890	100%	\$274,890	100%	\$-	\$-	09/2020	02/2021	18	<div><div></div><div></div><div></div><div></div></div>				
◆IAC received Form 306.6 Closeout summary on 07/12/22, pending staff action.																		
Richard Montgomery High - C-Replacement 15.005.2004/2006/2007 -#6,552		2006 LP 2006, 2007	\$28,205,553	\$0	\$28,205,553	100%	\$28,205,553	100%	\$-	\$-	05/2016	04/2008	172	<div><div></div><div></div><div></div><div></div></div>				
◆IAC received Form 306.6 Closeout summary on 08/05/15, pending staff action.																		
Rosemont Elementary - SR-Roof 15.203.2020/2020EGRC -#10,110		2020 07/2019	\$199,200	\$0	\$199,200	100%	\$199,200	100%	\$-	\$-	02/2021	03/2021	17	<div><div></div><div></div><div></div><div></div></div>				
◆IAC received Form 306.6 Closeout summary on 07/12/22, pending staff action.																		
3 Active Projects		Montgomery County Total		\$28,679,643	\$0	\$28,679,643	\$28,679,643		\$0	\$0	3 Projects ready to Close							

Project Status:
● LP Approved ● Project Allocated ● Project contracted ● Project Expended ● Project %Contracted and %Expended =100%, Months since last expenditure is greater than 12. Submission of Form 306.6 is due.



INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION (IAC)
PUBLIC SCHOOL CONSTRUCTION PROGRAM
REPORT OF ACTIVE STATE CIP PROJECTS FOR CLOSEOUT
As of August 02, 2022

PROJECT NAME		CIP YEAR(S)	ALLOCATION	CONTINGENCY	CONTRACTED/		EXPENDITURES/		UNCONTRACTED	UNEXPENDED	DATE	# OF MONTHS	PROJECT					
PSC - #PID	PROJECT TYPE	IAC DATE			% CONTRACTED	% EXPENDED	% ALLOCATION	% CONTRACT			OF LAST	SINCE DATE OF						
ACTION																		
EXPENDITURE																		
STATUS																		
Prince George's County																		
Fairmont Heights High - C-Renovation		0 LP	\$2,394,985	\$0	\$2,394,985	100%	\$2,394,985	100%	\$-	\$-	04/2006	06/2006	194	<div><div></div><div></div><div></div><div></div></div>				
16.096.1999/2000/2002 -#5,110		2001																
		03/2000																
◆IAC received Form 306.6 Closeout summary on 07/06/22, pending staff action.																		
Gladys Noon Spellman Elementary - SR-Elevator		2017	\$115,247	\$0	\$115,247	100%	\$115,247	100%	\$-	\$-	03/2018	03/2020	29	<div><div></div><div></div><div></div><div></div></div>				
16.107.2017 -#9,635		07/2016																
◆IAC received Form 306.6 Closeout summary on 07/12/22, pending staff action.																		
2 Active Projects		Prince George's County Total		\$2,510,232	\$0	\$2,510,232	\$2,510,232	\$0	\$0	2 Projects ready to Close								

Project Status:
● LP Approved ● Project Allocated ● Project contracted ● Project Expended ● Project %Contracted and %Expended =100%, Months since last expenditure is greater than 12. Submission of Form 306.6 is due.



INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION (IAC)
PUBLIC SCHOOL CONSTRUCTION PROGRAM
REPORT OF ACTIVE STATE CIP PROJECTS FOR CLOSEOUT
As of August 02, 2022

SUMMARY OF STATEWIDE TOTALS

	ALLOCATION	CONTINGENCY	CONTRACTED/ % CONTRACTED	EXPENDITURES/ % EXPENDED	UNCONTRACTED ALLOCATION	UNEXPENDED ALLOCATION	DATE OF LAST CONTRACT ACTION	# OF MONTHS SINCE DATE OF LAST EXPENDITURE	PROJECT STATUS
<u>5</u> Active Projects Statewide Totals	\$31,189,875	\$0	\$31,189,875	\$31,189,875	\$0	\$0		<u>5</u> Projects Ready to Close	

This report includes by project the State portion of the allocation, contract and expenditures.
The data is extracted from the Capital Financial Accounting System (CFAS).
Please report any discrepancies to:
iac.pscp@maryland.gov

Project Status:
● LP Approved ● Project Allocated ● Project contracted ● Project Expended ● Project %Contracted and %Expended =100%, Months since last expenditure is greater than 12. Submission of Form 306.6 is due.

Item 1E. Harford County Homestead-Wakefield Elementary School CIP/BTL Computation Worksheet Revision

Motion:

To approve the revision of the Capital Improvement Program/Built to Learn computation worksheet for the FY 2023 Homestead/Wakefield Elementary School Replacement Project (PSC#12.022.22LP/C).

Background Information:

The Homestead/Wakefield Elementary School Replacement Project maximum state construction allocation was approved by the IAC at the November 18, 2021 meeting with a construction cost of \$341 per square foot that was established for the purposes of Planning Approval in FY 2022; however, at the time of funding, the computation worksheet was inadvertently not updated to reflect the applicable FY 2023 construction cost of \$358 per square foot. The attached worksheet applies the FY 2023 cost per square foot to correct the maximum state construction allocation from \$31,454,000 to \$36,168,000.



**STATE OF MARYLAND - CAPITAL IMPROVEMENT PROGRAM / BUILT TO LEARN
COMPUTATION SUPPLEMENTAL WORKSHEET
For Estimating the State Allocation for FY 2023**
(Amounts rounded to the nearest 1,000)

PSC No.:	12.022					Priority #	1 (F)
Project Type:	Replacement	Homestead/Wakefield Elementary				CIP and BTL Project	BTL/CIP

GROSS AREA BASELINE in GSF	Educ. Type	Estimated Approved Projected Enrollment*	GSF per student**	Total GSF	Construction Cost	State Share
						63%
	Elementary	1,066 x	105.00 =	111,930		
	Special ED Elem	30 x	75.00 =	2,250		
				114,180		

ADDITION						
New GSF	114,180 x	358.00			\$ 40,876,000	\$ 25,752,000
Cooperative-Use Space (GSF)	3,000 x	358.00			\$ 1,074,000	\$ 677,000
Site Development	x	19%			\$ 7,971,000	\$ 5,022,000
Design Cost	x	10%			\$ 4,992,000	\$ 3,145,000
Furniture, Fixtures and Equipment	x	5%			\$ 2,496,000	\$ 1,572,000
					\$ 57,409,000	\$ 36,168,000

RENOVATION						
Age of Structure	Construction Year	GSF to be Renovated	GSF	Percentage to be Covered	Cost	
40 & older		0 x	358.00 x	100% =	0	
31-39		0 x	358.00 x	85% =	0	
26-30		0 x	358.00 x	75% =	0	
21-25		0 x	358.00 x	65% =	0	
16-20		0 x	358.00 x	50% =	0	
0-15		0 x	358.00 x	0% =	0	
		0			0	
					\$ -	\$ -
Cooperative-Use Space (GSF)		x	358.00		\$ -	\$ -
Site Development			5%		\$ -	\$ -
Design Cost			10%		\$ -	\$ -
Furniture, Fixtures and Equipment			5%		\$ -	\$ -
					0	\$ -

TOTAL COST	\$ 57,409,000	\$ 36,168,000
<i>Less Prior State Funds for Related Projects</i>		
MAXIMUM STATE CONSTRUCTION ALLOCATION		\$ 36,168,000
<i>Less CIP Allocations for the Project</i>		
ADJUSTED MAXIMUM STATE CONSTRUCTION ALLOCATION		\$ 36,168,000
<i>Less CIP Allocations for the Project</i>		
BALANCE		\$ 36,168,000

Additional Notes: The "Net State Funding" on this worksheet is an estimate of the maximum State allocation for this project, but may be reduced based on the costs of the approved contract(s), ineligible items, and change orders. Project consists of 140,289 sf new construction and demolition of the entire existing 115,458 sf facility per CIP request.	Date Planning Approved: 05/21 - FY '22 Date Previously Revised: 02/10/22 Date of State Approval: 08/11/22
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Item 1F. Wicomico County Mardela Middle High School CIP/BTL Computation Worksheet Revision

Motion:

To approve the revision of the Capital Improvement Program/Built to Learn computation worksheet for the FY 2023 Mardela Middle High School project (PSC#22.018.22/23LP/C).

