

Bill as Introduced

HB 175 - AS INTRODUCED

2019 SESSION

19-0124
06/05

HOUSE BILL **175**

AN ACT relative to the requirements for school building aid grants.

SPONSORS: Rep. Ladd, Graf. 4; Rep. Morrison, Rock. 9; Rep. Lang, Belk. 4; Rep. Wolf, Merr. 5; Rep. Shaw, Hills. 16

COMMITTEE: Education

ANALYSIS

This bill:

- I. Establishes a timeline for school districts to apply for building aid grants.
- II. Clarifies information to be provided in building aid applications.
- III. Provides for emergency projects.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the requirements for school building aid grants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Building Aid; Plans, Specifications, and Costs. Amend RSA 198:15-cto read as follows:

2 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

3 I.(a) A school district maintaining approved schools, desiring to avail itself of the grants
4 herein provided shall have the plans, specifications, and cost estimates for school plant construction
5 or proposals for the purchase of school buildings, or both, and the costs for them approved by the
6 department of education prior to the start of construction. For this purpose the district shall submit
7 its plans, specifications, cost, and purchase estimates in writing to the department of education on
8 such forms as the department prescribes. *A letter of intent shall be submitted to the*
9 *department no later than 14 months prior to the beginning of the biennium in which*
10 *school building aid grants are to be disbursed. The letter of intent shall include project*
11 *information, alternatives to be considered, costs of alternatives, and any items required by*
12 *the department. The building aid application shall be submitted no later than July 1 of*
13 *the year prior to the biennium in which school building aid grants are to be disbursed.*
14 *The building aid application shall include items such as detailed drawings, cost*
15 *estimates, funding sources, preliminary design documents, maintenance impact analysis,*
16 *proof of good maintenance, and other documentation as required by the department and*
17 *identified in the department's school building construction rules.* A school district shall also
18 submit a copy of any application for energy efficiency reimbursement under RSA 374-F. The
19 department of education shall coordinate with the public utilities commission to ensure that eligible
20 school districts have submitted applications for funding reimbursement and technical assistance as
21 available from energy utility companies to promote indoor air quality and energy efficiency in public
22 schools. [~~Applications for school building aid grants shall be submitted before September 1 of each~~
23 ~~year in order to be eligible for school building aid grants in the fiscal year following the year of~~
24 ~~submittal.] *School construction grant applications for either the first or second year of the*
25 *biennial budget shall be submitted to the commissioner of education no later than July 1*
26 *of the year prior to the first fiscal year of the biennium in order to be eligible for school*
27 *building aid grants.*~~

28 (b) *As deemed appropriate, emergency projects that are recommended by the*
29 *commissioner of education and the school building authority shall be addressed on a case-*
30 *by-case basis by the state board of education at any time during the school year. A school*
31 *construction project requiring the replacement of all or a significant portion of a school*

1 *facility which is declared uninhabitable or is identified as an imminent danger or*
2 *substantial risk by the state fire marshal or a state or federal agency, and which results*
3 *from an unanticipated and sudden natural or human disaster, shall qualify as an*
4 *emergency project.*

5 (c) *School districts with projects for which there is insufficient state grant*
6 *funding during the biennial budget may resubmit those projects to the department for*
7 *future consideration in the next biennial budget cycle. Project proposals shall be funded*
8 *to the extent of available appropriations in the fiscal year.*

9 II.(a) The commissioner shall accept school building aid grant applications based upon
10 completeness and submit a preliminary school building aid grant list to the school building
11 authority established pursuant to RSA 195-C. By [~~January 15~~] *December 1* of the fiscal year prior
12 to the biennium in which school building aid grants are to be disbursed, the school building
13 authority shall develop a rank ordered list of all school building construction and renovation
14 proposals submitted by school districts and shall categorize each proposal based on school building
15 and site criteria in descending order. The school building authority shall recommend prioritized
16 proposals to be funded in descending rank order to the state board of education for approval. *The*
17 *state board of education shall publish the list of approved projects by January 15 of the*
18 *fiscal year prior to the biennium in which school building aid grants are distributed.*
19 School districts which have projects approved for funding shall be notified by the department of
20 education of the projected amount to be funded within 10 days of approval. The project rating
21 system and criteria used to rate project applications which shall include an administrative review
22 process for appeal of a school district's project point rating, shall be developed by the department of
23 education and approved by the state board of education. The department of education, after review
24 by the house finance committee, the house special committee on education funding reform, and any
25 senate committee designated by the senate president, shall propose interim rules pursuant to RSA
26 541-A no later than November 1, 2012, and final rules pursuant to RSA 541-A no later than April
27 30, 2013, relative to the criteria set forth in this paragraph and the procedures necessary to
28 implement this paragraph.

29 (b) The commissioner of the department of education shall accept school building
30 construction proposals based upon completeness. The department of education shall consider and
31 score each proposal based on the following criteria:

32 (1) Unsafe conditions.

33 (2) Facilities not in compliance with the Americans With Disabilities Act, or
34 obsolete, inefficient, or unsuitable facilities or mechanical and building systems.

35 (3) Overcrowding and associated influences to instructional areas and
36 programming.

37 (4) Enrollment projections and population shifts.

38 (5) Whether a school district has made a reasonable attempt to accommodate

1 maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations,
 2 enhancements to buildings, and preventive maintenance necessary to achieve the design life
 3 expectancy of building systems and components. *School districts shall be required to provide*
 4 *maintenance records and other documentation, if necessary, concerning maintenance*
 5 *program activities for scheduled and unscheduled repairs, upkeep, minor alterations, and*
 6 *enhancements of district buildings.*

7 (6) A school district's fiscal capacity based on measurable criteria such as the
 8 percentage of pupils eligible for free and reduced price meals.

9 (7) School security design and integration of security systems.

10 (8) A school district which initiated and completed a locally *or state grant* funded
 11 school renovation project to remedy ~~[a safety]~~ *an imminent danger, substantial risk, or*
 12 *security infrastructure* condition identified by the state fire marshal *or the department of*
 13 *safety, division of homeland security and emergency management*, on or before June 30,
 14 ~~[2017]~~ *2019* shall be eligible to include any *such* corrected ~~[safety]~~ condition in a subsequent
 15 application for school building aid submitted by the school district ~~[after June 30, 2017]~~. This
 16 subparagraph shall ~~[not apply to a school district or a school that received state emergency funding~~
 17 ~~or other state aid to remedy the safety condition on or before June 30, 2017]~~ *enable a school*
 18 *district having remedied an imminent danger, substantial risk, or security condition*
 19 *prior to June 30, 2019 to receive application point credit, but such district shall not be*
 20 *eligible to receive additional school construction grant funding for the remedied*
 21 *condition.*

22 (9) The project contributes to operational cost efficiencies, consolidation, or reduced
 23 property taxes.

24 (10) *High performance of design that provides environments that are energy*
 25 *and resource efficient. Energy and resource efficient designs are those that improve*
 26 *indoor air quality, air temperature, or water quality; reduce heating costs; provide better*
 27 *lighting; and increase average attendance.*

28 (11) Any other criteria that the state board of education may determine are
 29 necessary.

30 (c) ~~[The school building authority shall recommend those proposals to be funded in~~
 31 ~~descending rank order to the state board of education for approval. The state board of education~~
 32 ~~shall publish the list by January 15 of each year. Those proposals not approved shall be considered~~
 33 ~~for approval in the next biennial budget. Project proposals shall be funded to the extent of available~~
 34 ~~appropriations in the fiscal year.~~

35 (d) A school district, a city maintaining a school department within its corporate
 36 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an
 37 area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from
 38 one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA

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1 194:22, with projects for which there is insufficient state grant funding may resubmit those projects
2 to the department pursuant to the provisions of this section.

