



# IAC

A sufficient learning environment for every child in every seat in Maryland.

# **Aging Schools Program Administrative Procedures Guide**

Interagency Commission on School Construction

**Updated April 2021**

These procedures are available for download at:

<https://mdschoolconstruction.org/>

Applications for this program must be submitted online at:

[SharePoint1](#)

**200 W. Baltimore Street**

**Baltimore, MD 21201**

**(410) 767-2135**

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### Record of Changes

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

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## 1. Background

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

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

## 2. Purpose

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

## 3. Allocations

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

## 4. Eligible Aging School Projects

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

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

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

## 5. Ineligible Projects/Expenditures

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

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

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

## 6. Application Process

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

1. The project must be of a distinctive type in a single building and within the list of eligible expenditures shown in Attachment I - *Eligible Projects/Expenditures and Required Project Approvals*.
2. The application should list the proposed projects in priority order and include one or two paragraphs describing in detail the existing conditions and the proposed scope of work including the determination of the applicability of the Emergency Shelter Compliance Process. The submission should also include:
  - i. The actual age of the building or building system improved.
  - ii. The number of units or square footage involved, if appropriate.



determines will be used for public shelter during a national, state, or local emergency event.

6. The Maryland Historical Trust (MHT) must be consulted on all projects for State funding, requiring standard review as set forth in the Programmatic Agreement. The LEA should review the MHT *Schools by Category* list for projects receiving State funding to determine if consultation with MHT is applicable to the requested project. The project review submission form is available at <http://www.mht.maryland.gov>. Contact Amanda Apple, Maryland Historical Trust at (410) 697-9533 or [Amanda.apple@maryland.gov](mailto:Amanda.apple@maryland.gov) if you have any questions.

## 8. Procurement/Contract Awards

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

The following will apply:

- a) **Projects which cost less than \$50,000** do not require IAC approval of the procurement and, generally, sealed bids are not required unless a local board of education policy or procedure has a dollar value that requires sealed bids.
  - b) **Projects which cost at least \$50,000 but less than \$100,000 are required to be bid, consistent with Section 5-112 Bids of the Education Article.** IAC approval of contracts with a total cost of less than \$100,000 is not required prior to entering into the contract but is subject to State review at the time reimbursement is requested. A copy of the bid tabulation must be submitted with IAC/PSCP Form RE 4000 *Project Reimbursement/Expenditure Report* for the ASP project.
  - c) **Projects which cost \$100,000 or more are required to be bid, consistent with Section 5-112 Bids of the Education Article.** IAC approval of the contract award is required prior to the board of education entering into the contract. A copy of the bid tabulation with a copy of the low bidder's proposal must be submitted for State review and approval of the contract award.
2. An existing State or local contract which was previously competitively bid can be utilized for any project in the funding levels described above. The previously approved contract number, the bid date, and the expiration date of the contract should be submitted.
  3. Projects over \$500,000 in which the State participation is more than 25% of the total contract value, can utilize an existing State or local contract, so long as verification is provided that prevailing wages are paid, in accordance with State Finance and Procurement Article §17-201 through §17-226.
  4. The LEA must utilize its MBE procedures for all ASP project procurements. All requests for reimbursement must include a completed *Project Reimbursement/Expenditures Report, Minority Business Enterprise Participation Form* is located on the PSCP website: [https://iac.mdschoolconstruction.org/?page\\_id=2813](https://iac.mdschoolconstruction.org/?page_id=2813).

5. Adherence to the MBE procedures is required for all ASP project procurements to ensure reimbursement at project completion. Projects with a construction value estimate in excess of \$50,000 are required to submit a *MBE Goal Setting Analysis* to PSCP, as specified in Subsection 5.d of the amended Section 4.0 *MBE Goals Setting Procedures*. For projects with a construction value in excess of \$200,000, the Form should also be sent to the Governor's Office of Small, Minority & Women Business Affairs (GOSBA). Any questions regarding MBE submissions should be directed to [iac.pscp@maryland.gov](mailto:iac.pscp@maryland.gov).
6. A State school construction sign is required for ASP projects costing \$100,000 or more. These signs are available from the Maryland Correctional Enterprises (MCE) Sign Plant #111, C/O Patuxent Institution, Attn: Charles Behnke, Plant Manager, 7555 Waterloo Road, Jessup, MD 20794; their telephone number is (410) 799-5102. They may be ordered by faxing a purchase order to (410) 799-7911. The e-mail address for the Sign Shop is [Charles.Behnke@maryland.gov](mailto:Charles.Behnke@maryland.gov). The Construction Sign mock-up is located on the IAC website [https://iac.mdschoolconstruction.org/?page\\_id=616](https://iac.mdschoolconstruction.org/?page_id=616).