Background Information:

On February 10, 2022, the Interagency Commission on School Construction (IAC) approved a maximum state construction allocation of \$52,784,000 for the Mardela Middle High School Renovation/Addition project. On July 28, 2022, the Wicomico County Public School System submitted a request to the IAC to modify the approved allocation by incorporating Furniture, Fixture, and Design Funding into the project budget, which increases the State's commitment by \$2.15 million. The LEA acknowledged that the exclusion of the funding for FF&E was an oversight. IAC Staff recommends that the total maximum state construction allocation increase to \$54,935,000, as indicated on the attached worksheet.



STATE OF MARYLAND - CAPITAL IMPROVEMENT PROGRAM / BUILT TO LEARN
COMPUTATION SUPPLEMENTAL WORKSHEET
For Estimating the State Allocation for FY 2023
(Amounts rounded to the nearest 1,000)

PSC No.:	22.018		Priority #	1 (F)			
Project Type:	Renovation/Addition	Mardela Middle/High	CIP and/ or BTL	CIP/BTL			
GROSS AREA BASELINE in GSF		Educ. Type	Estimated Approved Projected Enrollment*	GSF per student**	Total GSF	Construction Cost	State Share
		Middle	339	x 145.00	=	49,155	100%
		High	430	x 160.00	=	68,800	
		Special ED High	10	x 40.00	=	400	
		CTE	20	x 50.00	=	1,000	
						119,355	
0%	GSF Above GAB			*		-	
ADDITION							
	New GSF	36,735	x	\$358.00		\$ 13,151,000	\$ 13,151,000
	GSF Above GAB Per Statute			\$358.00		\$ -	\$ -
	Cooperative-Use Space (GSF)	3,000	x	\$358.00		\$ 1,074,000	\$ 1,074,000
	Site Development		x	19%		\$ 2,703,000	\$ 2,703,000
	Design Cost		x	10%		\$ 1,693,000	\$ 1,693,000
	Furniture and Fixtures		x	5%		\$ 846,000	\$ 846,000
						\$ 19,467,000	\$ 19,467,000
RENOVATION							
	Age of Structure	Construction Year	GSF to be Renovated	GSF	Percentage to be Covered	Cost	
	40 & older	1958/1967/1977/1979/1981	82,620	x \$ 358.00	x 100%	= \$ 29,577,960	
	31-39			x \$ 358.00	x 85%	= \$ -	
	26-30		0	x \$ 358.00	x 75%	= \$ -	
	21-25		0	x \$ 358.00	x 65%	= \$ -	
	16-20		0	x \$ 358.00	x 50%	= \$ -	
	0-15		0	x \$ 358.00	x 0%	= \$ -	
			82,620			\$ 29,577,960	
	Cooperative-Use Space (GSF)		x	\$358.00		\$ -	\$ -
	Site Development			5%		\$ 1,479,000	\$ 1,479,000
	Design Cost			10%		\$ 3,106,000	\$ 3,106,000
	Furniture, Fixtures and Equipment			5%		\$ 1,553,000	\$ 1,553,000
						\$ 35,716,000	\$ 35,716,000
TOTAL COST						\$ 55,183,000	\$ 55,183,000
Less Prior State Funds for Related Projects							
						FY 14 - Roof	\$ (247,968)
MAXIMUM STATE CONSTRUCTION ALLOCATION							\$ 54,935,000
Less CIP Allocations for the Project						12/21 - FY 23	\$ (5,788,112)
						05/22 - FY '23	\$ (20,027,396)
ADJUSTED MAXIMUM STATE CONSTRUCTION ALLOCATION							\$ -
Less CIP Allocations for the Project							
BALANCE							\$ 29,119,492
Additional Notes:						Date Planning Approved:	05/21 FY'21
The "Net State Funding" on this worksheet is an estimate of the maximum State allocation for this project, but may be reduced based on the costs of the approved contract(s), ineligible items, and change orders.						Date Revised:	08/08/22
Project consist of renovation of 82,620 sf, an addition of 50,715 sf and demolition of 6,731 sf per CIP submission.						Date of State Approval:	08/08/22
Existing facility is 89,351 sf.							
The IAC approved BTL funding totaling \$13,815,508.							

Item 1G. Baltimore County Request to Rescind FY21 Local Planning Approval for Bedford Elementary School Replacement

Motion:

To approve the rescission of Baltimore County Public School's (BCPS) FY 2021 Local Planning (LP) approval for the Bedford Elementary School Replacement project (#03.089.21LP).

Background Information:

The Bedford Elementary School replacement project was granted Local Planning (LP) approval in the FY 2021 Capital Improvement Program (CIP). However, the State construction allocation for this project has been fully funded through the Built to Learn program (BTL) and therefore neither LP approval nor CIP funding are needed. IAC approval of BTL funding occurred on October 14, 2021 and construction of the replacement school will begin in August/September 2022.

Rescind LP for Bedford ES

Plait, Merrill E. <mplait@bcps.org>

Tue, Jul 12, 2022 at 10:34 AM

To: Eileen Gladd -IAC- <eileen.gladd1@maryland.gov>

Cc: Bret Waskiewicz -IAC- <bret.waskiewicz@maryland.gov>

Eileen:

In response to the request received from the staff of the Interagency Commission for Public School Construction, Baltimore County supports withdrawal of Local Planning (LP) for Bedford ES replacement school project from the FY 2022 Capital Improvement Plan (FY2022 CIP) request that will be fully funded under the Built-To-Learn act, since no state funding from the FY2022 CIP will be used for this project.

This change will not have any impact on the schedule, priority and funding level of this project as submitted to the state and approved by the Board of Education and Baltimore County.

Thank you for the work that you and your staff provide in the school construction process.

Merril E. Plait, PE

Director

Office of Facilities Construction and Improvement

Department of Facilities Management and Strategic Planning

Baltimore County Public Schools

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Item 1H. Informational Facility Status Changes

Motion:

This item is informational and does not require IAC action.

Background Information:

LEA	School	Change	Effective Date
Washington	Washington County Technical High School	Name change to Boyd J. Michael, III Technical High School	06/21/2022

Item 11. Built to Learn Act Project Status Report

Motion:

This item is informational and does not require IAC action.

Background Information:

Please see the details regarding BTL allocations, report key, attached report dated as of July 29, 2022 - ***Built to Learn Act Project Status Report***.

BTL Project Status Report Key

This report displays the current status of BTL projects that have been approved by the IAC.

The Delivery column indicates the type of project delivery method:

- **O/B:** Owner / Builder. The LEA acts as the prime at-risk construction manager (general contractor) and directly contracts with the trade contractors. The LEA may engage a not-at-risk construction manager to act as its agent to assist with the management of the project.
- **CMAR:** Construction Management At-Risk. The LEA engages an at-risk construction manager that will become the prime general contractor before the schematic design phase begins to gain the value-added benefits of ensuring design/construction viability and design cost effectiveness and for a turn-key project delivery within a guaranteed maximum price (GMP).
- **DBB:** Design-Bid-Build. The LEA utilizes the “traditional” sealed bid delivery method where the successful at-risk prime general contractor delivers the project turn-key for a fixed price based upon fully complete project documents.

