

**BP 6600 CAPITAL CONSTRUCTION**

**References:**

Education Code Sections 81005 and 81820;  
Title 5 Sections 57150 et seq.

The Chancellor is responsible for planning and administrative management of the District's capital outlay and construction program.

District construction projects shall be supervised by the Chancellor. The Vice Chancellor, Educational Services and Facilities shall monitor the progress of all construction work including inspection of workmanship, completion of work to meet specifications, and the suitability of proposed changes to the scope and original design of the work. The Vice Chancellor, Educational Services and Facilities shall assure compliance with laws related to use of state funds to acquire and convert existing buildings.

The Board shall approve and submit to the Board of Governors a five year capital construction plan as required by law. The Chancellor shall annually update the plan and present it to the Board for approval. The plan shall address, but is not limited to, the criteria contained in law.

❖ **From the current CLPCCD Policy 3350 titled Documents and Drawings Concerning Construction Projects**

This policy expresses the requirements of the District with respect to the administration of construction projects.

1. Construction projects ~~not involving underground utilities~~ shall be required to have the following documents at the site:

The Contractor shall maintain at the site for the Owner one record copy of all Drawings, Specifications, Addenda, Change Orders and other Modifications, in good order and marked currently "to record all changes made during construction", and approved Shop Drawings, Product Data and Samples.

These shall be available and delivered to the Architect for review and approval and shall be forwarded to ~~delivered to him~~ for the Owner upon completion of the work.

2. Construction projects that include ~~on~~ sanitary sewers, storm drain systems, water lines and similar underground utilities shall be required, in addition, ~~to have the following documents at the site:~~

~~The contractor shall maintain at the site for the Owner one record copy of all Drawings, Specifications, Addenda, Change Orders and other Modifications, in good order and marked currently "to record all changes made during construction," and approved Shop Drawings, Product Data and Samples.~~

~~These shall be available to the Architect and shall be delivered to him for the Owner upon completion of the work.~~

~~In addition,~~ the Contractor ~~will~~ engage a Licensed Surveyor to conduct field verification during construction and provide exact built conditions with invert locations and elevations and cross sections of joint utility trenches. These exact built drawings shall be delivered to the Owner via the Architect upon completion of work.

All bid documents and specifications shall reflect this policy and prospective bidders will be specifically advised of this requirement, relative to record drawings, during the pre-bid conference.

[Also see BP 6340 titled Contracts](#)

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**NOTE:** The **red ink** signifies language that is **legally required** and recommended by the Policy and Procedure Service and their legal counsel. The language in **black ink** is from the current CLPCCD Policy 3350 titled Documents and Drawings Concerning Construction Projects adopted on January 16, 1996. The language in **green ink** was added by Jeff Kingston on June 5, 2013. The language in **blue ink** was added by Doug Horner on January 31, 2014.

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**Date Adopted:**

*(This new policy replaces the current CLPCCD Policy 3350)*

## Legal Citations for BP 6600

### Education Code Sections 81005 and 81820; Title 5 Sections 57150 et seq.

#### EDUCATION CODE SECTION 81005

**81005.** (a) State funds provided for the capital outlay financing needs of the California Community Colleges may be used to acquire an existing government-owned or privately-owned building and for the necessary costs of converting that building to community college use.

A community college district that is eligible for state funding for capital outlay financing may purchase an existing government-owned or privately-owned building and convert it to community college use with state funds if all of the following criteria apply:

(1) The building to be purchased was constructed as, and continues to qualify as, a school building pursuant to Article 7 (commencing with Section 81130), or the building is determined to have, or is rehabilitated to an extent that it is determined to have, a pupil safety performance standard that is equivalent to that of a building constructed pursuant to Article 7 (commencing with Section 81130). In making the determination of the pupil safety performance standard as required in this paragraph, all of the requirements of paragraphs (1) and (2) of subdivision (a) of Section 81149 shall be met.

(2) The total cost of purchasing and converting the existing building to community college use is not greater than the estimated cost of constructing an equivalent building.

(3) The land associated with a building to be purchased will be owned by, or controlled through a long-term lease by, the community college district. As used in this section, "long-term lease" means a lease with a term of at least 50 years.

