



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

LAMONT O. REPOLLET, Ed.D.
Acting Commissioner

June 18, 2018

Mr. Dennis Filippone, Acting Superintendent
OCEAN COUNTY
Brick Twp. School District No. 0530
101 Hendrickson Avenue
Brick, New Jersey 08724

Title: PRELIMINARY ELIGIBLE COST: (PEC) DETERMINATION OF A SCHOOL FACILITIES PROJECT FOR A DISTRICT NOT REQUIRED TO USE THE AUTHORITY TO UNDERTAKE THE PROJECT, PURSUANT TO N.J.S.A. 18A:7G-5 AND DETERMINATION OF PRELIMINARY ELIGIBLE COSTS PURSUANT TO N.J.S.A. 18A:7G-7.

THIS PROJECT DOES NOT IMPACTS EDUCATIONAL ADEQUACY AND IS NOT SUBJECT TO DOE FINAL EDUCATIONAL ADEQUACY REVIEW.

Re: State Project No. 0530-060-18-2000 Description: Security Vestibule
Brick Twp. School District # 0530
Midstreams Elementary School
Ocean County

Dear Mr. Filippone:

Your district has submitted an application for a school facilities project pursuant to Section 5 of the Educational Facilities Construction and Financing Act, P.L. 2000, c. 72 ("EFCFA" or "Act") and the New Jersey Department of Education implementing regulations at N.J.A.C. 6A:26-1 et seq. ("Regulations"). This project application has been deemed complete by the New Jersey Department of Education-Office of School Facilities ("Department"), has been reviewed under the Act and the Regulations, and, as a result, the Department now makes the following determinations regarding the above referenced project.

I. DEPARTMENT DETERMINATIONS:

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Midstreams Elementary School

1. This school facilities project qualifies as a school facilities project eligible for State support under the Act.
2. This school facilities project is consistent with the District's approved long-range facilities plan ("LRFP") as approved or as amended.
3. This school facilities project meets the educational adequacy requirements, if applicable.
4. This school facilities project, which is not subject to educational adequacy requirements, meets the schematic plans requirements, if applicable.
5. This school facilities project is consistent with the District's applicable approved programmatic model contained in the District's approved LRFP, if any, or with the facilities efficiency standard ("FES") and the area allowances per FTE student, and does not exceed the model or the FES, as applicable, except for spaces for which the District is not seeking State support.
6. This school facilities project, although inconsistent with the FES or the applicable approved programmatic model, has been granted a waiver for having demonstrated that the inconsistency will not adversely affect the educational adequacy of the school facility. N.A.
7. This school facilities project or a portion of this project qualifies as new construction because it is needed for unhoused students or for another educational adequacy purpose. N.A.
8. This school facilities project or a portion of this project qualifies as rehabilitation as it is required to keep the school facilities functional for its original purposes or for new purposes but does not increase the gross square footage of the school facility and does not include any routine maintenance or required maintenance but may include capital maintenance. Yes
9. The priority ranking of the school facilities project is: N.A.
10. This school facilities project may be subject to the environmental assessment or environmental impact statement requirements of Executive Order 215.
11. This school facilities project is a new school, and therefore must incorporate the guidelines developed by the United States Green Building Council known as "Leadership in Energy & Environmental Design ("LEED"), Version 2." N.A.
12. This school facilities project has not been determined to be an Emergent Project by the County Superintendent.

II. DESCRIPTION OF THE APPROVED PROJECT:

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 Brick Twp. School District #0530
 Midstreams Elementary School

The approved school facilities project consists of the following components: Upgrade existing video surveillance system. Add new situational awareness system (Class lockdown). Add new visitor management system (Hall Pass). A new secure window will replace the existing window in the entrance vestibule. The main office door will be replaced with a new secure door.

III. PRELIMINARY ELIGIBLE COSTS (PEC) FOR THE APPROVED PROJECT:

The District's aid percentage as defined in section 3 of the Act, N.J.S.A. 18A:7G-3 is on the table below and State share will be equal to 100% of that percentage, except that it will not be less than 40% of final eligible costs.