The percentage within each box indicates the level of progress of that phase and the color indicates the degree to which the activities in that phase are/were on schedule based upon the LEA’s initially submitted project schedule (generally from the schematic-design submission).

%	Phase completed or on track to be completed ahead of scheduled date.
%	Phase completed or on track to be completed within 2 months of scheduled date.
%	Phase completed or on track to be completed between 2 - 4 months of scheduled date.
%	Phase completed or on track to be completed more than 4 months after scheduled date.

Built to Learn Act Project Status Report

LEA	Project	Delivery	Design	Constr	Punchlist	Notes
Anne Arundel	Hillsmere ES Replacement	O/B	100%	52%	0%	
Anne Arundel	Old Mill West HS New	O/B	100%	43%	0%	
Anne Arundel	Rippling Woods ES Replacement	O/B	100%	52%	0%	
Anne Arundel	West County ES New	O/B	100%	5%	0%	
Balt County	Bedford ES Replacement	O/B	100%	0%	0%	Projects were requested since FY19 but didn't receive State funding so design was delayed until funding secured.
Balt County	Northeast Area MS New	O/B	100%	8%	0%	
Balt County	Pine Grove MS Renovation / Addition	O/B	100%	4%	0%	Updated status due to revised baseline schedule.
Balt County	Summit Park ES Replacement	O/B	100%	6%	0%	
Balt County	Lansdowne HS Replacement	O/B	98%	0%	0%	Updated status due to revised baseline schedule.
Carroll	Westminster East MS Replacement	CMAR	100%	17%	0%	
Charles	J. P. Ryon ES PreK & K Addition	DBB	100%	3%	0%	LEA delayed project for MSA MOU.
Charles	Malcolm ES PreK & K Addition/Renovation	DBB	100%	4%	0%	LEA delayed project for MSA MOU.
Charles	McDonough HS Renovation/Addition	DBB	100%	3%	0%	LEA delayed project for MSA MOU.
Frederick	Waverley ES Replacement	O/B	100%	90%	0%	
Frederick	Brunswick ES Replacement	CMAR	100%	9%	0%	
Frederick	Green Valley ES Replacement	CMAR	20%	0%	0%	
Frederick	Valley ES Replacement	CMAR	20%	0%	0%	
Harford	Homestead Wakefield ES Replacement	O/B	100%	0%	0%	Construction delayed, pending resolution with Town
Howard	Hammond HS Renovation/Addition	O/B	100%	72%	0%	
Montgomery	Clarksburg Cluster ES #9 New	CMAR	100%	20%	0%	
Montgomery	South Lake ES Renovation / Addition	CMAR	100%	20%	0%	
Montgomery	Burnt Mills ES Replacement	CMAR	100%	20%	0%	
Montgomery	Woodlin ES Replacement	CMAR	100%	20%	0%	
Montgomery	Woodward HS Replacement	CMAR	100%	40%	0%	After initial bid, project went through a redesign.
Montgomery	Stonegate ES Renovation / Addition	CMAR	100%	20%	0%	
Montgomery	Neelsville MS Replacement	CMAR	100%	5%	0%	
Montgomery	Poolesville HS Renovation / Addition	CMAR	100%	16%	0%	
Montgomery	Page ES Addition	DBB	100%	10%	0%	
Wicomico	Mardela MS/HS Addition / Renovation	CMAR	100%	0%	0%	

Reported as of 07/29/2022

IAC Meeting 08/11/2022

Item 2. Proposed COMAR Amendments

Motion:

To approve amendments to COMAR 14.39.02.06, as presented in this item and to authorize staff to make additional technical edits as necessary. The proposed COMAR revisions will be published in the Maryland Register and will be open for public comment for a period of at least 30 days before returning to the IAC for final approval.

Background Information:

Based upon the enactment of 2022 MD Laws, Ch. 32, IAC staff recommend revisions to COMAR 14.39.02.06 to limit the applicability of excess capacity in adjacent schools when evaluating projected enrollments for school construction projects. Excess capacity in an adjacent school will be considered only if the sum of available seat count in all adjacent schools is 15% or more of the project school's enrollment.

Title 14 INDEPENDENT AGENCIES

Subtitle 39 INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION

Chapter 02 Administration of the Public School Construction Program

Authority: Education Article, §§4-126, 5-112, and 5-303; State Finance and Procurement Article, §5-7B-07; Annotated Code of Maryland

.06 Maximum State Construction Allocation.

A.—D. (text unchanged)

E. Gross Area Baselines.

(1) The gross area baseline is the product of the approved student enrollment and the baseline gross square footage per student, and may be adjusted by the IAC on a case-by-case basis, based upon presented evidence of program need.

(2) The approved student enrollment may be reduced only if the sum of available seat count in all adjacent schools is 15 percent or more of the project school's enrollment.

~~[(2)]~~ (3) The baseline gross square footage per student is set by the IAC and may be adjusted by the IAC on a case-by-case basis, based upon presented evidence of program need.

F.—N. (text unchanged)

Item 3. Pass-Through Grant Administrative Procedures Guide Revisions

Motion:

To approve revisions to the Pass-Through Grant (PTG) Administrative Procedures Guide (APG) to provide clarification on eligible projects.

Background Information:

The IAC approved the PTG APG on June 8, 2022. However, clarification is needed on the use of the funds in Section 2.2 Project Eligibility and Allocation Basis. Revisions are to clarify that PTG funds cannot be used to replace the local share of projects that received funding from the IAC in any fiscal year. The funds may be combined with other funding programs, such as the CIP or BTL, but the other program funding must be expended prior to the use of PTG funds. IAC staff recommends the adoption of these revisions. Proposed changes are highlighted in the attached PTG APG.

State of Maryland
Interagency Commission on School Construction

FY 2023 SB 291 Pass-Through Grant
Administrative Procedures Guide



Interagency Commission on School Construction
200 W. Baltimore Street
Baltimore, MD 21201
(410) 767-0617
(410) 333-6322 Fax

These procedures are available for download at iac.mdschoolconstruction.org

Record of Changes

Version	Description	IAC Approval Date
1.0	Initial Publication	06/08/2022
1.1	Revisions to eligible projects; Clarify that the funds cannot replace the local share of projects that received funding from the IAC in any fiscal year; Funds may be combined with other funding programs	

Table of Contents

Background	2
Allocations - General	2
General	2
Project Eligibility and Allocation Basis	2
Application and Approval Procedures	3
Procurement	3
Grant Processing, Distribution, and Financial Reporting	3
Project Closeout	3

1. Background

2022 Md. Laws, Ch. 344 (SB 291) appropriated \$237 million to be distributed to specified Local Education Agencies (LEAs) for school construction projects selected by each County government that did not receive funding from the Interagency Commission on School Construction (IAC) in FY 2023 or a prior fiscal year. These Pass-Through Grant (PTG) funds are statutorily required to be allocated as block grants to the LEAs with minimal oversight by the IAC.

2. Allocations - General

2.1. General

2.1.1. Allocations are required to be distributed as follows:

LEA	Allocation Amount
Baltimore City	\$75,000,000
Baltimore County	\$80,000,000
Charles County	\$5,000,000
Frederick County	\$10,000,000
Howard County	\$35,000,000
Prince George's County	\$30,000,000

2.1.2. Additionally, \$2 million is available to be allocated to a County or Counties that are not specified in the table above and are not eligible for an increase in the gross area baseline for projects funded through the Built to Learn Act of 2020 as provided in Economic Development Article, § 10-650(c)(2). The IAC will distribute the funding based on each eligible County's proportionate share of the final full time equivalent enrollment as of September 30, 2021 (see Attachment 1).

