

PROCEDURES
FOR THE
NONPUBLIC AGING SCHOOLS PROGRAM
(FISCAL YEAR 2018)
September 8, 2017

These procedures are available for download at:

<http://www.pscp.state.md.us/programs/NonPubASP/nonpubaspindex.cfm>

Applications for this program must be submitted online at:

<https://agingschools.msde.maryland.gov/>



Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201-2595



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

Procedures for the Nonpublic Aging Schools Program (Fiscal Year 2018)

<u>Table of Contents</u>	<u>Page</u>
1. Introduction/Overview	1
2. Eligible Schools	1
3. Eligible Aging Schools Projects	2
4. Sample List of Projects Eligible for Reimbursement	2
5. Ineligible Projects and Expenditures	3
6. Requirements for All Projects	3
7. Application Process	4
8. Application Review and Approval Process	5
9. Project Design and Approval Process	5
10. Project Bidding and Construction Process	6
11. Reimbursement Process	6
12. Appeals Process	6
13. Audit Requirements	7
14. Schedule	7
15. Budget Language	7
16. Forms Required	8
17. Contacts	9

Forms

- A. Building Age Worksheet
- B. Grant Assurances
- C. Request for Reimbursement to Nonpublic Schools *(IAC/PSCP FORM 306.2 Revised for Nonpublic Schools)*
- D. Contractor's Certification of Receipt of Payment *(IAC/PSCP FORM 306.2a Revised for Nonpublic Schools)*

1. Introduction/Overview

The Maryland General Assembly is providing \$3.5 million in fiscal year 2018 (July 1, 2017 – June 30, 2018) in grants for renovations and improvements to existing nonpublic school buildings.

Nonpublic schools, except preschools, eligible in fiscal year 2018 (FY18) for the Aid to Nonpublic Schools Program for the purchase of textbooks or computer hardware and software for loan to students, commonly known as the “Textbook and Technology Program”, are eligible to apply for the FY18 Public School Construction Program (PSCP) Nonpublic Aging Schools Program (NASP.)

Payment for work completed under this program will be through reimbursement to the grant recipient – the school. No matching funds are required, but the school shall be responsible for all project costs exceeding the amount of the grant. The maximum grant amount is \$100,000. The minimum grant amount is \$5,000 per eligible school.

Individual grant allocations will be based on the number of schools meeting certain criteria. Preliminary allocations will be established after all applications have been received and reviewed in early 2018. If more eligible schools apply and qualify for grants than the total authorization, the Maryland State Department of Education (MSDE) shall prorate the grants. In order to fund all eligible projects in the last two years, MSDE has reduced the maximum grant amount. In FY15 the maximum prorated grant amount was \$48,200. In FY16 it was \$36,700. In FY17 it was \$36,176.

Schools will have until December 15, 2017 to apply for a grant. Grant recipients will have until June 30, 2019 to contract for approved project work. Schools must complete and pay for the work in full prior to requesting State reimbursement.

Submissions at a Glance

Fiscal Year	Procedures and Applications Released	Last day for Submission of Application	MSDE Notifies Schools	Contracts must be signed on or after...	Construction Must be Under Contract by	Request for Reimbursement due by
FY 2018	Mid- September	12/15/2017	2/1/2018	6/1/2017	6/29/2019	3/31/2020

2. Eligible Schools

- a) Nonpublic schools, except preschools, eligible to receive aid from the Textbook and Technology Program in FY18 (school year 2017-2018) are eligible for this program. To determine eligibility, take the second prior year tuition revenues (school year 2015-2016) and divide by the second prior year enrollment (September 30, 2015). If the resulting number is less than or equal to \$15,108, then the school qualifies to apply for this program. The \$15,108 figure represents the State average expenditure per pupil for fiscal year 2016, based on MSDE's submission for the National Public Education Financial Survey (NPEFS) federal reporting requirement.
- b) School buildings to be improved must have a minimum calculated age of 16 years at the time of the application to be considered an “aging school.” The school buildings must have been constructed and occupied prior to January 1, 2002 to meet the age requirement.

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

3. Eligible Aging Schools Projects

- a) Eligible projects are capital improvements to nonpublic school buildings and sites that, when completed, will protect the school building from deterioration, improve the safety of students and staff, and enhance the delivery of educational programs. Routine maintenance and repair projects are not eligible.
- b) Projects must be in buildings that are 16 years or older. Building system components to be replaced, such as boilers and roofs, must also be 16 years or older.
- c) Projects must have an estimated life expectancy of at least 15 years with normal maintenance.
- d) Individual projects do not have a minimum cost. Several separate, eligible projects may be requested in the same building.
- e) Projects in buildings leased by nonpublic schools are eligible providing the building owner signs an agreement assuring repayment to the State of the grant should the school cease occupancy of the building within the 15 year bond period.