Pursuant to N.J.S.A. 18A:7G-7 the following is the PEC for the approved school facilities project:

PEC Calculations:

Preliminary Eligible Cost Calculations for SP#: 0530-060-18-2000 Midstreams Elementary School						
	Functional Capacity (FC)	Projected Enrollment (PE)	Unhoused Students (UH)	Area Allowance / FTE Student (AA)	****Maximum or Actual Gross Square Footage (GSF)	Preliminary Eligible Cost (PEC)
*New Construction	0	0	0	0.00	Max: 0	\$ -
					Actual: 0	\$ -
Other Eligible Costs for Educational Adequacy (Based on \$143/SF)						\$ -
**Rehabilitation						\$ 341,000.00
TOTAL PEC						\$ 341,000.00
Ineligible Excess Costs (Based on \$143/SF)						\$ -
Ineligible Excess Costs (Based on estimated actual cost for rehabilitation)						\$ -
TOTAL Ineligible Excess Costs						\$ -
Total Project Cost						\$ 341,000.00
*New construction costs are calculated using \$143.00 per square foot times the GSF.						
**The rehabilitation costs are compiled from the architect's line item cost estimate of the scope of work to be performed during the school facilities project.						
FY 18 DAP = 0.0000% or 40% whichever is greater. 40.0000%						
***State share for grant funding, assuming the district elects to receive a grant pursuant to N.J.S.A. 18A:7G-15 instead of state debt service aid pursuant to N.J.S.A. 18A:7G-9. State share is calculated based on the district aid percentage (DAP) at the time of approval as defined in N.J.S.A. 18A:7G-3.						
****The preliminary eligible costs for new construction will be calculated based on the maximum allowable additional gross square footage or the actual gross square footage, whichever is smaller. The final eligible costs may not equal preliminary eligible costs, pursuant to the district's right to appeal preliminary eligible costs under N.J.A.C. 6A:26-3.6. A change in final eligible costs will mean a change in State and local share of those costs.						

Beta Test 6 1a

Notes:

- a. New construction costs are calculated based on \$143.00 per square foot times the GSF.
- b. Rehabilitation costs are based on the architect's line item cost estimate of the scope of work to be performed during the school facilities project. These costs have been reviewed and approved by the Department.
- c. The PEC for new construction will be calculated based on the maximum allowable additional gross square footage or the actual gross square footage, whichever is smaller.

IV. ACTIONS TO BE TAKEN:

A. Introduction: If a district constructs the school facilities project, the district will receive State support in the form State debt service aid (pursuant to N.J.S.A. 18A:7G-9). The district also has options on whether to accept or appeal the Department's determinations of space eligible for State support and PEC. Further, the district will need to take certain actions depending on whether the project is subject to educational adequacy requirements. Please note that the above review is limited to the spaces in the approved programmatic model for the above-referenced school facilities project.

B. District elected options: Thirty (30) days from the date of this PEC letter, the Department will issue a FEC letter with "debt service" as the State funding source. If the District does not agree with these elections, they must notify the Department prior to this action.

The following information is only for non- acceptance of the PEC elections.

The District has the option to defer the acceptance of the PEC only on new construction (related to \$143/sf). If the District chooses to defer a decision they must develop detailed plans and specifications by a design professional. At this time the District may appeal to the Commissioner of the Department for an increase in PEC (based on \$143/sf) in an amount not to exceed 10% of the PEC, if such plans indicate that the cost of constructing the approved school facilities project exceeds the PEC as determined by the Commissioner.

C. Educational adequacy and Uniform Construction Code review. If the other capital project does not require final educational adequacy review, the district is not required to make a final educational adequacy submission to the Department or pay the Department final educational adequacy review fees. **The district may advance the project, including review for Uniform Construction Code ("UCC") compliance as required to the local municipal code enforcing agency. If the local code enforcement agency declines to perform the plan review or is not classified at the appropriate level for the project in question, then the project may go to an appropriately classified local code enforcement agency or to the Department of Community Affairs. Because of added security requirements, plans and specifications for the construction of new schools will continue to be reviewed by the Department of Community Affairs.**

If the school facilities project requires final educational adequacy approval, the district needs to apply to the Department for such approval or a portion of such approval, and submit the total review

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fees in the amount as determined under N.J.A.C. 6A:26-5.5, , to the Department prior to proceeding with review of its construction documents for UCC conformance.

Note: The district must demonstrate to the Department that extraordinary circumstances require an award of the entire approval project scope in separate phases.