2.2. Project Eligibility and Allocation Basis

2.2.1. Funds may only be applied to projects selected by each County Government.

2.2.2. Funds shall not be used to replace the local share of projects that received or subsequently receive any allocation of State funds by the IAC under any other IAC-administered program in FY 2023 or a prior fiscal year are ineligible for funding.

2.2.3. PTG funds may be combined with other State funding programs, such as the Capital Improvement Program or Built To Learn. When PTG funds are combined with another program, the other program funding must be expended prior to use of PTG funds.

2.2.3.1. Example: A \$13 million project, for which \$10 million was eligible for state funding, with a State cost share of 60 percent was approved by the IAC to receive \$6 million in CIP funds. The LEA used local funds to cover their \$4 million local share. The project required an additional \$3 million above the original allocation and the LEA used PTG funds to cover the additional cost.

2.2.4. Funding shall be provided without a local match requirement.

2.2.5. Because the PTG funds are general-obligation (GO) bond funds, all items purchased with these funds must have a median lifespan of at least 15 years.

3. Application and Approval Procedures

- 3.1. LEAs should complete the SB 291 Pass-Through Funding Application (.xlsx) and submit to iac.pscp@maryland.gov before May 1, 2023.
- 3.2. IAC staff will review applications to ensure projects are eligible for funding in accordance with Section 2.2 of this procedures guide, and notify the LEA within 10 days of the eligibility determination
- 3.3. The application will be deemed incomplete unless signed by an authorized LEA representative AND County Government representative.
- 3.4. Applications shall be submitted to iac.pscp@maryland.gov with the subject “[County] SB 291 Pass-Through Funding Application” prior to May 1, 2023. Please submit the unsigned excel version of the application as well as a signed PDF version of the form.

4. Procurement

- 4.1. Procurements shall be in compliance with all applicable Federal, State, and Local requirements.

5. Grant Processing, Distribution, and Financial Reporting

- 5.1. Upon receipt of an application and subsequent verification by the IAC that the submitted project(s) are eligible, the IAC will process a block grant payment to the LEA for the requested amount.
- 5.2. LEAs will be required to report expenditures and project progress to the IAC twice per year as determined by the IAC and in a format provided by the IAC.

6. Project Closeout

- 6.1. Bond funds are subject to reversion if not expended within 7 years of allocation. LEAs shall ensure all funds are expended and closeout requirements are met by May 1, 2029.

- 6.2. Within 18 months of the LEA's final payment to the contractor, the LEA shall submit to the IAC all contract documents and pay applications for work performed with SB 291 Pass-Through Grant Funding.
- 6.3. The IAC will perform a financial audit and may require a reimbursement to the State if all provided funds are not demonstrated to have been expended for projects authorized by the IAC for PTG funds.

Attachment 1: Funding Allocation of \$2 Million to Eligible Counties

LEA	Full Time Equivalent Enrollment as of 9/30/21	Percentage	Total Allocation
Allegany	7,662	4.14%	\$82,869.00
Calvert	14,949	8.08%	\$161,696.00
Caroline	5,259	2.84%	\$56,883.00
Carroll	24,608	13.31%	\$266,168.00
Cecil	14,160	7.66%	\$153,156.00
Dorchester	4,315	2.33%	\$46,670.00
Garrett	3,348	1.81%	\$36,216.00
Harford	36,880	19.95%	\$398,906.00
Kent	1,707	0.92%	\$18,459.00
Queen Anne's	7,124	3.85%	\$77,055.00
St. Mary's	16,714	9.04%	\$180,784.00
Somerset	2,558	1.38%	\$27,665.00
Talbot	4,233	2.29%	\$45,783.00
Washington	21,100	11.41%	\$228,224.00
Wicomico	13,888	7.51%	\$150,217.00
Worcester	6,402	3.46%	\$69,249.00
Total	184,907	100.00%	\$2,000,000

Item 4. Healthy School Facility Fund Administrative Procedures Guide Revisions

Motion:

To approve the revisions to the Healthy School Facility Fund (HSFF) Administrative Procedures Guide (APG) to provide clarification on ineligible gymnasium and auditorium heating, ventilation, and air conditioning related projects.

Background Information:

The IAC originally approved the HSFF APG in 2019, prior to program statutory changes expanding project eligibility. Upon further review by IAC staff, it was determined that clarification to Section 7.7 Ineligible Projects/Expenditures as it pertains to projects that address insufficient HVAC is necessary. The modification is as follows, with the proposed addition in italics:

Heating, ventilation, and air conditioning (HVAC) projects in gymnasiums and auditoriums, except when approved by the Executive Director in instances where the space serves as a teaching station for students with critical special needs or has direct impact on education services such that the school is to be closed.

Limited funding available through the Healthy School Facility Fund is intended to improve the health and safety of students in existing school facilities and to remediate issues severe enough to require school closures. Although HVAC projects in gymnasiums and auditoriums are eligible for funding through almost all IAC programs, staff recommend that funding in the HSFF program be prioritized to projects that require immediate remediation.

The recommended revisions will clarify that although HVAC projects in gymnasiums and auditoriums are ineligible for funding, other projects such as roofs, indoor air quality, and lead remediation are eligible even in those facilities. Staff recommend approval of the revisions.



Healthy School Facility Fund Administrative Procedures Guide

Interagency Commission on School Construction

Record of Changes

Version	Description	IAC Approval Date
1.0	Initial Publication	06/13/2019
2.0	Revisions due to Built to Learn Act of 2020; Clarify distinction between immediate risk lead projects above 20 ppb and lead projects under 4.2.1.1; 5 C Ineligible Projects/Expenditures due to statutory changes; update links and COMAR; Update Attachments; Prioritize "Roof" Projects per change in statute;	08/12/2021
2.1	Revisions to the FY 2021 schedule to align remaining deadlines with the schedule for FY 22 funding	01/13/2022
3.0	Revisions to clarify eligibility of projects that begin prior to allocation; update Attachment 1 schedule for FY 2023 funding	04/14/2022
4.0	Revision to clarify ineligible gymnasium and auditorium HVAC related projects.	

Table of Contents

1.	Glossary	2
2.	Purpose	2
3.	Background	2
4.	Allocations - General	2
4.1.	General	2
4.2.	Approval Basis	3
5.	Application and Approval Procedures	4
5.1.	General Requirements	4
5.2.	Roof Replacement Applications	5
5.3.	Baltimore City Submission Requirements	5
6.	Eligible Projects/Expenditures	5
7.	Ineligible Projects/Expenditures	6
8.	Project Approval Process	7
9.	Design Review	7
10.	Procurement	8
11.	Contract Award	9
12.	Processing for Payment/Financial Reporting	9
13.	Step by Step Instructions for Submitting Applications	9
	Attachment 1	22

1. Glossary

Definition of terms and acronyms used in this document:

Acronym or Term	Definition
DGS	Maryland Department of General Services
EPA	United States Environmental Protection Agency
HB	House Bill
HSFF or Fund	Healthy School Facility Fund
IAC	Interagency Commission on School Construction
Immediate Environmental Risk	An environmental condition that has the potential to cause serious physical hardship or illness to occupants in a facility
LEA	Local Education Agency
MDE	Maryland Department of the Environment
MDH	Maryland Department of Health
MOSH	Maryland Occupational Safety and Health
MSDE	Maryland State Department of Education
SB	Senate Bill

2. Purpose

The purpose of the Healthy School Facility Fund is to provide grants to public primary and secondary schools for capital projects that will improve the health of school facilities. This includes projects that will improve the conditions related to air conditioning, heating, indoor air quality, mold remediation, temperature regulation, plumbing—including the presence of lead in drinking water outlets, roofs, and windows. Grants will be prioritized to projects that correct issues posing an immediate life, safety, or health threat to occupants of a facility.