3 III. Necessary costs of the purchase of school buildings may be determined by any
4 recognized method of real estate appraisal with appropriate adjustments for remodeling or other
5 expenditures. Upon approval of the construction or purchase, or both, by the department of
6 education, the school district shall be entitled to receive a grant as provided herein.

7 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 175 FISCAL NOTE
 AS AMENDED BY THE HOUSE (AMENDMENT #2019-0191h)**

AN ACT relative to the requirements for school building aid grants.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill establishes a timeline for school districts to apply for building aid grants, clarifies information to be provided during the building aid application process, provides for emergency projects, and requires school districts accepting building aid to hire an on-site clerk of the works to represent the owner of the property. The Department of Education reports they are unable to determine the impact of this bill on local expenditures. However, the requirement to engage a clerk of the works as the on-site representative will likely increase local expenditures.

AGENCIES CONTACTED:

Department of Education

HB 175 - AS AMENDED BY THE SENATE

14Feb2019... 0191h
05/23/2019 2229s

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HOUSE BILL **175**

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COMMITTEE: Education

AMENDED ANALYSIS

This bill:

- I. Establishes a timeline for school districts to apply for building aid grants.
- II. Clarifies information to be provided in building aid applications.
- III. Provides for emergency projects.
- IV. Requires school district to engage the services of the school district's project manager for certain reconstruction or construction projects.

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4 or proposals for the purchase of school buildings, or both, and the costs for them approved by the
5 department of education prior to the start of construction. For this purpose the district shall submit
6 its plans, specifications, cost, and purchase estimates in writing to the department of education on
7 such forms as the department prescribes. *A letter of intent shall be submitted to the*
8 *department no later than 18 months prior to the beginning of the biennium in which school*
9 *building aid grants are to be disbursed. The commissioner may waive the letter of intent or*
10 *submittal deadline for good cause. The letter of intent shall include a facilities analysis*
11 *describing any deficiencies in the facilities of the existing school building, including but*
12 *not be limited to:*

13 (1) *Building components that are inadequate to provide programs required*
14 *by state or federal law, rule, or regulation.*

15 (2) *Deterioration of existing buildings.*

16 (3) *Conditions that are unsafe or that threaten the security or health of*
17 *students or employees.*

18 (4) *Operational systems that have excessive operational costs and are energy*
19 *inefficient due to age or design characteristics.*

20 (5) *Alternatives with costs that have been considered.*

21 (6) *Any other items required by the department.*

22 (b) *The letter of intent shall be submitted on a form provided by the department.*
23 *To be considered for a school construction grant in either the first or second year of the*
24 *biennium, the complete building aid application shall be submitted no later than July 1 of*
25 *the year prior to the biennium in which school building aid grants are to be disbursed.*
26 *The building aid application shall include detailed drawings, cost estimates, funding*
27 *sources, preliminary design documents, maintenance impact analysis, proof of good*
28 *maintenance, and other documentation as required by the department and identified in*
29 *the department's school building construction rules. A school district shall also submit a copy*
30 *of any application for energy efficiency reimbursement under RSA 374-F. The department of*

1 education shall coordinate with the public utilities commission to ensure that eligible school districts
 2 have submitted applications for funding reimbursement and technical assistance as available from
 3 energy utility companies to promote indoor air quality and energy efficiency in public schools.
 4 ~~[Applications for school building aid grants shall be submitted before September 1 of each year in~~
 5 ~~order to be eligible for school building aid grants in the fiscal year following the year of submittal.]~~

6 *(c) As deemed appropriate, emergency projects that are recommended by the*
 7 *commissioner of education and the school building authority shall be addressed on a case-*
 8 *by-case basis by the state board of education at any time during the school year. A school*
 9 *construction project requiring the replacement of all or a significant portion of a school*
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 13 *emergency project.*

14 *(d) Project proposals shall be funded to the extent of available appropriations*
 15 *in the fiscal year. School districts with projects for which there is insufficient state grant*
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 17 *future consideration in the next biennial budget cycle.*

18 II.(a) The commissioner shall accept school building aid grant applications based upon
 19 completeness and submit a preliminary school building aid grant list, *with applications ranked*
 20 *in accordance with subparagraph II(b) and rules of the department*, to the school building
 21 authority established pursuant to RSA 195-C. By ~~[January 15]~~ *December 1* of the fiscal year prior
 22 to the biennium in which school building aid grants are to be disbursed, the school building
 23 authority shall ~~[develop a rank ordered list of all school building construction and renovation~~
 24 ~~proposals submitted by school districts and shall categorize each proposal based on school building~~
 25 ~~and site criteria in descending order. The school building authority shall recommend prioritized~~
 26 ~~proposals to be funded in descending rank order to the state board of education for approval]~~ *verify*
 27 *the ranking submitted by the commissioner and submit a list in descending rank order to*
 28 *the state board of education for approval. If the ranking submitted to the school building*
 29 *authority differs from the preliminary school building aid grant list, the school building*
 30 *authority shall justify the new ranking using the same criteria in subparagraph II(b) and*
 31 *in rules of the department. The state board of education shall approve and publish the*
 32 *descending rank order list of approved projects by January 15 of the fiscal year prior to the*
 33 *biennium in which school building aid grants are distributed.* School districts which have
 34 projects approved for funding shall be notified by the department of education of the projected
 35 amount to be funded within 10 days of approval. The project rating system and criteria used to rate
 36 project applications which shall include an administrative review process for appeal of a school
 37 district's project point rating, shall be developed by the department of education and approved by the

1 state board of education. The department of education, after review by the house finance committee,
2 the house special committee on education funding reform, and any senate committee designated by
3 the senate president, shall propose interim rules pursuant to RSA 541-A no later than November 1,
4 2012, and final rules pursuant to RSA 541-A no later than April 30, 2013, relative to the criteria set
5 forth in this paragraph and the procedures necessary to implement this paragraph.

6 (b) The commissioner of the department of education shall accept school building
7 construction proposals based upon completeness. The department of education shall consider and
8 score each proposal based on the following criteria:

9 (1) Unsafe conditions.

10 (2) Facilities not in compliance with the Americans With Disabilities Act, or
11 obsolete, inefficient, or unsuitable facilities or mechanical and building systems.

12 (3) Overcrowding and associated influences to instructional areas and programming.

13 (4) Enrollment projections and population shifts.

14 (5) Whether a school district has made a reasonable attempt to accommodate
15 maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations,
16 enhancements to buildings, and preventive maintenance necessary to achieve the design life
17 expectancy of building systems and components. *School districts shall be required to provide*
18 *maintenance records and other documentation, if necessary, concerning maintenance*
19 *program activities for scheduled and unscheduled repairs, upkeep, minor alterations, and*
20 *enhancements of district buildings.*

21 (6) A school district's fiscal capacity based on measurable criteria such as the
22 percentage of pupils eligible for free and reduced price meals.

23 (7) School security design and integration of security systems.

24 (8) A school district which initiated and completed a locally *or state grant* funded
25 school renovation project to remedy ~~[a safety]~~ *an imminent danger, substantial risk, or security*
26 *infrastructure* condition identified by the state fire marshal *or the department of safety,*
27 *division of homeland security and emergency management,* on or before June 30, ~~[2017]~~ *2019*
28 shall be eligible to include any *such* corrected ~~[safety]~~ condition in a subsequent application for
29 school building aid submitted by the school district ~~[after June 30, 2017]~~. This subparagraph shall
30 ~~[not apply to a school district or a school that received state emergency funding or other state aid to~~
31 ~~remedy the safety condition on or before June 30, 2017]~~ *enable a school district having remedied*
32 *an imminent danger, substantial risk, or security condition prior to June 30, 2019 to*
33 *receive application point credit, but such district shall not be eligible to receive additional*
34 *school construction grant funding for the remedied condition.*

35 (9) The project contributes to operational cost efficiencies, consolidation, or reduced
36 property taxes.