## 9. Processing For Payment

Payment for work completed under the ASP will be through reimbursement to the school system. The State will provide a single payment to the school system at the completion of the project. Upon completion of the project, the school system should submit IAC/PSCP form RE 4000 *Project Reimbursement/Expenditure Report* ([https://iac.mdschoolconstruction.org/?page\\_id=737](https://iac.mdschoolconstruction.org/?page_id=737)) and IAC/PSCP form 306.4 page 3 *Certified Minority Business Enterprise Participation* ([https://iac.mdschoolconstruction.org/?page\\_id=2813](https://iac.mdschoolconstruction.org/?page_id=2813)). Copies of cancelled checks and contractor's requisitions/invoices or paid purchase orders must accompany this form. If the contractor's requisitions/invoices do not provide a description of the type of work performed, a copy of the purchase order or contract shall be provided. No other financial reports or documentation need be submitted to process the reimbursement request. As with all State-funded school construction projects, supporting documentation must be retained until future audit.

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

## 10. Future Project Funding

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

construction allocation.

**Resources:**

- Interagency Commission on School Construction Website - [iac.mdschoolconstruction.org](http://iac.mdschoolconstruction.org)
- SharePoint Portal - <http://sp1.pscp.state.md.us>
- ASP Forms - [https://iac.mdschoolconstruction.org/?page\\_id=616](https://iac.mdschoolconstruction.org/?page_id=616)
  - IAC/PSCP RE 4000 - Project Reimbursement/Expenditure Report
  - IAC/PSCP 306.4 - Project Reimbursement/Expenditure Report – Minority Business Enterprise Participation
  - IAC/PSCP 306.2 - Contractors Certification of Receipt of Payment

All projects require State review, approval and the assignment of a PSC/ASP number prior to award of contract.

Any project with a total cost of \$100,000 or more requires State approval of the contract award prior to proceeding.

**Review level submission requirements are as follows:**

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

## APPENDIX I - Eligible Projects/Expenditures and Required Project Approvals

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

### **ADDITIONAL NOTE:**

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

## 11. Appendix II - Ineligible Expenditures

### 1. Ineligible Expenditures.

The following expenditures are ineligible for State funding:

- A. Site acquisition;
- B. Offsite development costs except those listed as eligible in Regulation .10 of this chapter;
  - c. Master plans;
- D. Projects proposed in buildings or portions of buildings that have been constructed or renovated within 15 years, except that a building or portion of a building in which a limited renovation was performed is eligible for additional work within 15 years of the date that the limited renovation construction was completed;
- E. Capital Maintenance projects to replace, upgrade, or renovate building systems that have been replaced, upgraded, or renovated within 15 years.
- F. Ancillary construction costs such as:
  - (1) Permits;
  - (2) Bid advertising;
  - (3) Water and sewer connection charges;
  - (4) Models; or
  - (5) Renderings;
- G. Leasing school facilities except as provided in COMAR 14.39.05;
- H. Construction inspection services;
- I. Relocation costs for site occupants;
- J. Salaries of local employees;
- K. Construction of administrative or support facilities, including regional or central administrative offices, warehousing, resource, printing, vehicle storage, and maintenance facilities;
- L. Movable equipment, furnishings, and artwork as defined by the IAC;
- M. Temporary storage.

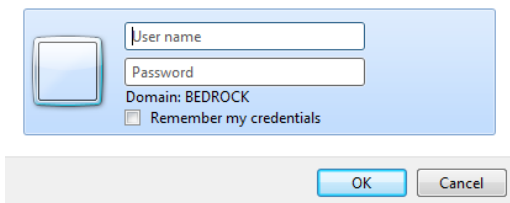
**\* NOTE: MAINTENANCE IN COMAR 14.39.02.18 IS ELIGIBLE UNDER THE AGING SCHOOLS PROGRAM**