D. Executive Order 215. School facilities projects meeting certain State assistance percentage (at least 20% of total project costs) and cost thresholds (total construction costs in excess of \$1 million) and not otherwise exempted (exemptions include rehabilitation and new construction not increasing the building's capacity by more than 25 percent) are required to comply with E.O. 215, including the preparation and submission of an environmental assessment or an environmental impact statement as applicable, prior to site preparation and/or construction activity.

E. Final eligible costs and local support. A district may not seek approval of the local support (e.g., school bonds, lease purchase, etc.) for the school facilities project until the Department has notified the district of the FEC for the project. Also, no school facilities project may be constructed unless, if there is a local support amount, such local support has received approval as set forth in N.J.A.C. 6A:26-3.7. However, a district may seek approval of the estimated local share in its annual budget prior to a determination of FEC, pursuant to N.J.A.C. 6A:26-3.6.

Please call H. Lyle Jones, your manager with any questions regarding this matter at 609-376-3683 or lyle.jones@doe.nj.gov.

Sincerely,



Bernard E. Piaia, Jr., Director
Office of School Facilities

BEP:hj

c: Kevin Dehmer, Chief Financial Officer
Judith DeStefano-Anen, Executive County Superintendent
H. Lyle Jones, Manager, Office of School Facilities
Permitting Coordination and Environmental Review Unit
James Edwards, School Business Administrator
Kristine ElBouazzaoui, AIA, Netta Architects

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DOE Letter Dated: June 18, 2018

ATTACHMENT "A"
Bernard E. Piaia, Jr. Director
Office of School Facilities
Department of Education
PO Box 500
Trenton, NJ 08625-0500

RE: DEBT SERVICE AID REQUEST

Title: PRELIMINARY ELIGIBLE COST: DETERMINATION OF A SCHOOL FACILITIES PROJECT FOR A DISTRICT NOT REQUIRED TO USE THE AUTHORITY TO UNDERTAKE THE PROJECT, PURSUANT TO N.J.S.A. 18A:7G-5 AND DETERMINATION OF PRELIMINARY ELIGIBLE COSTS PURSUANT TO N.J.S.A. 18A:7G-7.

Re:
Brick Twp.
State Project No. 0530-060-18-2000
Midstreams Elementary School
Ocean County

Dear Mr. Piaia:

Pursuant to the New Jersey Department of Education ("Department") letter approving the above-referenced school facilities project and the determining preliminary eligible costs ("PEC"), the District elects the following options and determinations on the construction and funding of such project. As requested, please find enclosed the board resolution signed and sealed authorizing the District to the following:

A. District decision on Department determination on spaces inconsistent with the facilities efficiency standards or the applicable programmatic model in the district's approved Long-range facilities plan (check only one):

- District accepted and agreed to locally fund any excess (space) costs
- District revised its school facilities project and resubmitted it for Department review
- District requested additional space eligible for State support
- Not applicable

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If the District accepted and agreed to locally fund any ineligible (excess space) costs as indicated on this form, the Department will be better able to expedite the determination of final eligible costs ("FEC") for the school facilities project. If the District selected any of the other options, and the Department accepted the revision or agreed to the request, this change was reflected in the school facilities project determination letter. If the Department did not accept the revision or agree to the request, the school facilities project determination does not reflect such change.

B. If District elects to construct its school facilities project, select State funding support:
 Debt Service Aid Not available Grant

C. District determination on FEC (see comments below)
 Accepts PEC (will not appeal PEC) Defers decision on PEC

D. District is proposing a referenda on _____.

Should the District indicate its acceptance of the PEC as FEC, the Department will be better able to expedite an FEC determination for the school facilities project. The District understands that if it defers the decision on PEC, thereby retaining the right to either accept or appeal PEC, the District may within 30 days of the preparation of detailed plans and specifications by a design professional appeal to the Commissioner of the Department for an increase in those costs if such plans indicate that the cost of constructing that portion of the school facilities project approved for State support exceeds the PEC as determined by the Commissioner by 10 % or more. In the case of a county special services school district or a county vocational school district, a decision other than acceptance of the PEC as FEC will require approval by the board of chosen freeholders.

The District further understands that it is not permitted to seek approval of the local support (e.g., school bonds, capital reserve, lease purchase, etc.) for the school facilities project until the Department has notified the District of FEC for the project. Also, no school facilities project may be constructed unless, if there is a local support amount, such local support has received approval as set forth in N.J.A.C. 6A:26-3.7.

Superintendent Signature

Date

Enclosure; (See section IV Action to be taken)
[] Board resolution