1 (10) *High performance of design that provides environments that are energy*
2 *and resource efficient. Energy and resource efficient designs are those that improve indoor*
3 *air quality, air temperature, or water quality; reduce heating costs; provide better lighting;*
4 *and increase average attendance.*

5 (11) Any other criteria that the state board of education may determine are
6 necessary.

7 (c) ~~[The school building authority shall recommend those proposals to be funded in~~
8 ~~descending rank order to the state board of education for approval. The state board of education~~
9 ~~shall publish the list by January 15 of each year. Those proposals not approved shall be considered~~
10 ~~for approval in the next biennial budget. Project proposals shall be funded to the extent of available~~
11 ~~appropriations in the fiscal year.~~

12 (d) A school district, a city maintaining a school department within its corporate
13 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an
14 area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from
15 one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22,
16 with projects for which there is insufficient state grant funding may resubmit those projects to the
17 department pursuant to the provisions of this section.

18 III. Necessary costs of the purchase of school buildings may be determined by any
19 recognized method of real estate appraisal with appropriate adjustments for remodeling or other
20 expenditures. Upon approval of the construction or purchase, or both, by the department of
21 education, the school district shall be entitled to receive a grant as provided herein.

22 IV. *A school district that accepts school building aid for construction shall engage*
23 *the services of a project manager for construction or reconstruction projects of \$1,000,000*
24 *or more, unless the commissioner waives such requirement as unnecessary. The school*
25 *district's project manager shall have his or her own comprehensive liability and auto*
26 *insurance, worker's compensation coverage, and professional liability coverage. The state*
27 *board of education shall adopt rules pursuant to RSA 541-A relative to the required*
28 *services, responsibilities, and qualifications for the school district's project manager.*

29 2 Effective Date. This act shall take effect 60 days after its passage.

HB 175- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2019-2229s)

AN ACT relative to the requirements for school building aid grants.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill establishes a timeline for school districts to apply for building aid grants, clarifies information to be provided during the building aid application process, provides for emergency projects, and requires school districts accepting building aid for projects over \$1 million to engage the services of a project manager. The Department of Education reports they are unable to determine the impact of this bill on local expenditures. However, the requirement to engage a project manager will likely increase local expenditures, for instances when the requirement is not waived by the commissioner of the Department.

AGENCIES CONTACTED:

Department of Education

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27Jun2019... 2642-EBA

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COMMITTEE: Education

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This bill:

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8 its plans, specifications, cost, and purchase estimates in writing to the department of education on
9 such forms as the department prescribes. *A letter of intent shall be submitted to the*
10 *department no later than 18 months prior to the beginning of the biennium in which school*
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12 *submittal deadline for good cause. The letter of intent shall include a facilities analysis*
13 *describing any deficiencies in the facilities of the existing school building, including but*
14 *not be limited to:*

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- Page 2 -

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2 project applications which shall include an administrative review process for appeal of a school
3 district's project point rating, shall be developed by the department of education and approved by the
4 state board of education. The department of education, after review by the house finance committee,
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22 *program activities for scheduled and unscheduled repairs, upkeep, minor alterations, and*
23 *enhancements of district buildings.*

24 (6) A school district's fiscal capacity based on measurable criteria such as the
25 percentage of pupils eligible for free and reduced price meals.

26 (7) School security design and integration of security systems.

27 (8) A school district which initiated and completed a locally *or state grant* funded
28 school renovation project to remedy ~~[a safety]~~ *an imminent danger, substantial risk, or security*
29 *infrastructure* condition identified by the state fire marshal *or the department of safety,*
30 *division of homeland security and emergency management,* on or before June 30, ~~[2017]~~ *2019*
31 shall be eligible to include any *such* corrected ~~[safety]~~ condition in a subsequent application for
32 school building aid submitted by the school district ~~[after June 30, 2017]~~. This subparagraph shall
33 ~~[not apply to a school district or a school that received state emergency funding or other state aid to~~
34 ~~remedy the safety condition on or before June 30, 2017]~~ *enable a school district having remedied*
35 *an imminent danger, substantial risk, or security condition prior to June 30, 2019 to*
36 *receive application point credit, but such district shall not be eligible to receive additional*
37 *school construction grant funding for the remedied condition.*

CHAPTER 290
HB 175 - FINAL VERSION
- Page 4 -

1 (9) The project contributes to operational cost efficiencies, consolidation, or reduced
2 property taxes.

3 (10) *High performance of design that provides environments that are energy*
4 *and resource efficient. Energy and resource efficient designs are those that improve indoor*
5 *air quality, air temperature, or water quality; reduce heating costs; provide better lighting;*
6 *and increase average attendance.*

7 (11) Any other criteria that the state board of education may determine are
8 necessary.

9 (c) ~~[The school building authority shall recommend those proposals to be funded in~~
10 ~~descending rank order to the state board of education for approval. The state board of education~~
11 ~~shall publish the list by January 15 of each year. Those proposals not approved shall be considered~~
12 ~~for approval in the next biennial budget. Project proposals shall be funded to the extent of available~~
13 ~~appropriations in the fiscal year.~~

14 (d) A school district, a city maintaining a school department within its corporate
15 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an
16 area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from
17 one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22,
18 with projects for which there is insufficient state grant funding may resubmit those projects to the
19 department pursuant to the provisions of this section.

20 III. Necessary costs of the purchase of school buildings may be determined by any
21 recognized method of real estate appraisal with appropriate adjustments for remodeling or other
22 expenditures. Upon approval of the construction or purchase, or both, by the department of
23 education, the school district shall be entitled to receive a grant as provided herein.

24 IV. *A school district that accepts school building aid for construction shall engage*
25 *the services of a project manager for construction or reconstruction projects of \$1,000,000*
26 *or more, unless the commissioner waives such requirement as unnecessary. The school*
27 *district's project manager shall have his or her own comprehensive liability and auto*
28 *insurance, worker's compensation coverage, and professional liability coverage. The state*
29 *board of education shall adopt rules pursuant to RSA 541-A relative to the required*
30 *services, responsibilities, and qualifications for the school district's project manager.*

31 290:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 29, 2019
Effective Date: September 27, 2019

Amendments

Amendment to HB 175

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 School Building Aid; Plans, Specifications, and Costs. Amend RSA 198:15-c to read as follows:

4 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

5 I.(a) A school district maintaining approved schools, desiring to avail itself of the grants
6 herein provided shall have the plans, specifications, and cost estimates for school plant construction
7 or proposals for the purchase of school buildings, or both, and the costs for them approved by the
8 department of education prior to the start of construction. For this purpose the district shall submit
9 its plans, specifications, cost, and purchase estimates in writing to the department of education on
10 such forms as the department prescribes. *A letter of intent shall be submitted to the*
11 *department by August 30, 2019 and no later than August 30 of each odd numbered year*
12 *thereafter. The letter of intent shall include project information, including alternatives to*
13 *be considered, costs of alternatives, and any items required by the department. The*
14 *building aid application shall be submitted no later than May 1, 2020 and no later than*
15 *May 1 of each even numbered year thereafter. The building aid application shall be*
16 *accepted only after an affirmative vote of the district. Approval may be conditioned on*
17 *funding. The building aid application shall include detailed drawings, cost estimates,*
18 *funding sources, preliminary design documents, maintenance impact analysis, proof of*
19 *good maintenance, and other documentation required by the department and identified in*
20 *the department's school building construction rules.* A school district shall also submit a copy
21 of any application for energy efficiency reimbursement under RSA 374-F. The department of
22 education shall coordinate with the public utilities commission to ensure that eligible school
23 districts have submitted applications for funding reimbursement and technical assistance as
24 available from energy utility companies to promote indoor air quality and energy efficiency in public
25 schools. ~~Applications for school building aid grants shall be submitted before September 1 of each~~
26 ~~year in order to be eligible for school building aid grants in the fiscal year following the year of~~
27 ~~submittal.]~~