(4) The district has complied with facility site review procedures and guideline recommendations of the California Postsecondary **Education** Commission pursuant to Section 66904.

(b) Funding for a building to be purchased under this section shall not supersede funding for community college facilities that have previously been prioritized by the board of governors and are awaiting state funding. Buildings purchased under this section shall be subject to the annual prioritization process of the board of governors, and shall not receive higher priority for state funding because they are existing buildings rather than buildings proposed to be constructed.

(c) A community college district that purchases an existing building under this section may request state funding for instructional equipment. Funding for that instructional equipment shall be provided in accordance with Chapter 4.8 (commencing with Section 84670) of Part 50, provided that the chancellor determines that the purchase of this equipment qualifies as a priority for state funding.

#### EDUCATION CODE SECTION 81820

**81820.** The governing board of each community college district shall prepare and submit to the Board of Governors of the California Community Colleges a plan for capital construction

for community college purposes of the district. The plan shall reflect capital construction for community college purposes of the district for the five-year period commencing with the next proposed year of funding. **The five-year plan shall be subject to continuing review by the governing board and annually shall be extended one year, and there shall be submitted to the board of governors, on or before the first day of February** in each succeeding year, a report outlining the required modifications or changes, if any, in the five-year plan.

5 CCR § 57150

Cal. Admin. Code tit. 5, § 57150

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 3. DISTRICT FUNDED CONSTRUCTION PROJECTS

§ 57150. Purpose.

The purpose of these regulations is to provide basic definitions, principles, and standards for use by the Chancellor of the California Community Colleges in considering any district-funded construction project subject to the requirements of section 81837 of the Education Code.

Note: Authority cited: Sections 66700, 70901, and 81836, Education Code. Reference: Sections 81836 and 81837, Education Code.

5 CCR § 57152

Cal. Admin. Code tit. 5, § 57152

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 3. DISTRICT FUNDED CONSTRUCTION PROJECTS

§ 57152. Definitions.

(a) "Capital Outlay Project" includes purchase of land and costs related thereto, including court costs, condemnation costs, legal fees, title fees, etc.; construction projects, including working drawings; and equipment related to a construction project regardless of cost or timing.

(b) "Construction Project" includes new construction, alteration, and extension or betterment of

existing structures.

(c) "State-Funded Project" means a capital outlay project qualifying as a project pursuant to section 81805 of the Education Code, and for which a district requests or receives State funding assistance.

(d) "District-Funded Project" means a capital outlay project subject to the provisions of section 81837 of the Education Code for which any funds, other than state funds, are paid or to be paid for erecting, adding to, or altering any community college facility.

(e) "Five-Year Construction Plans" means a plan for capital construction for community college purposes of a community college district for the five-year period commencing with the next proposed year of funding.

Note: Authority cited: Sections 66700, 70901 and 81836, Education Code. Reference: Sections 81836 and 81837, Education Code.

5 CCR § 57154  
Cal. Admin. Code tit. 5, § 57154

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 3. DISTRICT FUNDED CONSTRUCTION PROJECTS

§ 57154. Application.

In each case, the application for approval of plans for a district-funded project shall be accompanied by the plans and full, complete and accurate take-off of assignable and gross square feet of space, which shall comply with any and all requirements prescribed by the Chancellor.

Note: Authority cited: Sections 66700, 70901, and 81836, Education Code. Reference: Sections 81836 and 81837, Education Code.

5 CCR § 57156  
Cal. Admin. Code tit. 5, § 57156

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 3. DISTRICT FUNDED CONSTRUCTION PROJECTS

§ 57156. Review.

The review and evaluation of plans for a district-funded project by the Chancellor, shall include the following elements:

(a) Review and evaluate each district-funded project with reference to the elements of the capital construction program specified in Education Code section 81821.

(b) The review and evaluation shall be directed particularly to ascertain whether the locally funded project is of appropriate size, is appropriately timed and is justified in terms of the elements of the capital construction plans and where applicable, the standards as adopted by the Board of Governors.

Note: Authority cited: Sections 66700, 70901, and 81836, Education Code. Reference: Sections 81836 and 81837, Education Code.

5 CCR § 57158

Cal. Admin. Code tit. 5, § 57158

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 3. DISTRICT FUNDED CONSTRUCTION PROJECTS

§ 57158. Chancellor's Response to Request for Approval of Plans.