4. Sample List of Projects Eligible for Reimbursement

- Americans with Disabilities Act (ADA) accessibility modifications
- Carpet replacement (only if new carpet carries a 15 year warranty)
- Ceiling replacement
- Doors and/or windows replacement, including security hardware and devices
- Electrical system upgrades
- Elevator refurbishment or upgrades
- Fire protection system and/or components (replace and/or upgrade)
- Flooring (repair and refinish and/or replace)
- Folding partitions (installation and/or replacement)
- Heating, Ventilating, and Air Conditioning (HVAC) systems and/or components
- Lighting systems and/or components
- Playground equipment and fencing
- Renovation projects, including constructing security vestibule entries
- Roofing systems and/or components replacement
- Site redevelopment, including parking areas and sidewalks
- Telecommunication (data, voice, and video) distribution systems (hard-wired), including safety and security systems (Technology components must have a 15 year life expectancy. First installation of equipment is eligible – replacement of old equipment is not.)
- Underground fuel tanks (remove and/or replace)

This list is not complete. Contact MSDE staff to confirm the eligibility of other projects.

5. Ineligible Projects and Expenditures

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

- a) Projects in spaces used primarily for religious instruction, programs, and worship
- b) Projects in buildings used primarily for administration, maintenance, storage, or other non-instructional, ancillary services
- c) Projects for improvements to, or the movement of, temporary or portable classroom buildings
- d) Expenditures to supplement an approved State allocation for a project
- e) Expenditures to directly or indirectly contribute to the required matching funds of a State legislative initiative grant in the annual capital bond bill
- f) Design, construction management, project management, testing, or inspection fees
- g) Salaries or wages paid to nonpublic school employees for project work
- h) Maintenance, such as painting rooms, repairing equipment, adjusting door closers, and patching roofs
- i) Non-capital furnishings and equipment (less than 15 year expected life)
- j) Instructional supplies and materials
- k) Maryland State sales taxes

For more detailed information on project eligibility and ineligibility see Code of Maryland Regulations (COMAR) *Board of Public Works, Public School Construction, Administration of the Public School Construction Program, Eligible Expenditures, and Ineligible Expenditures*. Go to www.dsd.state.md.us, COMAR Online. Select "Search Option 1" and enter codification numbers "23.03.02.11" and "23.03.02.12."

6. Requirements for All Projects

- a) Grant recipients are encouraged to submit an application and obtain MSDE project approvals to assure eligibility before awarding a contract for the work.
- b) Contracts shall have been signed on or after June 1, 2017.
- c) All work shall be under contract by June 29, 2019, two years after the funds first become available.
- d) All work shall be completed and the request for reimbursement shall be submitted to MSDE/PSCP by March 31, 2020. Notify MSDE in advance to request an extension on this date if necessary.

- e) Grant recipients shall consult with the Maryland Historical Trust (MHT) and determine the project will have no adverse effects on historic properties or shall identify measures to be taken to avoid and reduce such effects. A one page "Project Review Form" is available at the web site below. Grant recipients are not required to submit a copy of the review form to MSDE.
http://mht.maryland.gov/documents/PDF/projectreview/Compliance_Forms_Projectreview.pdf
- f) Grant recipients shall comply with State roofing policy on all roof projects. The policy is available at: <http://www.dgs.maryland.gov/Documents/ofp/2015RoofingPolicy.pdf>
- g) Grant recipients shall not contract with any individuals or firms suspended or debarred from work in Maryland. A list of suspended or debarred individuals or firms is available at: www.bpw.maryland.gov/pages/debarments.aspx.
- h) Grant recipients are encouraged to comply with COMAR 23.03.03 – *Board of Public Works, Public School Construction, Construction Procurement Methods*, including competitive bidding processes. See instructions in Section 5 of these procedures to obtain copy of regulations.
- i) Grant recipients are encouraged to solicit and hire Maryland resident businesses.
- j) Grant recipients are encouraged to use the Maryland Correctional Enterprises for furniture and equipment needs. A complete catalog of products and services is available at: www.mce.md.gov/Portals/0/pdf_2015/MCE%20FY17%20Catalog.pdf?ver=2016-06-29-070640-237.
- k) Grant recipients are encouraged to use energy conservation and green building technologies.
- l) Grant recipients are encouraged to solicit and hire minority-owned businesses certified by the Maryland Department of Transportation (MDOT.)
- m) Grant recipients are required to contact the MSDE representative should the scope of the work for the project change from the original approval, prior to signing the contract.

7. Application Process

All nonpublic schools interested in participating in the program shall submit an online application. The application is a two-step process. First, the school submits information to determine if the school is eligible to participate. Second, the eligible schools submit information about the specific project(s) for review and approval. Applications must be received by the close of business Friday, December 15, 2017.