28 (b) *As deemed appropriate, emergency projects that are recommended by either*
29 *the commissioner of education or the school building authority shall be addressed on a*
30 *case-by-case basis by the state board of education. A school construction project requiring*
31 *the replacement of all or a significant portion of a school facility which is declared*
32 *uninhabitable or is identified as an imminent danger or substantial risk by the state fire*

1 *marshal or a state or federal agency, or which results from an unanticipated and sudden*
2 *natural or human disaster, shall qualify as an emergency project.*

3 *(c) School districts with projects for which there is insufficient state grant*
4 *funding during the biennial budget may resubmit those projects to the department for*
5 *future consideration in the next biennial budget cycle. Project proposals may be funded to*
6 *the extent of available appropriations in the fiscal year.*

7 II.(a) The commissioner shall accept school building aid grant applications based upon
8 completeness and submit, *as soon as practicable*, a preliminary school building aid grant list to
9 the school building authority established pursuant to RSA 195-C. *The school building authority*
10 *shall discharge its duties under this section solely in the interest of the taxpayers of the*
11 *state and with the care, skill, due diligence, and caution a prudent person acting in a like*
12 *capacity would use under such circumstances. The chairman of the school building*
13 *authority shall accept the preliminary school building aid grant list. The school building*
14 *authority shall evaluate and prioritize the preliminary list using, but not being limited to,*
15 *the following prioritized criteria to create the ranked list of projects in descending order*
16 *for the board of education along with a recommendation to fund or not:*

- 17 *(1) How the new project will affect the safety and security of the students.*
18 *(2) How the project will affect the students' opportunity for an adequate*
19 *education.*
20 *(3) How the project will affect the community at large in terms of finances*
21 *and other factors the school district identifies in its application.*
22 *(4) How the project accommodates future plans for the school district*
23 *and/or regionalization.*
24 *(5) How the project would be received by the average prudent taxpayer in*
25 *the state.*
26 *(6) How the need for the project compares to the need for other projects*
27 *throughout the state.*

28 *(b) By [January 15] December 1 of the fiscal year prior to the biennium in which*
29 *school building aid grants are to be disbursed, the school building authority shall evaluate those*
30 *qualifying applications using the prioritized criteria in subparagraph (a), complete any*
31 *site visits where they might be indicated, and wherever practicable, and as time allows,*
32 *allow school districts to provide any supplemental information in support of their project*
33 *and thereby develop a rank ordered list of all school building construction and qualifying*
34 *renovation proposals submitted by school districts and shall [categorize] summarize each proposal*
35 *application for the benefit of the state board of education based on school building and site*
36 *criteria in descending order. The school building authority shall recommend, or not, prioritized*
37 *proposals to be funded in descending rank order to the state board of education for approval. At the*

1 *first meeting of the state board of education following the December 1 deadline, the state*
2 *board of education shall publish the list of approved projects by January 15 of the fiscal*
3 *year prior to the biennium in which school building aid grants are distributed.* School
4 districts which have projects approved for funding shall be notified by the department of education
5 of the projected amount to be funded within 10 days of approval. The project rating system and
6 criteria used to rate project applications which shall include an administrative review process for
7 appeal of a school district's project point rating, shall be developed by the department of education
8 *and the school building authority* and approved by the state board of education. [The
9 department of education, after review by the house finance committee, the house special committee
10 on education funding reform, and any senate committee designated by the senate president, shall
11 propose interim rules pursuant to RSA 541-A no later than November 1, 2012, and final rules
12 pursuant to RSA 541-A no later than April 30, 2013, relative to the criteria set forth in this
13 paragraph and the procedures necessary to implement this paragraph.]

14 ~~[(b)]~~(c) The commissioner of the department of education shall accept school building
15 construction proposals based upon completeness. The department of education shall consider and
16 score each proposal based on the following criteria:

17 (1) Unsafe conditions.

18 (2) Facilities not in compliance with *state and federal law including, but not*
19 *limited to the Americans With Disabilities Act, for obsolete, inefficient, or unsuitable facilities or*
20 *mechanical and building systems] or any state or local building codes.*

21 (3) [~~Overcrowding and associated~~] Influences to instructional areas and
22 programming.

23 (4) Enrollment projections and population shifts.

24 (5) Whether a school district has made a reasonable attempt to accommodate
25 maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations,
26 enhancements to buildings, and preventive maintenance necessary to achieve the design life
27 expectancy of building systems and components *as determined by the department of education.*
28 *School districts shall be required to provide to the department of education maintenance*
29 *records and other documentation, if necessary, concerning maintenance program*
30 *activities for scheduled and unscheduled repairs, upkeep, minor alterations, and*
31 *enhancements of district buildings. Failure to adhere to maintenance program activities*
32 *may negatively influence future building aid applications.*

33 (6) A school district's fiscal capacity based on measurable criteria such as the
34 percentage of pupils eligible for free and reduced price meals.

35 (7) School security design and integration of security systems.

36 (8) A school district which initiated and completed a locally *or state grant* funded
37 school renovation project to remedy [~~a safety~~] *an imminent danger, substantial risk, or*

1 *security infrastructure* condition identified by the state fire marshal *or the department of*
2 *safety, division of homeland security and emergency management*, on or before June 30,
3 ~~[2017]~~ **2019** shall be eligible to include any *such* corrected ~~[safety]~~ condition in a subsequent
4 application for school building aid submitted by the school district ~~[after June 30, 2017]~~. This
5 subparagraph shall ~~[not apply to a school district or a school that received state emergency funding~~
6 ~~or other state aid to remedy the safety condition on or before June 30, 2017]~~ *enable a school*
7 *district that remedied an imminent danger, substantial risk, or security condition prior to*
8 *June 30, 2019 to receive application point credit under department of education*
9 *evaluation criteria, but such district shall not be eligible to receive additional school*
10 *construction grant funding for the remedied condition.*

11 (9) The project contributes to operational cost efficiencies, consolidation, or reduced
12 property taxes.

13 (10) *High performance of design that provides environments that are energy*
14 *and resource efficient. Energy and resource efficient designs are those that improve*
15 *indoor air quality, air temperature, or water quality; reduce heating costs; provide better*
16 *lighting; and increase average attendance.*

17 (11) Any other criteria that the state board of education may determine are
18 necessary.

19 (c) ~~[The school building authority shall recommend those proposals to be funded in~~
20 ~~descending rank order to the state board of education for approval. The state board of education~~
21 ~~shall publish the list by January 15 of each year. Those proposals not approved shall be considered~~
22 ~~for approval in the next biennial budget. Project proposals shall be funded to the extent of available~~
23 ~~appropriations in the fiscal year.~~

24 (d) A school district, a city maintaining a school department within its corporate
25 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an
26 area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from
27 one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA
28 194:22, with projects for which there is insufficient state grant funding may resubmit those projects
29 to the department pursuant to the provisions of this section.

30 III. Necessary costs of the purchase of school buildings may be determined by any
31 recognized method of real estate appraisal with appropriate adjustments for remodeling or other
32 expenditures. Upon approval of the construction or purchase, or both, by the department of
33 education, the school district shall be entitled to receive a grant as provided herein.

