

CLIENT NEWS BRIEF

New DSA Construction Oversight Procedures Begin June 1, 2013

Significant Changes for Construction Management

Beginning June 1, 2013, the Division of State Architects (DSA) will require new procedures and a new series of forms related to the inspection of school district and community college construction projects. Currently, contractors can start work on the second phase of a project before the first phase has been inspected and approved. After June 1, the DSA will require inspection and approval of the contractor's work on one phase before the contractor may start work on the next phase. Inspection cards will be issued to the inspectors of record who must inspect the work and collect all required documents from the construction team before providing written approval on the card. The stated goal of these new regulations (24 Cal. Code Regs., Part 1, sections 4-330 through 4-344) and procedures (DSA Procedure PR 13-01) is to reduce the number of projects that remain uncertified by the DSA after completion.

This new system is of immediate interest to school districts and community colleges that have projects scheduled to start in the next few weeks. Although the current Form DSA 102 generally must be filed within five days after the award of a construction contract, the DSA has indicated that if Form DSA 102 is filed before June 1, 2013, the new inspection procedures will *not* immediately apply to that project. However, if the new Form DSA 102-IC is filed on or after June 1, 2013, the new procedures will apply. Accordingly, school districts and community colleges with pending projects should consider filing Form DSA 102 before June 1, 2013 if they wish to remain under the current system of inspection procedures.

Projects that are already underway and have a Form DSA 102 on file can continue under the existing procedures. DSA may plan to transition these projects over to the new system in the future, but they have not indicated any current schedule to do so.

In addition to the inspection card procedures, the new regulations and procedures will also increase inspection obligations of architects and contractors, and eventually create an electronic documentation system. The DSA will also start to charge hourly fees for review of proposed changes to the design documents for the project. As a result, school districts and community colleges may need to update their contract forms for architects, inspectors, construction managers and contractors. Districts and community colleges may also need to amend existing agreements for projects that will begin after June 1, 2013.

Because the new DSA regulations and procedures will significantly and immediately impact management of construction projects, school districts and community colleges should contact their legal counsel to discuss these issues and how best to address them in contract documents and in day-to-day operations.

If you have any questions regarding the new DSA regulations and their impact, please feel free to contact one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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