(a) When analysis by the Chancellor shows that approval of the plans for a proposed locally-funded construction of a community college facility would not result in facilities which would be substantially at variance with space and utilization standards adopted by the Board of Governors, the Chancellor shall approve the plans.

(b) When analysis by the Chancellor shows that approval of the plans would result in facilities which would be substantially at variance with space and utilization standards adopted by the Board of Governors, the Chancellor shall respond by:

(1) Imposing conditions for the approval of the plans; or

(2) Finding that despite the substantial variance with space standards, the plans, as submitted, are acceptable, and responding to the district with:

(A) Cautions, and/or

(B) Appraisal of the potential consequences of this variance.

Note: Authority cited: Sections 66700, 70901 and 81836, Education Code. Reference: Sections 81836 and 81837, Education Code.

5 CCR § 57200  
Cal. Admin. Code tit. 5, § 57200

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 4. DEFERRED MAINTENANCE

§ 57200. Purpose.

For the purposes of administration and implementation of the Community Colleges Facility Scheduled Maintenance and Special Repair Program as required by Education Code section 84660, the provisions of this subchapter shall apply.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.

5 CCR § 57201  
Cal. Admin. Code tit. 5, § 57201

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 4. DEFERRED MAINTENANCE

§ 57201. General Requirements.

Each community college district applying to receive funds pursuant to this subchapter shall:

(a) Prepare and submit to the Chancellor a current five-year maintenance plan. The plan shall be consistent with the district's five-year capital outlay plan, but shall not duplicate that plan. The plan shall provide for ongoing as well as scheduled maintenance.

(b) Maintain a level of ongoing maintenance during the year for which funds are requested commensurate with the level of activity in prior years.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.

5 CCR § 57202  
Cal. Admin. Code tit. 5, § 57202

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 4. DEFERRED MAINTENANCE

§ 57202. Application for Funds.

Districts shall apply to the Chancellor's Office for funding for scheduled maintenance in the form and manner specified by the Chancellor.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.

5 CCR § 57203  
Cal. Admin. Code tit. 5, § 57203

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 4. DEFERRED MAINTENANCE

§ 57203. Allocation of Funds.

The Chancellor shall allocate the funds appropriated by the Legislature as soon as such funds are available, and in accordance with the project priorities established, provided that ten percent (10%) of the funds may be held for contingencies that may occur during the year. Any such funds initially held for contingencies shall be allocated prior to the end of the fiscal year.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.

5 CCR § 57204  
Cal. Admin. Code tit. 5, § 57204

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 8. CONSTRUCTION  
SUBCHAPTER 4. DEFERRED MAINTENANCE



§ 57204. Selection of Projects.

The Chancellor shall evaluate district applications and rank projects for funding. Projects shall be ranked for funding using the following criteria, which shall be ranked equally:

(a) Health and Safety. Priority shall be given to projects necessary to meet safety requirements and to correct hazardous conditions which, if uncorrected, would result in facility closure or danger to staff and students utilizing the facility.

(b) Prevention of Further More Costly Repairs. Priority shall be given to scheduled maintenance for instructional facilities necessary to prevent substantially increased maintenance or replacement costs in the future.

(c) Disruption of Programs. Priority shall be given to projects necessary to prevent disruption of instructional programs.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.

5 CCR § 57205

Cal. Admin. Code tit. 5, § 57205

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
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SUBCHAPTER 4. DEFERRED MAINTENANCE

§ 57205. District Match.

The Chancellor will allocate funds for only fifty percent of the costs for a scheduled maintenance project. In accepting funds under this subchapter, a district agrees to spend district funds necessary to complete the project. The Chancellor may waive this requirement in whole or in part for projects for which the district demonstrates that it cannot make available fifty percent of the costs for the project from other sources.

The Chancellor shall waive this requirement only for projects with high priority for funding. Highest priority shall be given to those projects which the Chancellor determines are necessary to prevent a facility from being closed.

Where projects would otherwise be of equal rank, first priority shall be given to those projects for which the district provides matching funds.

Note: Authority cited: Sections 66700, 70901 and 84660, Education Code. Reference: Section 84660, Education Code.