34 IV. *A school district that accepts school building aid for construction of projects*
35 *exceeding \$1,000,000 shall employ a clerk of the works to oversee the job site and the*
36 *construction process. The clerk of the works shall report progress bi-weekly to the school*
37 *board of the district receiving the aid and to the bureau of school safety and facility*

1 *management of the department of education and may halt construction for cause. The*
2 *clerk of the works shall not be an employee of any school district.*

3 2 School Building Authority; State Guarantee. Amend RSA 195-C:1, I to read as follows:

4 I. There shall be a school building authority, referred to in this chapter as the authority,
5 consisting of the state treasurer *or designee*, the commissioner of education *or designee*, the state
6 fire marshal or designee, and 3 other members appointed by the governor, one of whom shall have
7 expertise in education, one of whom shall have expertise in finance, and one of whom shall have
8 expertise in building construction or engineering, with the advice and consent of the council, for
9 terms of 3 years and until their successors are appointed and qualify. The governor shall designate
10 one of said members as chairman. In case of vacancy among the appointive members of the
11 authority, the governor, with the advice and consent of the council, shall fill the same for the
12 unexpired term. The appointive members of the authority shall receive as compensation for their
13 services, while actually engaged in the business of the authority, the sum of \$8 per day plus their
14 necessary subsistence expenses. The appointive members of the authority shall be paid mileage at
15 the state employees rate, plus necessary travel expenses, only when performing activities at the
16 request of the state board of education.

17 3 Proration and Unexpended Funds. Amend RSA 198:15-e to read as follows:

18 198:15-e Proration and Unexpended Funds. In any fiscal year, the amount appropriated for
19 distribution as school building grants in accordance with the version of RSA 198:15-b in effect prior
20 to July 1, 2012 shall first be awarded to a school district for an eligible project funded before July 1,
21 2012. If the amount appropriated is insufficient the appropriation shall be prorated proportionally
22 among the districts entitled to a grant. If the amount appropriated exceeds the amount necessary
23 to fully fund grants to a school district for eligible construction projects funded before July 1, 2012,
24 the remaining amount of the appropriation shall be awarded to a school district for an eligible new
25 proposal in the ranked order developed pursuant to RSA 198:15-c, II(a) ~~and II(b)~~ *through II(c)*.
26 Such a district shall receive a grant equal to 100 percent of the eligible amount of the request until
27 the amount appropriated has been exhausted. A partial grant may be awarded to the extent that
28 funds are available. If a school district declines a full or partial grant, a grant shall be made to the
29 next ranked school district until the amount appropriated has been exhausted. Any amounts not
30 distributed in the first year of any biennium may be distributed in the second year if required to
31 distribute the maximum amount permissible under RSA 198:15-a.

32 4 Effective Date. This act shall take effect 60 days after its passage.

Sen. Kahn, Dist 10
May 22, 2019
2019-2229s
06/08

Floor Amendment to HB 175

1 Amend RSA 198:15-c, IV as inserted by section 1 of the bill by replacing it with the following:

2

3 ***IV. A school district that accepts school building aid for construction shall engage***
4 ***the services of a project manager for construction or reconstruction projects of \$1,000,000***
5 ***or more, unless the commissioner waives such requirement as unnecessary. The school***
6 ***district's project manager shall have his or her own comprehensive liability and auto***
7 ***insurance, worker's compensation coverage, and professional liability coverage. The state***
8 ***board of education shall adopt rules pursuant to RSA 541-A relative to the required***
9 ***services, responsibilities, and qualifications for the school district's project manager.***

2019-2229s

AMENDED ANALYSIS

This bill:

- I. Establishes a timeline for school districts to apply for building aid grants.
- II. Clarifies information to be provided in building aid applications.
- III. Provides for emergency projects.
- IV. Requires school district to engage the services of the school district's project manager for certain reconstruction or construction projects.

Committee Minutes

SENATE CALENDAR NOTICE
Education and Workforce Development

Sen Jay Kahn, Chair
Sen Jeanne Dietsch, Vice Chair
Sen Jon Morgan, Member
Sen Ruth Ward, Member
Sen David Starr, Member

Date: March 27, 2019

HEARINGS

Tuesday	04/02/2019	
(Day)	(Date)	
<hr/>		
Education and Workforce Development	LOB 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	HB 171	establishing a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities.
9:20 a.m.	HB 175	relative to the requirements for school building aid grants.
9:40 a.m.	HB 719-FN-A	establishing the position of school nurse coordinator in the department of education and making an appropriation therefor.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 171

Rep. Lang

HB 175

Rep. Ladd

Rep. Shaw

HB 719-FN-A

Rep. Campion

Rep. Heath

Rep. Le

Rep. Morrison

Rep. Martin

Sen. Chandley

Sen. Reagan

Rep. Lang

Rep. Tanner

Sen. Watters

Rep. Wolf

Rep. Berrien

Tricia Melillo 271-3077

Jay Kahn
Chairman

Senate Education and Workforce Development Committee
Tricia Melillo 271-3077

HB 175, relative to the requirements for school building aid grants.

Hearing Date: April 2, 2019

Members of the Committee Present: Senators Kahn, Dietsch, Morgan, Ward and Starr

Members of the Committee Absent : None

Bill Analysis: This bill:

- I. Establishes a timeline for school districts to apply for building aid grants.
- II. Clarifies information to be provided in building aid applications.
- III. Provides for emergency projects.
- IV. Requires an on-site clerk of the works to represent the owner of the property.

Sponsors:

Rep. Ladd

Rep. Morrison

Rep. Lang

Rep. Wolf

Rep. Shaw

Who supports the bill: Representative Greg Hill, Representative Mel Myler, Representative Rick Ladd, Jerry Frew, Nicole Heimarck, Kathy Cahill, Amy Clark

Who opposes the bill: None

Summary of testimony presented in support:

Representative Rick Ladd

- This is an important bill as currently there is no school building aid.
- Communities need help with the repairs and upgrades of older school buildings.
- He looked at the process of past school building aid and updates needed with the Department of Education and they merged them together in this bill.
- There were some issues that dealt with the old timelines and they have been updated to suit current needs.
- Before this legislation the preliminary application needed to be submitted by July 1st and the decision by the DOE given by Jan 15th. All those consulted felt this is too short a time to evaluate the project requested in the application.
- They have backed it off to have the schools give a letter of intent 18 months before the application. This will give details about what is inadequate about the building and give the DOE time to review the projects needed.
- The complete application due date was moved from September to July 1st and is good for two years.

- In the emergency section they have added that the commissioner can look and approve the emergency projects that do not comply with the 18 months.
- Another change is if the legislature approves a certain amount of funding and it is not as much as the project needs the school district will have to reapply.
- The commissioner will rank the projects in descending order and there are rules that will determine what they have to look at to determine rank.
- There will be a maintenance review to be sure the school districts have taken care of their building.
- The school district will receive credit for having done some repairs while the application has been reviewed.
- High performance design in schools results in students having higher test scores and performing better. Having this type of design project will be added into the criteria to get a higher ranking.
- Attendance is higher with schools that have a high-performance design due to better air circulation, lighting and overall climate.
- The projects applications will go from the school district to the DOE and then to the School Building Authority, so they can review what the DOE determined and to be sure the correct criteria was used.
- Another change in the bill is regarding the Clerk of the Works supervising that the work on the project is being done correct.
- Senator Ward questioned if with the decline in school population he still sees the need for improvements of schools. Representative Ladd replied yes, he does and gave examples of a school he knows about that has major issues and does not provide what the students need to be successful and competitive. He stated that these old buildings need to be brought up to code.
- Senator Kahn asked if some of the items in the bill could be left to the department to make the rules and processes. Representative Ladd replied that he does trust the department and explained that the letter of intent could be set up by the department. He would like the details in the bill because it makes it easier if schools can look in statute.
- Senator Starr asked if they could stick with the rules they had ten years ago. Representative Ladd replied that ten years ago they were borrowing money to repair the buildings. These schools have a lot of improvements to make and the districts need the states help. With the old process there was no criteria to review the projects by, and so everything was approved and there was a huge amount of debt as a result.