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

## 12. Appendix III - Step by Step Instructions - Aging Schools Program Application Submission in SharePoint

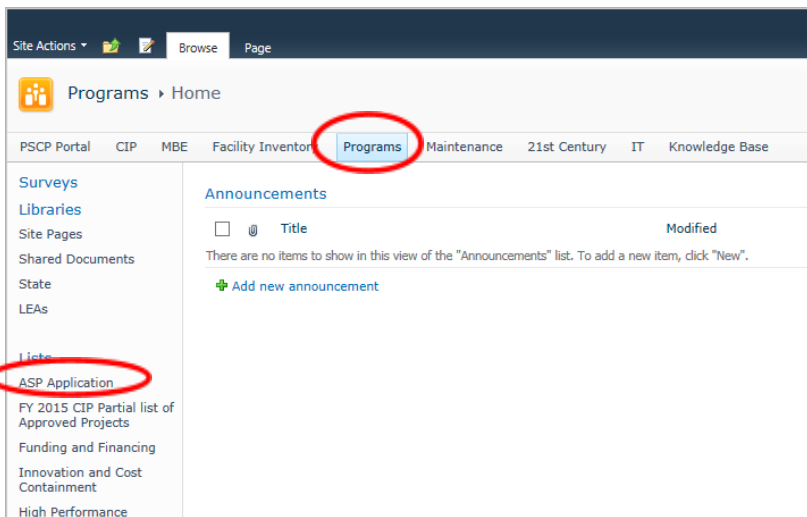
### Access Application

1. Contact IAC staff at [iac.pscp@maryland.gov](mailto:iac.pscp@maryland.gov) to obtain a username and password for the SharePoint site; (if you do not already have one).
2. **\*\*You must use Internet Explorer\*\***
3. In Internet Explorer, navigate to the PSCP SharePoint site: <http://sp1.pscp.state.md.us>
4. Enter the username and password provided by the IAC's IT Department.



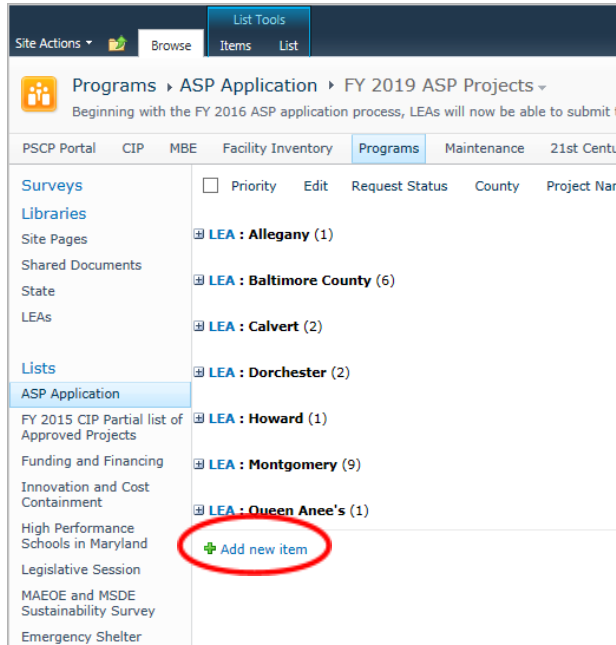
A Windows login dialog box with a light blue background. It contains a small computer icon on the left. To the right of the icon are two text input fields: "User name" and "Password". Below these fields, it says "Domain: BEDROCK" and has a checkbox labeled "Remember my credentials". At the bottom of the dialog are two buttons: "OK" and "Cancel".

5. Click on the "Programs" tab.



6. Under the *Lists* sidebar on the left, click "ASP Application".

7. Click [+ Add new item](#) .



## Complete Application

In the "ASP Application - New Item" form, complete each field (see Table 1). Complete a new application for **each** project request.

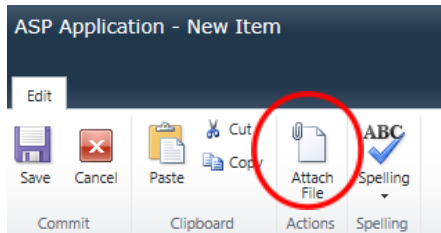
**The LEA is to complete all required fields.**

- Identify project priority order for each project requested.
- LEA completes all fields on ASP LEA application tab for each project request.
- The project requests should not exceed the LEA allocation by more than 10% (See diagram on next page)

