

TITLE 164
PROCEDURAL RULE
SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA

SERIES 1
POLICY AND PROCEDURES HANDBOOK
OF THE SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA

The SBA staff have worked diligently over the past two and a half years to provide changes and enhancements to the SBA's Policy & Procedures Handbook. These changes were made in order to further the Authority's mission of increasing accountability of all parties involved in the execution of an SBA-funded project. The past two revisions of the document were sweeping and provided clear direction to Local Education Agencies, Design Professionals, and Contractors. As this handbook continues to evolve, we often find small, but very important changes that are necessary to incorporate within the procedures as a need arises. The newly proposed policy language extends and clarifies the requirements for construction scheduling. These are necessary to aid in ensuring that our SBA-funded projects are built on time and within budget. In addition, changes are proposed to align with recently passed legislation from the 2021 regular legislative session.

SUMMARY OF PROPOSED CHANGES

ADDITIONS / CHANGES TO EXISTING SBA POLICY LANGUAGE

203. – Multi-County / Statewide Grant Funds (p. 22) – Amends the name and funding limitation of the Three-Percent Grant Funds to coincide with the passage of House Bill 2906 in the 2021 Legislative Session. This changed the name to the Multi-County / Statewide Grant Funds and the funding limit from three percent of the total funding to “up to ten percent” in funding that is available to eligible grantees.

303.043. – Duties and Responsibilities of the Clerk-of-the-Works (p. 50) – Adds language that requires the Clerk to be knowledgeable with the SBA's Construction Schedule Requirements. In addition, clarifies that the Clerk shall immediately notify the Owner, Architect, and SBA when the Contractor(s) falls out of conformance or compliance with project requirements, including construction schedule requirements.

400.011-013 – Bidding Procedures (p. 56) – Adds language clarifying requirements for when projects are projected to exceed the total amount of SBA and local funding at the time of bid. Also clarifies the processes for using Alternates to balance the project budget and assigns the Owner (County) as the responsible party to pay for the design of unaccepted add-alternates.

400.16. Waiver Procedures for Paying First Pay-App Prior to Schedule Approval (p. 59) – Creates a process where a waiver can be provided to a Contractor(s) to allow the first application for payment to be approved prior to the approval of the CPM schedule on projects that are complex and/or have high construction soft costs. This provision may be exercised if approved by the SBA prior to bid and requires the winning Contractor(s) to provide sufficient justification. This provision shall not extend beyond the second application for payment.

410.011 – Construction Schedule Requirements – Definitions (p. 61-62) – Clarifies definitions for the following construction schedule activities on SBA-funded projects: (k.) Baseline Schedule, (l.) As-Built Schedule, (n.) Schedule Personnel or Outside Consultant. Adds a definition for (p.) Recovery Schedule.

410.042-410.042 - Schedule Recovery (p. 63-64) – Establishes an acceptable timeframe for Recovery Schedule submission and components that shall be included in the event a Recovery Schedule is required.

ADDITIONS / CHANGES TO EXISTING SBA FORMS

SBA Form 203 – Multi-County Project Executive Summary (p. 127) – Changes the title of the grant application form to coincide with the changes to Section 203 and House Bill 2906 from the 2021 legislative session.

SBA Form 500 – Construction Closeout Procedures Checklist (p. 235) – Added the requirement for an As-Built CPM Schedule in the checklist of required closeout documentation. Also clarified that local first responding authorities shall also receive diagrammatic floor plans of new or renovated schools at closeout.

SBA Form 502-A – Grant Closeout Certification Form (p. 238) – Clarified and added signature lines for both the SBA Executive Director and Chief Financial Officer.