Amy Clark – Department of Education

- She clarified the history of school building aid. Schools used to let the Department of Education know what they needed, and it would be approved.
- In 2013 the rules were changed but there was no building aid available to check the process with the new rules.
- DOE now knows what will work and the needed changes have been made in this bill.
- The Department will make sure their rules match up with the law.
- High performance schools can save money for the district and the state.

- Senator Starr asked why the application needs to be in 18 months before. She answered that it gives them the outreach to start the process which can take a long time. The letter of intent states the school is getting ready to start the process.

Representative Greg Hill

- He is testifying as the chairman of the School Building Authority.
- Under the old rules they did not have a lot of time to review the project with the small window from application to determination.
- He has an amendment that would expand the timeline of the project's approval by the voters. This is needed because they once had five projects that were approved by the DOE but not approved by the voters yet and if voted down all the review and prep work would have been for nothing.
- The projects that come to the DOE should come after the voters have approved them contingent on school building aid.
- The letter of intent is a good idea, but this amendment expands it from 18 months to 22 months.
- This would give them the ability to do a site visit, so they can be fair to the districts and other projects when determining rank.
- Another change in the amendment would give the School Board Authority the ability to approve the project. Currently they have a lot of professionals in the group who could give great input, yet they do not have this ability.
- This would give the DOE more information when they make their decision.
- Senator Morgan asked if his preference that he is advocating for will present voters with a plan that is not complete. Representative Hill replied that it is a situation where the letter of intent gives them the time to fully see what the project will include and when it gets to the town meeting the voters will have a more expansive recommendation.
- He also recommends that the Clerk of the Works be from the state.

Summary of testimony presented in opposition - None

TM

Date Hearing Report completed: April 2, 2019

Speakers

Testimony

HB175 as Amended – Rep Rick Ladd – April 2, 2019

House Education recommended OTP – 20 to 0
House Consent Calendar OTP

What is the purpose of HB175

I.

- Establishes in law a pre application notification process:
 - Letter of intent submitted 18 months prior to grant biennium.
 - Commissioner may waive the letter for good cause.
 - Letter of Intent requires descriptive facility analysis that identifies:
 - Inadequate/required components impacting programming
 - Unsafe, health or security issues
 - Operational systems...costly, inefficient due to age or design
 - Alternatives that may remedy need
 - Any other items required by the department
 - Letter of Intent submitted on department form
 - COMPLETE APPLICATION due July 1 of the year prior to biennium disbursed
 - Application for either 1st or 2nd year of the grant biennium must be submitted by the above July 1 deadline.
 - Completed application: detailed drawings, cost estimates, funding sources, preliminary design documents, maintenance impact analysis, proof of maintenance, other DOE required info in rule.
-

II.

- Emergency projects recommended by Commissioner considered by the STATE BOARD on a case-by-case basis.
 - Emergency project is defined:
 - Declared uninhabitable, or
 - Identified as an imminent danger, or
 - Substantial risk by Fire Marshal, state or federal agency AND
 - Results from an unanticipated and sudden natural or human disaster.
-

III.

- Projects funded to extent of available appropriations
 - Projects for which insufficient funds...resubmit in the next budget biennium
-

IV.

- Commissioner accepts projects that are complete
- Develops ranked PRELIMINARY LIST (see subparagraph II(b) and submits to School Building Authority

- Criteria used: (underlined is New)
 - Unsafe conditions
 - Compliance with American w/ Disabilities Act
 - Overcrowding and influences to instructional areas/ programming
 - Enrollment and population shifts
 - Maintenance Look Back: School districts may be required to produce past maintenance records addressing scheduled and unscheduled repairs, etc.
 - Free and Reduced Meal (poverty) considerations
 - Building Security
 - School district will receive application point credit for addressing imminent danger, substantial risk, or security infrastructure conditions prior to June 30, 2019
 - Project contributes to cost efficiencies; consolidation, or reduced property taxes.
 - High Performance Design...energy and resource efficient design, HVAC, lighting, and known to increase average attendance.
 - Other criteria deemed necessary by State Board of Education
-

V.

- School Building Authority VERIFIES Commissioner/DOE rankings.
 - If the School Building Authority differs regarding ranking list
 - SHALL justify new ranking using the SAME criteria in II(b) above
 - State Board shall approve and publish rank ordered list in descending order by January 15 of fiscal year prior to the grant biennium.
-

VI.

- Clerk of the Works
 - Shall engage as the owner's on-site representative
 - Waiver may only be provided by commissioner
 - Authority of Clerk of the Works shall be in writing
 - Understanding of all aspects of construction...BUT, technical skill in any particular construction trade is not necessary.
 - Must have general comprehensive liability and accident insurance OR covered by owner's insurance.

Clerk of the Works

The Clerk of the Works is a key member of the building team. The clerk serves as the owner's on-site representative on a day to day basis. The clerk may be an employee of the owner, or under contract with the owner.

Responsibilities may vary from one project to another and from one owner to another.

A key point is that the clerk's loyalty is only to the owner. The clerk's authority must be specifically delegated in writing by the owner. In order to preserve objectivity, the clerk's fee cannot be affected in any way by decisions made in the course of construction. The clerk must be covered by the owner's insurance or must have his/her own general comprehensive liability insurance and accident insurance. The clerk must have a good understanding of all aspects of construction, although technical skill in any particular construction trade is not necessary. The clerk must maintain a holistic view of the project, while appreciating the details of various parts of the work. The clerk must not attempt to fill the role of the design team, construction manager/general contractor, construction superintendent, safety officer, or any other member of the building team. Below are some recommended qualifications and a list of typical responsibilities.

Recommended Qualifications

- Ability to constructively participate in dispute resolution.
- Ability to provide impromptu briefings and reports to visitors and inspectors concerning the status of construction and ongoing activities.
- Ability to read and understand construction drawings, specifications, and contracts.
- Ability to understand the results of material testing and sampling.
- Ability to understand warranties and conditions which invalidate those warranties.
- Basic writing and computer skills.
- Broad general understanding of current construction practices, methods, and materials.
- Broad knowledge of building codes. Ability to successfully research specific building code questions.
- Excellent interpersonal communications skills.
- Familiarity with environmental laws and concerns.
- Familiarity with proper procedures for handling and storing hazardous materials.
- General knowledge of major building systems and how they work.
- Knowledge of construction site administration.
- Knowledge of techniques for construction scheduling.
- Thorough knowledge of construction financing and accounting.
- Thorough knowledge of construction site safety requirements.

- Thorough knowledge of the roles and interactions of the members of the building team.

Recommended Experience

At least ten years experience on similar projects involving facility construction and/or renovations with at least three years in a position with broad management responsibilities such as clerk of the works, superintendent, project manager, or similar titles.

Typical Responsibilities

- Assist the design team in the development of punch lists. Monitor the completion of work on punch lists and inform the owner of the status on a regular basis.
- Attend all project meetings as the owner's representative. Submit written reports to the owner following each meeting.
- Carefully coordinate and monitor any occupation of the facility by the owner prior to final completion of work. Be especially alert to any conditions which may lead to claims for damage.
- Coordinate and direct the work of any separate owner's contractors.
- Coordinate scheduling and observe tests as required by the contract documents.
- Coordinate training of the owner's staff on equipment operations and maintenance as required by the contract documents.
- Develop a thorough familiarity with the purpose of the facility to be constructed, with the owner's requirements, with the design, and with the contract documents.
- Develop a thorough understanding of the project budget.
- Direct installation and inspection of owner furnished equipment or material.
- Evaluate, log, and make recommendations on requests for change orders.
- If the project is in an occupied facility, assist in the coordination of access to various parts of the facility by the builders and by the occupants.
- Immediately notify the builder's superintendent of any unsafe conditions observed. Notify the owner, construction manager or general contractor, and the architect of the unsafe conditions and corrective measures taken.
- Immediately notify the owner, construction manager or general contractor, and the architect of any conditions which may delay completion of the total project or of major parts of the project.
- Immediately notify the owner, construction manager or general contractor, and the architect of any work which, in the opinion of the clerk, is substandard or otherwise not in accordance with the contract documents. Document with photographs, measurements etc. as appropriate.
- Maintain a log of all daily activities including daily progress, weather conditions, visitors, inspectors, sub-contractors on site, nature and location of work performed.