In order to complete the first step, the school must have identified a contact person, the total tuition revenue for school year 2015-16, and the total enrollment as of September 30, 2015. The school also must have completed the **Building Age Worksheet** and reviewed the **Grant Assurances** document.

In order to complete the second step, the school must identify a second contact person and submit a brief narrative description of the proposed work, an estimated total project cost, and a proposed schedule for the work. The school must identify the number of students eligible for federal free and

reduced price meal programs (FARMS.) The school must upload the completed **Building Age Worksheet** and the signed **Grant Assurances** document.

The school must indicate whether any school funds have already been allocated for the project. The amount of State funding requested will be the difference between the **Total Estimated Cost** of the project and the funds already available. If the school does not have any funds available and is requesting the maximum State allocation, enter \$0 as the **Estimated Private/Nonpublic Funds Available**.

Applications are available at: <https://agingschools.msde.maryland.gov/>

8. Application Review and Approval Process

- a) The application software determines the eligibility of the school based on tuition, age of building, and school grades offered – Step 1, and notifies the school of the result automatically.
- b) Eligible schools are then able to submit complete project applications – Step 2.
- c) MSDE will review the project applications to confirm:
 - a. the **Building Age Worksheet** has been completed correctly and the correct age has been entered;
 - b. the **Grant Assurances** document has been signed;
 - c. the proposed project is eligible; and
 - d. the project description, estimated costs, and schedule are reasonable.
- d) MSDE shall approve, return with questions, or deny the project application.
- e) The software will categorize the schools with approved projects by the number of funding criteria met. The funding criteria are described in Section 15 of these procedures.
- f) Following completion of the application period, MSDE shall review the number of schools with approved projects in each funding category and calculate the maximum grant allocations.
- g) MSDE shall submit the funding recommendations to the Interagency Committee on School Construction (IAC) for approval and permission to submit to the Board of Public Works.
- h) Following review and approval by Board of Public Works (BPW), MSDE staff will notify each school of its individual allocation. The earliest date final grant allocations will be announced is March 15, 2018.

9. Project Design and Approval Process

- a) No project design review or approval by MSDE or PSCP shall be required, except as described below.

- b) MSDE and PSCP reserve the right to review technical designs, specifications, and procurement documents if either agency determines it to be necessary. Schools will be notified as soon as such determination is made.

10. Project Bidding and Construction Process

No submissions to MSDE or PSCP are required. Please refer to Section 6 (h – l) of these procedures for recommendations on the bidding and procurement processes.

11. Reimbursement Process

- a) The PSCP shall make one (1) payment only to the school.
- b) Upon completion of the project and no later than March 31, 2020, the grant recipient shall submit to MSDE a single, signed Request for Reimbursement to Nonpublic Schools (*IAC/PSCP Form 306.2 Revised for Nonpublic Schools*) with attachments for all work done under the grant.
- c) MSDE will review the reimbursement request for consistency with the approved project description and grant allocation and for the required attachments.
- d) If the request is consistent and complete, MSDE will forward the request to PSCP Fiscal Services for final review and payment.
- e) If the request is inconsistent or incomplete, MSDE will notify the grant recipient to revise or complete the submission and resubmit.
- f) PSCP will review the request for accuracy, inclusion of required documents, consistency among the documents, required signatures, and dates.
- g) If the request is approved, PSCP will submit the request to the office of the Comptroller of Maryland for payment. The Comptroller's office will mail a check to the school.
- h) If the request is not approved, PSCP shall notify school of the reasons and work with the school to resolve issues, if possible.

12. Appeals Process

Nonpublic schools may appeal the decision of MSDE and/or PSCP staff to the Designees of the Interagency Committee on School Construction (IAC). The IAC Designees are staff members of the Maryland Department of Education, the Maryland Department of Planning, and the Department of General Services authorized to act on behalf of the IAC member. To appeal a decision by MSDE and/or PSCP staff to the IAC Designees, submit a letter by U. S. Mail explaining the circumstances and any mitigating conditions to the address below. The Executive Director will present the matter to the Designees and notify the school of the outcome.

Mr. Robert Gorrell, Executive Director
Interagency Committee on School Construction
200 West Baltimore Street
Baltimore, Maryland 21201-2595

Schools dissatisfied with the decision of the IAC Designees may appeal to the IAC by submitting a similar letter to the Executive Director. Appeals to the IAC will be considered only at regular meetings of the Committee. IAC meetings are open to the public.