3. Background

Established as a new program by legislation in calendar year 2018 and modified in 2021, Education Article §5-322, Annotated Code of Maryland, requires the IAC to administer the HSFF, approve expenditures, and develop administrative procedures for the grant program. The Governor is required to provide in his budget an annual allocation of \$30 million for the program in Fiscal Years 2020 through 2022, and at least \$40 million in Fiscal Years 2023 and 2024.

4. Allocations - General

4.1. General

- 4.1.1. For each fiscal year that funds are available, the IAC will distribute allocations based on a competitive application process.
- 4.1.2. Only eligible project requests submitted in accordance with this Administrative Procedures Guide will be considered for funding.

- 4.1.3. All approved projects will have a local match requirement, based on the State-local cost share percentage applicable to projects approved in the Capital Improvement Program fiscal year. See COMAR 14.39.02.05 or the [IAC's website](#) for State cost share percentages.
 - 4.1.3.1. The LEA is required to have local funds available for the payment of cost in excess of the State allocation and ineligible project cost.
 - 4.1.3.2. State participation will be based on the total estimated cost of the project, less ineligible items.
- 4.1.4. A project allocation remaining after final reimbursement of an approved project will revert to the Fund for redistribution to other eligible statewide projects.

4.2. Approval Basis

- 4.2.1. Funding priority will be based **first on the severity of an immediate life, safety, or health environmental risk**, and second on the following defined categories of work in the following order:
 - 4.2.1.1. Lead in water, prioritized first to projects related to elementary school age children and second to highest levels of lead. The following help define the projects that will be considered:
 - 4.2.1.1.1. A level of lead at sources where water is normally ingested that exceeds 5 parts per billion (ppb). Please note that levels of lead exceeding 20 ppb are considered an immediate life, safety, or health environmental risk and will be prioritized alongside other high priority projects per 4.2.1 above. Levels must be documented through a process administered by MDE.

Examples:

 - i.i. Water Fountains or Bubblers; followed by
 - i.ii. Faucets or taps that are used or potentially used for drinking or food preparation;
 - i.iii. Ice Makers; and
 - i.iv. Hot Drink Machines;
 - 4.2.1.2. Roofs.
 - 4.2.1.3. Lack of, unreliable, or insufficient air-conditioning, with priority given to schools that do not have any air conditioning.
 - 4.2.1.4. Unreliable or insufficient heating.
 - 4.2.1.5. Temperature regulation.

- 4.2.1.6. Plumbing, including pipe insulation to reduce condensation in order to prevent mold.
- 4.2.1.7. Indoor air quality, including remediation of indoor pollutants; and
- 4.2.1.8. Windows.
- 4.2.2. Additional priority consideration will be given to projects in elementary schools and special-education schools, followed by middle schools and high schools in that order.

5. Application and Approval Procedures

5.1. General Requirements

- 5.1.1. In accordance with Md. Code, Education Article § 5-322(j)(1)(iii) and (k)(4), the Baltimore City Public School System (BCPSS) will receive at least 50% of funds appropriated to the fund in Fiscal Years 2021 through 2024 through a separate application process specifically for BCPSS. See Section 5.3 for BCPSS Submission Requirements.
- 5.1.2. Projects must be received by the application deadline. Applications may be received within the 30 days preceding the deadline but they will not be reviewed for approval until the date provided by the IAC in its annual publication of the Schedule.
- 5.1.3. All project requests must be accompanied by supporting documentation, such as the results of lead testing as conducted per the requirements of State and federal regulations, mold testing reports by licensed industrial hygienists, elevated moisture content testing reports, indoor air quality assessment reports, and work order history.
- 5.1.4. Project requests should identify the following in the description:
 - 5.1.4.1. All work proposed;
 - 5.1.4.2. The origin, or source of the issue and the cause;
 - 5.1.4.3. How the cause will be corrected;
 - 5.1.4.4. Description of attempts previously made to correct the deficiency; and
 - 5.1.4.5. Plan for how the issue will be prevented from reoccurring.
- 5.1.5. The project schedule should indicate that:
 - 5.1.5.1. The project funds will be encumbered on or before the date shown in the program schedule. All work on the project will be substantially completed and a majority of the project funds will be expended by the date shown in the program schedule.

5.2. Roof Replacement Applications

- 5.2.1. Requests for roof replacement must be accompanied by supporting documentation, including:
- 5.2.1.1. The reports from any roof inspections conducted during the last 36 months;
 - 5.2.1.2. The preventive-maintenance plan for the roofing system;
 - 5.2.1.3. All preventive and corrective work orders pertaining to the roof from the last 36 months;
 - 5.2.1.4. All information about the roof from any contractors or vendors that have provided service on the roof during the last 36 months;
 - 5.2.1.5. Drawings of the area to be repaired/replaced to include measurements of the affected square footage and all rooftop units in the affected area(s); and
 - 5.2.1.6. The expected-useful-lifespan (EUL) and most recent remaining-useful-lifespan (RUL) figures pertaining to all portions of the facility's roof as recorded in the IAC's statewide facilities assessment database.

5.3. Baltimore City Submission Requirements

- 5.3.1. Requests for Baltimore City will be considered and approved based on the same programmatic requirements as other LEAs' requests, but will not be prioritized with other LEAs' requests. Baltimore City requests and projects will be delivered in accordance with the schedule published annually [by the IAC on its website](#).

6. Eligible Projects/Expenditures

- 6.1. Eligible project expenditures within the HSFF are for improvements to public school buildings used for education.
- 6.2. Each project's cost is to be not less than \$3,000, unless otherwise approved by the Executive Director of the IAC.
- 6.3. A single "project" is defined as:
 - 6.3.1. A single improvement at an individual school that costs at least \$3,000, unless otherwise approved by the Executive Director of the IAC.
 - 6.3.2. Multiple improvements at the same school that collectively cost at least \$3,000, unless otherwise approved by the Executive Director of the IAC:

- 6.3.2.1. Individual components within a project may be less than \$3,000 in value, but the total cost of a project (including related components) must be at least \$3,000 in value, unless otherwise approved by the Executive Director of the IAC.
 - 6.3.2.2. Components must be identified separately in the application, with the estimated construction value shown.
- 6.3.3. Multiple improvements of the same kind at different schools, such as remediation of lead at drinking fountains
 - 6.3.3.1. The cumulative cost of the improvements across multiple schools that collectively cost at least \$3,000, unless otherwise approved by the Executive Director of the IAC.
 - 6.3.3.2. Each school must be requested separately and the amount of the requests should be based on specific estimates for each school with the number of requested units, square footage, or some other method.
- 6.4. Design and other planning professional expenses. However, please note that projects that have not been designed must be executed based upon the program schedule.
- 6.5. Certain related components or systems that are logically related to the scope of work may be included in the scope, but the majority of the proposed work must be for environmental improvements.
- 6.6. An eligible contract (including design, construction, or other eligible services) for a locally funded project that is approved by the local board of education within 18 months prior to the IAC allocation approval date identified in the schedule (see attachment 1).
- 6.7. Unlike typical CIP projects, requests may be submitted for projects:
 - 6.7.1. In schools that have been built or fully renovated within the last 15 years;
 - 6.7.2. In which the anticipated life of the system or components is less than 15 years due to anticipated changes in technology; or
 - 6.7.3. In locally owned and State-owned relocatable classrooms.
 - 6.7.4. That were encumbered in the six months prior to release of Fiscal Year LEA allocations by the IAC.