- Maintain continuous communication with the owner, builder, and architect.
- Maintain records at the construction site in an orderly manner as directed by the owner. Include copies of all correspondence concerning the project, contract documents, construction schedule, change orders, test results, permits, inspection reports, insurance policies, minutes or summaries of meetings, shop drawings, invoices, lien releases, and any other applicable documentation.
- Maintain separate files of approved and disapproved change orders.
- Meet, verify identification, and accompany any inspectors from local, state, or federal agencies having jurisdiction over the project. Immediately report the results of such inspections to the owner, construction manager or general contractor, and the architect. Monitor any corrective actions.
- Monitor the proper storage of materials, including any off-site storage. Report problems to the construction manager/general contractor. Notify the owner if, in the clerk's opinion, any materials should be replaced due to improper storage. Document with photographs as necessary.
- Observe materials delivered to the site and used by the sub-contractors to ensure that materials used are those specified or approved substitutes, and that materials are in good condition and free of defects. Report problems immediately to the architect and builder and as soon as possible to the owner.
- Observe the quality and progress of construction to determine, in general, that it is proceeding in accordance with the contract documents and schedule. Assist the builder's superintendent in understanding the intent of the contract documents.
- Participate in final inspections and commissioning.
- Receive and inventory keys, special tools, filters, spare parts, and similar items for transfer to the owner's staff.
- Receive and review all requests for payment from the construction manager or general contractor. Make recommendations to the owner concerning payment.
- Receive and review as-built drawings for transfer to the owner.
- Receive and review technical manuals, operators manuals, manufacturers instructions and similar documents for transfer to the owner's staff.
- Review field reports from architects and engineers. Monitor and report on corrective actions.

		CURRENT BUILDING AID PROCESS	HB 175	HB 175 Amendment (Rep. Hill) Beginning first year of each biennium		
YEAR	Jul - Jun			Local planning and design phase		
2019-2020	Jul	Local planning and design phase	Local planning and design phase	By Aug 30, 2019 (and then every odd numbered year)- school submits letter of intent to apply to DOE		
	Aug					
	Sep			By Jan 1 - school submits letter of intent to apply to DOE	District votes on project, securing local approval of project (with contingency of State Funding?)	
	Oct					
	Nov					
	Dec					
Jan	By July 1 - School submits preliminary application to DOE	By July 1 - School submits application to DOE.	DOE accepts apps and submits to the School Building Authority asap.			
Feb						
Mar				By September 1 - School submits application to DOE.	School Building Authority review DoE, holds hearings and performs site visits.	
Apr						
May						
Jun						
Jul						
2020-2021	Aug	By December 1 - School Building Authority reviews and verifies the scoring by DOE	By December 1 - School Building Authority reviews and verifies the scoring by DOE	December 1 - School Building Authority reports to BOE ranking and evaluation.		
	Sep					
	Oct				By January 15 - State Board of Education publishes ranked list	By January 15 - State Board of Education publishes ranked list
	Nov					
	Dec					
	Jan					
Feb	District votes on project, securing local portion of project	District votes on project, securing local approval of project				
Mar						
Apr						
May						
Jun						
Jul						
2021-2022	Aug	School Board manages construction/ renovation project and updates DOE on progress.	School Board manages construction/ renovation project and updates DOE on progress.	School Board manages construction/ renovation project and updates DOE on progress.		
	Sep					
	Oct					
	Nov					
	Dec					
	Jan					
2022-2023	Feb	School Board continues management of project. At completion of project, School Board submits close out application. DOE verifies invoices and documentation. After verification, School Board receives final 20% of School building Aid payment.	School Board continues management of project. At completion of project, School Board submits close out application. DOE verifies invoices and documentation. After verification, School Board receives final 20% of School building Aid payment.	School Board continues management of project. At completion of project, School Board submits close out application. DOE verifies invoices and documentation. After verification, School Board receives final 20% of School building Aid payment.		
	Mar					
	Apr					
	May					
	Jun					
	Jul					
Odd numbered years						
Even numbered years						

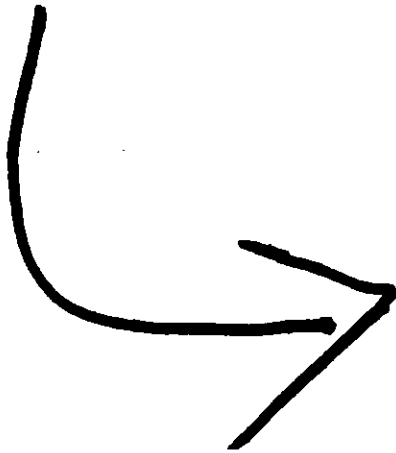
TWO YEAR CYCLE FOR SCHOOL BUILDING AID

First year (odd numbered years)

First deadline: August 30 - DoE
Due: LETTERS OF INTENT FILING
Purpose: To allow school districts to work with SBA and DoE refining plans. gives SBA and DoE a "first look" at project goals with sufficient time to modify.

2nd deadline: March- Town Meeting
Due: Go before the voters.
Purpose: To see if the local voters approve the project contingent upon school building aid the following year.

3rd deadline: May 1st. - DoE
Due: Locally approved completed plans
Purpose: To begin the formal process of application review with the engineering department of the DoE and the SBA. Time for reviewing plans, project presentations, and performing site visits.