13. Audit Requirements

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

14. Schedule

June 1, 2017	FY18 Nonpublic Aging School Program (NASP) funds are available in PSCP budget
Mid – Sept. 2017	MSDE School Facilities Branch releases procedures and opens application website - Nonpublic schools may submit online applications
December 15, 2017	Last day for nonpublic schools to submit applications for FY18 NASP
Sept 2017 – Jan 2018	MSDE School Facilities Branch reviews applications, classifies requests, and prorates grant awards
February 2018	IAC reviews and approves grant allocations
March 2018	BPW reviews and approves grant allocations
March 15, 2018	Earliest date grant allocation amounts announced
June 1, 2017 – June 29, 2019	Nonpublic school plans project and procures contract. (Schools that proceed to contract prior to grant approval do so at their own risk.)
June 29, 2019	Last day for school to sign contract for project work
March 31, 2020	Last day for school to submit Request for Reimbursement Form to MSDE (All construction must be complete and all contractors fully paid)

15. Budget Language

Chapter 22 - 2017 LAWS OF MARYLAND

DE02.01 BOARD OF PUBLIC WORKS

DE02.02 PUBLIC SCHOOL CONSTRUCTION (Statewide)

DE02.02(C)

(C) *Nonpublic Aging Schools Program. Provide funds to be distributed as grants to nonpublic schools in Maryland for expenditures eligible under the Aging Schools Program established in §5-206 of the Education Article, including school security improvements. Provided that grants may only be provided to nonpublic schools eligible to receive Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loan to students in eligible nonpublic schools), excluding preschools in fiscal 2018, with a maximum amount of \$100,000 and a minimum amount of \$5,000 per eligible school.*

Further provided that:

(a) *an eligible school may apply and qualify for a grant as specified below based on the following criteria:*

- (1) *at least 20% of the school's students are eligible for free or reduced price meal program;*
- (2) *tuition charged to students is less than the statewide average per pupil expenditure for public schools as calculated by the Maryland State Department of Education; and*
- (3) *the school has a facility with an average age of 50 years or more; and*

(b) *if a school meets:*

- (1) *all three of the criteria specified above, the school may receive up to \$100,000;*
- (2) *two of the three criteria specified above, the school may receive up to \$75,000; and*
- (3) *one of the three criteria specified above, then the school may receive up to \$25,000.*

Further provided that if more eligible schools apply and qualify for grants than the total authorization, the Maryland State Department of Education shall prorate the grants based on the total authorization amount. Further provided that the funds shall be administered by the Maryland State Department of Education and the Interagency Committee on School Construction\$3,500,000

16. **Forms Required**

The **Building Age Worksheet** and the **Grant Assurances** forms are available for download in the application website <https://agingschools.msde.maryland.gov/> and at the PSCP website, www.pscp.state.md.us/programs/NonPubASP/nonpubaspindex.cfm.

- A. **Building Age Worksheet** - Complete this worksheet prior to submitting the application. It must be saved as a .pdf file and uploaded to the application at submission. We recommend the applicant compare this form to the prior year's form to identify any discrepancies. Use the "Calculated Age" of the school as the Building Age in Step 1 of the application
- B. **Grant Assurances** – Complete this form prior to submitting the application. It must be uploaded to the application prior at submission. Please note the text of the non-discrimination statement on this form (Item 1.c.) is directly from law and cannot be altered.

The remaining forms are available for download only at the PSCP website address above.

- C. **Request for Reimbursement to Nonpublic Schools (IAC/PSCP Form 306.2 Revised for Nonpublic Schools)** – Complete this form after the project is complete and all contractors have been paid by the school. The following attachments are required: copies of

invoices, copies of canceled checks (front and back) or bank statements, and an IRS Form W-9 - *Request for Taxpayer Identification Number and Certification for the school*, if not currently registered with the Comptroller of Maryland. (IRS Form W-9 is available from www.IRS.gov.)

- D. Contractor's Certification of Receipt of Payment (IAC/PSCP Form 306.2a Revised for Nonpublic Schools) (OPTIONAL) – This form requires signature by a notary public. Complete this form only if copies of canceled checks or bank statements verifying full payment to the contractor are not available. Mail or deliver original notarized form with stamp to MSDE.

17. Contacts

For general information on MSDE Aid to Nonpublic Schools (Textbook and Technology Program) and Nonpublic Aging Schools Programs:

Mr. Jamie Klarman, MSDE Nonpublic Schools Program Coordinator, at 410-767-0141, or by email to james.klarman@maryland.gov.

For questions on Nonpublic Aging Schools project eligibility and application procedures:

Ms. Gloria Mikolajczyk, MSDE School Facilities Architect Supervisor, at 410-767-0101, or by email to gloria.mikolajczyk@maryland.gov .

Ms. Jillian Storms, MSDE School Facilities Architect, at 410-0615, or by email to jillian.storms@maryland.gov.

For questions on Nonpublic Aging Schools funding reimbursement:

Ms. Carrie Wiskman, PSCP Fiscal Services, Administrator of Programs and Finance, at 410-767-0614 or carrie.wiskman@maryland.gov.