7. Ineligible Projects/Expenditures

- 7.1. To replace the local share of a project;
- 7.2. For improvements to property owned by a board of education that is not used by public school students, e.g. garages, central office facilities, staff training quarters, etc., unless approved by the Executive Director of the IAC;

- 7.3. For the movement of relocatable classroom buildings, unless it can be shown that the location of the relocatable classrooms impedes correcting the health of the facility;
- 7.4. For ancillary services, e.g. post-completion monitoring;
- 7.5. For staff training, post-completion;
- 7.6. For salaries of local employees; or
- 7.7. Heating, ventilation, and air conditioning (HVAC) projects in gymnasiums and auditoriums, except when approved by the Executive Director in instances where the space serves as a teaching station for students with critical special needs or has direct impact on education services such that the school has to be closed.
- 7.8. Any contract for an eligible project that is approved by the Local Board of Education more than 18 months prior to the IAC allocation approval date identified in the schedule (Attachment 1).

8. Project Approval Process

- 8.1. Projects will be reviewed, prioritized, and approved by the IAC within 45 days of the submission due date as shown in the schedule published annually by the IAC.
- 8.2. Upon approval, IAC still will provide to the LEAs a final accounting of approved project allocations. **Federal fund allocations may require additional reporting and contract cost thresholds, as applicable.**

9. Design Review

- 9.1. A level of review required will be assigned during the submission approval process. Projects approved in the HSFF are generally subject to design development and/or construction document review as required for similar projects in the CIP.

Review level submission requirements are as follows:

- 0 – No review required by MSDE or DGS.
- 1 – Construction documents required for DGS review.
- 2 – Design development documents/construction documents required for DGS review.
- 3 – Abbreviated educational specifications, schematic drawings, design development documents/construction documents required for MSDE/DGS review as applicable.

- 9.2. IAC will consult with MDE and projects that abate lead may be reviewed by MDE.

10. Procurement

- 10.1. Procurements shall be in compliance with COMAR 14.39.03 as well as with State public school procurement law, Md. Code, Education Article §5-112, “Bids.” The following will apply to HSFF projects, including:
 - 10.1.1. Projects allocated federal funding for contracts of \$2,000 or more require application of the Davis-Bacon Act labor standards. Contracting agencies have the primary responsibility for the enforcement of Davis-Bacon and related acts to ensure that laborers and mechanics are paid at least the prevailing wage rates required on covered contracts. The applicable wage determination will be the [Davis-Bacon wage determinations](#) as of the date of contract award (or within 10 days of the bid solicitation, in the case of competitive sealed bidding).
 - 10.1.2. Projects which cost less than \$50,000 do not require IAC approval of the procurement, and, generally, sealed bids are not required unless local board of education policy or procedures specify a minimum dollar value that requires sealed bids.
 - 10.1.3. Projects that cost at least \$50,000 but less than \$100,000 are required to be competitively procured, consistent with Md. Code, Education Article Section § 5-112, Bids. For projects with a total cost of less than \$100,000, IAC approval of contracts is not required prior to entering into the contract but the award is subject to State review at the time reimbursement is requested. A copy of the bid tabulation must be submitted with IAC/PSCP Form 306.2, Request for Reimbursement to LEA for the HSFF project.
 - 10.1.4. Projects that cost \$100,000 or more are required to be competitively procured, consistent with Section Md. Code, Education Article, §5-112, Bids. IAC approval of the contract award is recommended prior to the board of education entering into the contract. A copy of the bid tabulation indicating the responsible bidder who provides the best value and conforms to certain specifications bidder's proposal must be submitted for State review and approval of the contract award.
 - 10.1.5. Competitive procurement requirements;
 - 10.1.6. Minority Business Enterprise requirements;
 - 10.1.7. Prevailing wage rates as applicable; If a HSFF project is estimated to cost \$500,000 or more and State funds are estimated to be 25% or more of the project cost and federal funds are less than \$2,000, the State prevailing wage law is applicable. The appropriate wage rates must be requested from the Department of Labor, Licensing and Regulation (410-767-2357), included in the bid documents and referenced in the advertisement for bids.
 - 10.1.8. Maryland Historical Trust (MHT) consultation on applicable projects;
- 10.2. If multiple projects are procured under a single contract award where the total contract cost exceeds \$100,000, each project will require a submission of IAC/PSCP form 303.3 Approval of Construction Contract Award for review and approval by the IAC.
- 10.3. Due to the nature of HSFF projects, a construction sign is not required on site while the work is being performed.

11. Contract Award

- 11.1. At the time of contract award, the LEA may request the IAC to approve realignment of the HSFF funds among their approved projects.

12. Processing for Payment/Financial Reporting

- 12.1. Payment will be made through reimbursement to the school system, at time of 100% project completion, using IAC/PSCP Form 306.2, Request for Reimbursement to LEA.
- 12.2. Recognizing that reimbursement only at the time of project completion may create cash flow difficulties for some jurisdictions with larger projects, the IAC, upon request, will process progress payments on projects of \$100,000 or more that received IAC Approval of Contract Award. If the IAC makes progress payments directly to a contractor for a jurisdiction for a specific project, then IAC/PSCP Form 306.1 Request for Payment to Contractor should be utilized.
- 12.3. IAC/PSCP Form 306.6 Close-Out Cost Summary package submission will only be required at time of project completion for projects that exceed \$100,000 and utilize the direct payment to contractor option. All projects that were reimbursed at time of project completion do not require submission of the Close-Out Summary package.

13. Step by Step Instructions for Submitting Applications

- 13.1. Navigate to <https://app.smartsheet.com/b/form/c5d8add924294497af843648ab17b8c6>
- 13.2. Select the appropriate Funding Year from the dropdown. You can choose any year from 2022-2024. Please note that applications received for fiscal year 2022 (June 30, 2021 to July 1, 2022) may be funded with FY 2021 funding, based upon project specifics and approved by the IAC.

The image shows a web form titled "Funding Year *". Below the title is a dropdown menu with a blue border. The dropdown is currently open, showing a list of years: 2022, 2023, and 2024. The year 2023 is highlighted in blue. A red arrow points to the dropdown arrow icon on the right side of the menu, with the text "Click dropdown" next to it. Another red arrow points to the year 2023 in the list, with the text "Select one" next to it.

- 13.3. Enter date or click icon to open calendar. Today's date will be highlighted.

The screenshot shows a form with a field labeled "Date Request Submitted *" containing a calendar icon. A red arrow points to this icon with the text "Click calendar icon to open date picker". Below the field, a calendar for August 2021 is displayed. The date 11 is highlighted in orange. Another red arrow points to the date 11. To the right of the calendar, there is a dropdown menu labeled "Priority" and a text input field with the placeholder "Enter priority number of each (1, 2, 3, etc.)".

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 13.4. Select the priority for the project from the dropdown. If there is one project for which you're applying, select 1. If you have more than one, rank them on a numerical scale (1, 2, 3, 4...)

Priority *
If you have multiple applications to submit enter priority number of each (1, 2, 3, etc.)

Select

Click dropdown

Select priority number for project

1
2
3
4
5
6
7
8
9
10

13.5. Type in the PSC Number for the facility in XX.XXX format.

13.6. Type in the School/Facility Name.

PSC Number *
Enter in 00.000 format

School Name *

Enter the name of the School

13.7. Select Project Type from the dropdown list. If you want to select more than one you must submit an additional application, and prioritize the projects as detailed above.

Project Type *
Select the type of project from the dropdown list

Click dropdown

Select

Air Conditioning - Immediate Risk

Lead (Levels should be above 5 ppb and levels must be documented through a process administered by MDE. See procedures for examples.)