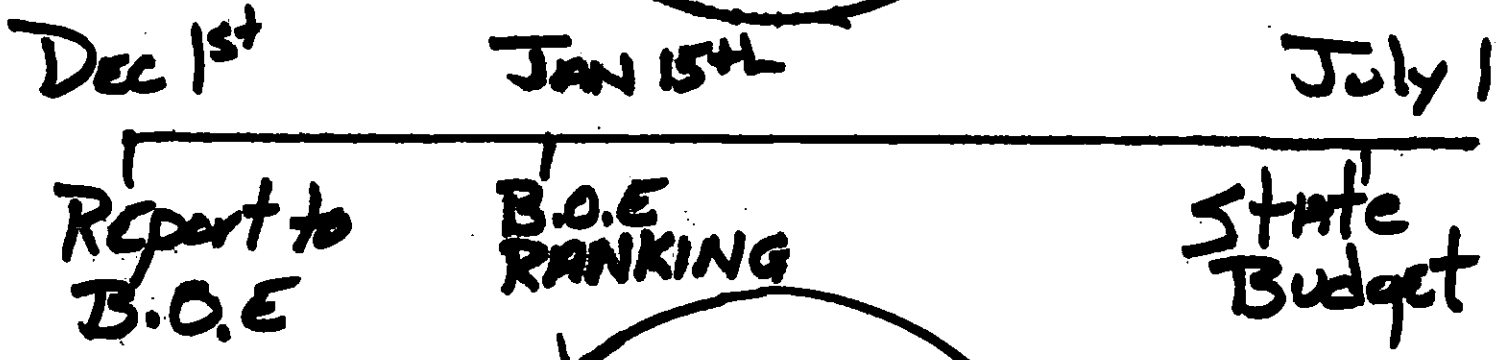
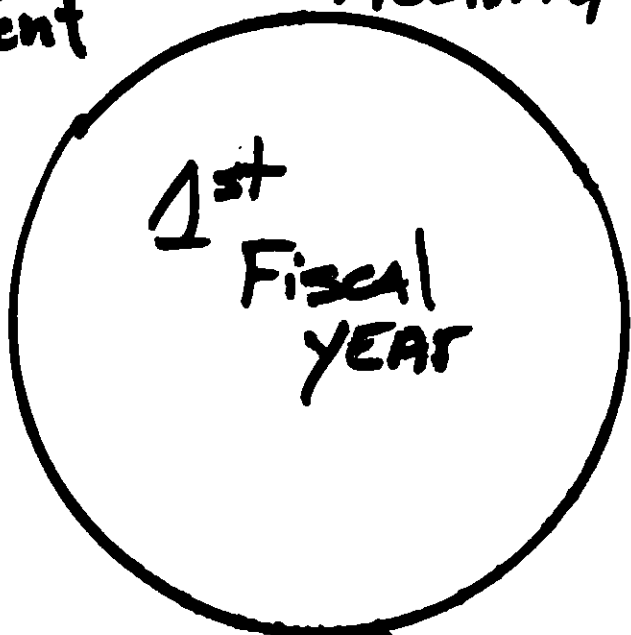
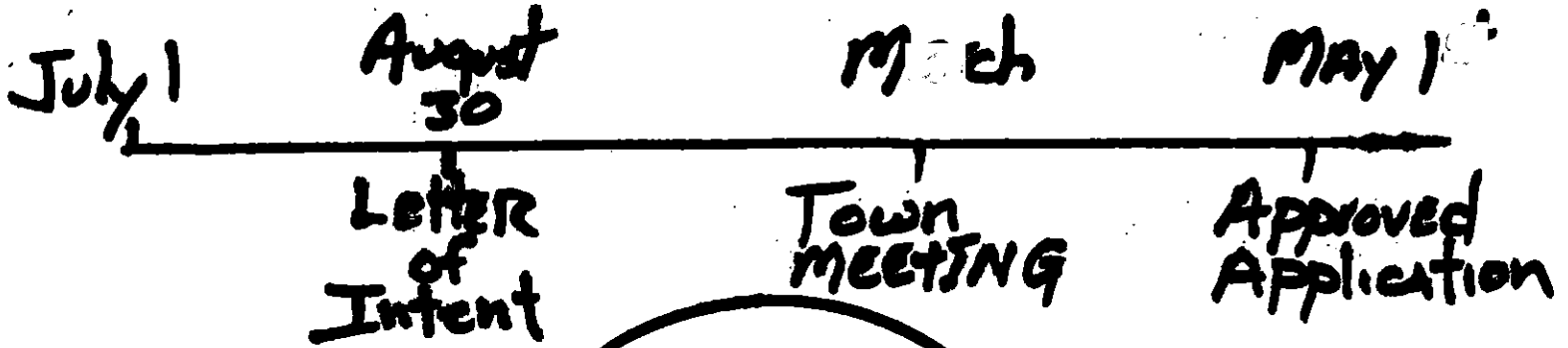


Second Year (even numbered years)

4th deadline: December 1st - BoE
Due: DoE and SBA report to BoE
Purpose: Explain to BoE criteria used for ranking of all applications and answer questions.

5th deadline: Jan 15th - BoE
Due: BoE reports all rankings of aid for all project applications.
Purpose: Reporting follows to Finance Committee in Legislature for evaluation

6th deadline: July 1st -State Budget



Voting Sheets

**Senate Education & Workforce Development
Committee
EXECUTIVE SESSION RECORD
2019 Session**

Bill # **HB 175**

Hearing date: 4/2/19

Executive Session date: 4/23/19

Motion of: OTP Vote: 4-1

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Dietsch, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Starr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Dietsch, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Starr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Dietsch, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Starr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Kahn

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, April 23, 2019

THE COMMITTEE ON Education and Workforce Development

to which was referred **HB 175**

AN ACT

relative to the requirements for school building aid grants.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-1

Senator Jay Kahn
For the Committee

Tricia Melillo 271-3077

Docket of HB175

Docket Abbreviations

Bill Title: relative to the requirements for school building aid grants.*Official Docket of HB175.:*

Date	Body	Description
12/27/2018	H	Introduced 01/02/2019 and referred to Education HJ 2 P. 40
1/8/2019	H	Public Hearing: 01/17/2019 10:00 am LOB 207
1/30/2019	H	Executive Session: 02/05/2019 10:00 am LOB 207
2/6/2019	H	Committee Report: Ought to Pass with Amendment #2019-0191h for 02/14/2019 (Vote 20-0; CC) HC 11 P. 3
2/14/2019	H	Amendment #2019-0191h : AA VV 02/14/2019 HJ 5 P. 6
2/14/2019	H	Ought to Pass with Amendment 2019-0191h: MA VV 02/14/2019 HJ 5 P. 6
3/12/2019	S	Introduced 03/07/2019 and Referred to Education and Workforce Development; SJ 8
3/27/2019	S	Hearing: 04/02/2019, Room 103, LOB, 09:20 am; SC 16
4/23/2019	S	Committee Report: Ought to Pass, 05/02/2019; SC 20
5/15/2019	S	Special Order to the next session, Without Objection, MA; 05/02/2019; SJ 15
5/2/2019	S	Committee Report: Ought to Pass, 05/15/2019; SC 22
5/2/2019	S	Special Order to the next session, Without Objection, MA; 05/15/2019; SJ 16
5/15/2019	S	Committee Report: Ought to Pass, 05/23/2019; SC 23
5/24/2019	S	Special Order to to the present time, Without Objection, MA; 05/23/2019; SJ 17
5/23/2019	S	Sen. Kahn Floor Amendment #2019-2229s , AA, VV; 05/23/2019; SJ 17
5/23/2019	S	Ought to Pass with Amendment 2019-2229s, MA, VV; OT3rdg; 05/23/2019; SJ 17
6/13/2019	H	House Concurs with Senate Amendment 2229s (Rep. Myler): MA VV 06/13/2019 HJ 19 P. 3
7/2/2019	S	Enrolled Bill Amendment #2019-2642e Adopted, VV; (In recess of 06/27/2019); SJ 21
7/2/2019	H	Enrolled Bill Amendment #2019-2642e : AA VV 06/27/2019 HJ 20 P. 54
7/10/2019	S	Enrolled (In recess 06/27/2019); SJ 21
7/12/2019	H	Enrolled 06/27/2019 HJ 20 P. 56
7/30/2019	H	Signed by Governor Sununu 07/29/2019; Chapter 290; Eff: 09/27/2019

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 175

Senate Committee: Ed. + WFD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
 All Calendar Notices
 Hearing Sign-up sheet(s)
 Prepared testimony, presentations, & other submissions handed in at the public hearing
 Hearing Report
 Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 1381h _____ - amendment # _____
_____ - amendment # _____ _____ - amendment # _____
- Executive Session Sheet
 Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # 2229 _____ - amendment # _____
_____ - amendment # _____ _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- _____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s) 2642
- _____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- as amended by the senate _____ as amended by the house
 final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office JM

June 25, 2019
2019-2642-EBA
05/01

Enrolled Bill Amendment to HB 175

The Committee on Enrolled Bills to which was referred HB 175

AN ACT relative to the requirements for school building aid grants.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 175

This enrolled bill amendment inserts an RSA section heading.

Enrolled Bill Amendment to HB 175

Amend section 1 of the bill by replacing line 2 with the following:

198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

I.(a) A school district maintaining approved schools, desiring to avail itself of the grants