**Table 1 - LEA APPLICATION TAB**

<b>Field Name</b>	<b>Description/Content</b>
1. Date Request Submitted	Enter the date of application submission
2. Priority	Enter project priority order
3. Fiscal Year	Enter the ASP fiscal year
4. LEA	Choose from drop-down list
5. Project Name	Enter the name of the school and indicate Elementary, Middle, High, or other as appropriate <b>(Do not use acronyms or abbreviations)</b>
6. Description/Justification	Enter the type of project (i.e., ceiling, masonry work, flooring, roofing - see APG for ASP – Eligible Project /Expenditures and Required Project Approvals). Describe in detail the existing condition and proposed scope of work. Indicate if the project requires replacement of the electrical system or an upgrade of the electrical system.
7. Age (Building Component)	Enter the date of construction or latest renovation of the building, system, or component
8. Anticipated Date Work Begins	Enter the anticipated date that the work would begin
9. Anticipated Date Work Completed	Enter the anticipated date for the completion of the work
10. Method of Accomplishing Work	Enter the procurement method that will be used to accomplish the work (i.e., purchase order, competitive sealed bids, utilize existing time/material contract, utilize existing State/local contract, or other procurement method, per COMAR 23.03.02.03).
11. Method of Accomplishing Design Services	Enter the method that will be used to accomplish design services (i.e., architect, engineer, in-house staff, architect/engineer, consultants, or describe other method).
12. LEA Total Cost Estimate	Enter total estimated eligible cost for the project (exclude all ineligible costs including A/E fees) and the ASP funds proposed to be allocated for this project. Since no local matching funds are required for ASP projects, the total cost can be equal to the ASP funds requested.
13. LEA ASP State \$ Requested	Enter total estimated eligible cost for the project (exclude all ineligible costs including A/E fees) and the ASP funds proposed to be allocated for this project. Since no local matching funds are required for ASP projects, the total cost can be equal to the ASP funds.
14. Local ASP \$ Approved	Enter total estimated amount of Local funds required for the project, if applicable
15. State ASP \$ Approval	Enter the total amount of State funds approved for the project, if applicable
16. Questions to the LEA Requiring a Response	This field is used to communicate Designees' questions to the LEA. An answer is required prior to approval.
17. LEA Response to Designees Questions	LEA fills in their response to the Designee's questions

8. To add attachments, click the “Attach File” button at the top of the “ASP Application - New Item” form



9. Click “Save” to submit your ASP project request to the PSCP for IAC Designee review and approval.

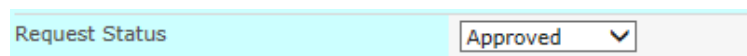


You will now see a new item in the ASP Application List with a Request Status of Pending.

10. The LEA should notify IAC staff at [iac.pscp@maryland.gov](mailto:iac.pscp@maryland.gov) when the initial application is uploaded and when any revisions or changes to the project approval are requested.
11. PSCP receives an alert indicating a request has been submitted and begins the review for eligibility process for the IAC Designee approval within two days of application submission.
12. After PSCP initial review for eligibility is complete, the PSCP enters the “Date Ready for Designees Review” on the *PSCP/Designees* tab.



13. An email alert notifies the IAC Designees that the application is ready for review. IAC Designees will review the request and any questions are entered into SharePoint. A notification email is sent to the LEA indicating that there have been changes made to the application that need attention and and/or response. The LEA enters their response in the *LEA Response to Designees Questions* field.
14. Once Designees review and decisions are complete, the “Request Status” field is changed from “Pending” to “Approved” or “Denied”.



15. The LEA is sent an email approval notification including an Approved ASP Projects report. Each project application will be maintained in SharePoint.
16. Revisions will be made by the LEA/PSCP to the application in SharePoint. PSCP will receive an alert indicating when revisions are made to approved projects. Remarks can be added to the *LEA Response to Designees* field to explain the reason for the revision.
17. If an application has been submitted in error, please notify IAC staff at [iac.pscp@maryland.gov](mailto:iac.pscp@maryland.gov) and the request will be deleted; "Cancelled" status indicates the project was previously "Approved" then later "Cancelled".

## **END OF DOCUMENT**

### **Procedures prepared by:**

Interagency Commission on School  
Construction 200 West Baltimore Street  
Baltimore, MD 21201

[https://iac.mdschoolconstruction.org/?page\\_id=2813](https://iac.mdschoolconstruction.org/?page_id=2813)

[iac.pscp@maryland.gov](mailto:iac.pscp@maryland.gov)