Roof

Lack of, unreliable, or insufficient air-conditioning

Unreliable or insufficient heating

Temperature regulation

Plumbing, including pipe insulation to reduce condensation in order to prevent mold

Indoor air quality, including remediation of indoor pollutants

Windows

Select one type

13.8. Select county name from the dropdown list.

County *

Select

Click dropdown

Allegany

Anne Arundel

Baltimore

Baltimore City

Calvert

Caroline

Carroll

Cecil

Charles

Dorchester

Frederick

Garrett

Harford

Select county facility is in

13.9. Enter the Description/Justification for the project. There is no character limit.

Description/Justification *

- 13.10. Select Yes or No from the dropdown to indicate whether the school facility closed at list once during the previous or current school year.

Facility Closure(s) *
Confirm whether the school facility closed during the school year due to issue(s) identified in the scope of work.

Select ▼

Yes

No

Select one

Click dropdown

If you select “Yes” a new dropdown box will appear for you to select the number of times the facility was closed due to the issue identified in the application.

Facility Closure(s) *
Confirm whether the school facility closed during the school year due to issue(s) identified in the scope of work.

Yes

 ▼

If you select "Yes" this dropdown will appear

How many times? *

Select ▼

From the dropdown list, select the number of times the facility was closed during the school year due to the health and environmental risks identified in the project scope of work.

Facility Closure(s) *
Confirm whether the school facility closed during the school year due to issue(s) identified in the scope of work.

Yes ▼

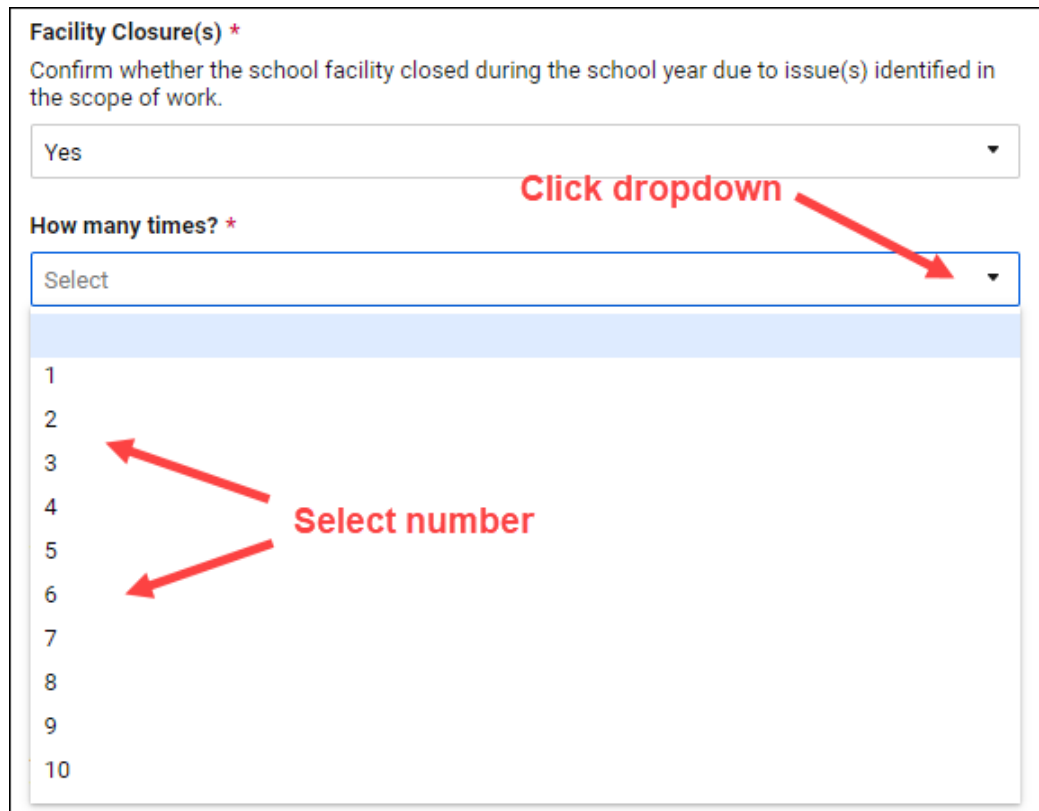
How many times? *

Select ▼

1
2
3
4
5
6
7
8
9
10

Click dropdown


Select number



If you selected **No** move on to the next item.

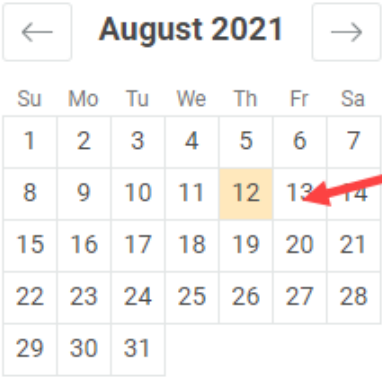
- 13.11. Enter or select the date the project was previously funded with State dollars. If there has never been prior funding leave the field blank and move on to the next item. (Note: This date must always be prior to today's date.)

Prior State Funding of Building System
Provide the date the building system was last replaced with State funds.



Click calendar icon to open date picker

Detailed Scope *
What do you wish to accomplish with this project? Describe, with measurements



Choose date from calendar

What caused this problem? *

- 13.12. Enter details for Scope, Alternative Solution, and What caused the problem. Several lines of text will be showing but there is room for overflow and no character limit.

Detailed Scope *
What do you wish to accomplish with this project? Describe, with measurements

Alternative Solution *
What else can be done to correct this problem?

What caused this problem? *
Normal wear and tear, poor contractor performance, poor materials, improper maintenance, etc.

- 13.13. Click checkboxes to indicate consequences of inaction on this project. You may select one item from the list, more than one item, or all items.

Consequences if this project is not approved *

Check all that apply

- ☐ 1 - Failure of system is likely to cause shutdown of facility for purposes of delivering educational programs and services.
- ☐ 2 - System is currently adversely affecting the delivery of educational programs & services.
- ☐ 3 - System is currently causing health of facility occupants
- ☐ 4 - System is currently causing violations of building or other official codes.
- ☐ 5 - System is currently causing or will imminently cause damage to other building systems.
- ☐ 6 - Replacement/installation will increase the remaining useful lifespan (RUL) of other building systems in the facility, thereby extending the RUL of the facility.

Select all that apply

13.14. Click dropdown to select Yes or No to indicate whether design has been completed.

Has Design Been Completed? *

Select

Click dropdown

Yes

No

Select one

- 13.15. If you selected **Yes** a Date field will appear to allow you to enter or select the date design documents were or is estimated to be submitted.

Has Design Been Completed? *

Yes

Document Submission *

Provide the date when document(s) will or have been submitted.

Click calendar icon to open date picker

Select date from calendar

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

If you selected **No** a date field will appear to allow you to enter or select the date design completion is anticipated.

Has Design Been Completed? *

No

Anticipated Completion Date for Design *

Click calendar icon to open date picker

Select date from calendar

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 13.16. Click the dropdown to select whether design funding is being requested as part of the application.

Is Design Funding Being Requested? *

Select

Click dropdown

Yes

No

Select one

- 13.17. Enter in dollar amounts the LEA's estimated Total project Cost, LEA Design Funding being requested (If none, enter 0), State HSFF funding requested, and the approved amount of Local HSFF funding.

LEA Total Construction Cost Estimate *

LEA Design Cost Requested *


State HSFF \$ Requested *

Local HSFF \$ Approved *

Numbers only

- 13.18. Enter the date you expect work to begin, or select it from the calendar date picker.

Anticipated Date Work Begins *



Click calendar icon for date picker

Anticipated Date Work Completed *

← August 2021 →


Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Select date

Drag and drop files here or [browse files](#)

- 13.19. Enter the date you expect work on the project to be completed, or select it from the calendar date picker.

Anticipated Date Work Completed *



Click calendar icon for date picker

Name of person completing form *

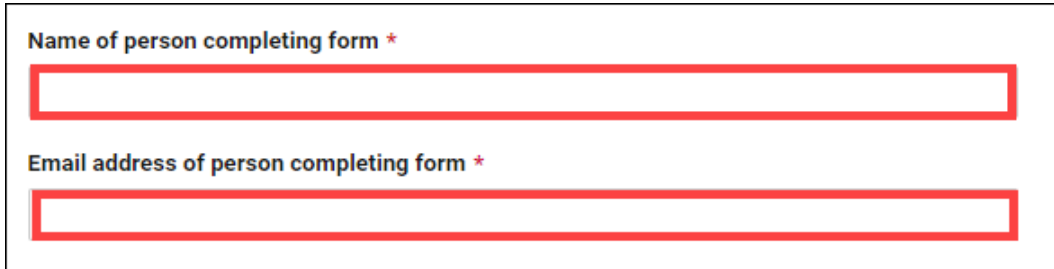
← August 2021 →

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Select Date

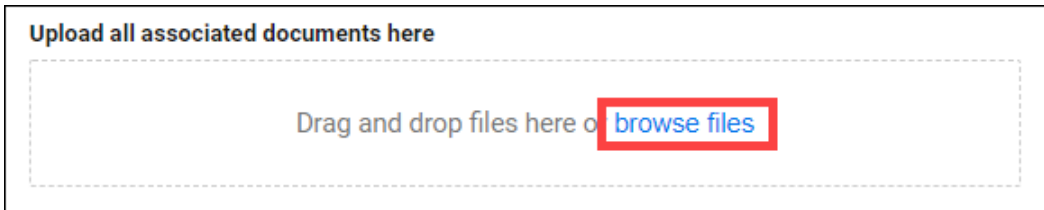
es here or [browse files](#)

- 13.20. Enter the name and email address of the person designated to respond to project inquiries. This person will be the IAC staff's primary point of contact.



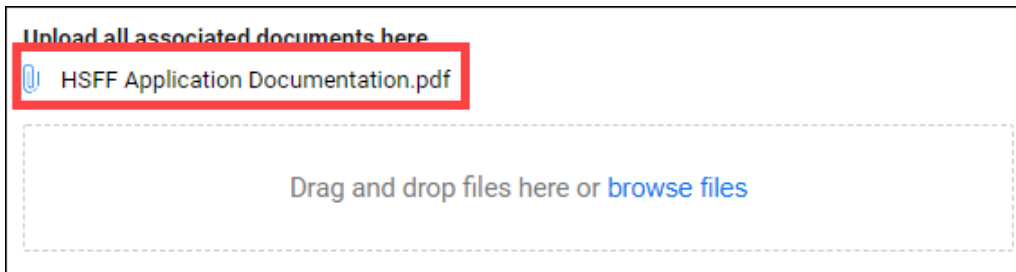
A form with two input fields. The first field is labeled "Name of person completing form *" and the second field is labeled "Email address of person completing form *". Both fields are empty and have a red border.

- 13.21. If you have any documents to support your application, upload them into the box shown below. You can drag and drop the files or click the "browse files" link to navigate to wherever the files are stored and upload them from there.



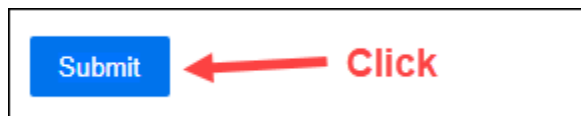
A dashed box containing the text "Drag and drop files here or [browse files](#)". The "browse files" link is highlighted with a red box.

When documents are received you will be able to confirm by seeing them listed by file name.



A dashed box containing the text "Drag and drop files here or [browse files](#)". Above the dashed box, the text "Upload all associated documents here" is displayed. Below this text, a file named "HSFF Application Documentation.pdf" is listed with a document icon to its left. The file name and icon are highlighted with a red box.

- 13.22. Click the submit button at the bottom of the application.

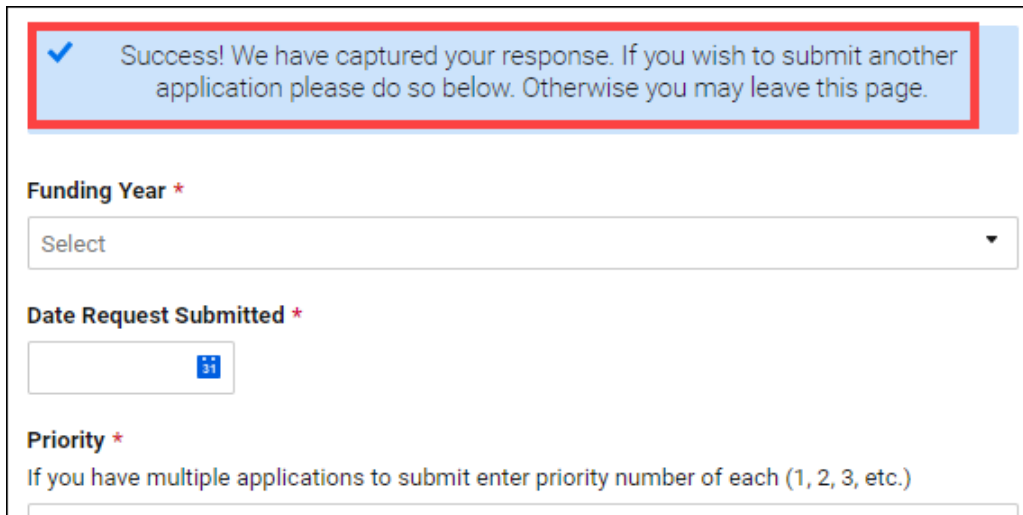


A blue button labeled "Submit" with a red arrow pointing to it from the right. The word "Click" is written in red next to the arrow.

- 13.23. Upon successful submission you will receive a confirmation message and the application will be cleared and ready to be filled out again.

If you have additional projects for which you wish to apply, enter them below using these same instructions.

Remember to not use the same Priority you used on your previously submitted application(s). If you are finished filling out the application you may navigate away from this page.



The screenshot shows a web form with a success message at the top, highlighted by a red rectangle. The message reads: "Success! We have captured your response. If you wish to submit another application please do so below. Otherwise you may leave this page." Below the message are three input fields: "Funding Year *" with a dropdown menu showing "Select", "Date Request Submitted *" with a date picker showing "08/31", and "Priority *" with a text input field. Below the "Priority *" field is a note: "If you have multiple applications to submit enter priority number of each (1, 2, 3, etc.)".

- 13.24. If an application has been submitted in error, please notify the IAC via email at iac.pscp@maryland.gov and the request will be deleted; "Canceled" status indicates the project was previously "Approved" then later "Canceled".

Attachment 1

Schedule for Application and Approval of Project Funding

FY 2023 Healthy School Facility Fund State and Federal Funds (Schedule A)

04/14/2022	IAC Approval of the <i>Healthy School Facility Fund (HSFF) Administrative Procedures Guide & Release of Schedule and Application Instructions</i>
04/14/2022 - 06/17/2022	Application Submissions Due
06/20/2022 - 08/05/2022	IAC Staff Review Period
09/08/2022	IAC Approval of Projects and Allocations
06/01/2024	All project funds to be encumbered
10/01/2024	Deadline for Funds to be substantially expended
05/01/2025	Last day to submit requests for reimbursement

Baltimore City Public School System's Schedule for Application and Approval of Project Funding

Baltimore City FY 2023 Healthy School Facility Fund (Schedule B)

04/14/2022	IAC Approval of the <i>Healthy School Facility Fund (HSFF) Administrative Procedures Guide & Release of Schedule and Application Instructions</i>
04/14/2022	Application Submission period opens
11/30/2022	Application Submission period closes

For deadlines to encumber projects, to substantially expend projects, and to submit requests for reimbursement of projects, please see Schedule A.