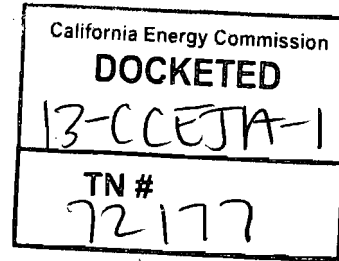


## Energy - Docket Optical System

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**From:** Townsend, Theresa@DGS  
**Sent:** Thursday, October 24, 2013 1:46 PM  
**To:** Energy - Docket Optical System  
**Cc:** Chase, Bob@DGS  
**Subject:** 13-CCEJA-1, Comments on Prop 39  
**Attachments:** Prop39 -Title 24 Code requirements.pdf

**Categories:** Ready to Docket



Hello,

Per our meeting yesterday, DSA is following up with a recommendation on the amount granted for accessibility upgrades when required in conjunction with Prop 39 energy projects. It is recommended that the allocation is limited to 20 percent of the adjusted construction cost for the energy efficiency upgrades **only**. Additionally, the photovoltaic electrical panels and related electrical equipment should not be included in the adjusted cost of construction.

For your information, see attached for Title 24 requirements of thresholds which includes the thresholds for the Accessibility Compliance. These tables will not need to be included in the guidelines; however, will be included on the DSA webpage.

Thanks,  
~Theresa

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*Recommendations for:*

# Proposition 39: Clean Energy Jobs Act of 2012

## Energy Efficiency K–12 Project Guidance

May 14, 2013

*Prepared at the request of the Administration by:*

California Department of Education

California Energy Commission

California Public Utilities Commission



*Subject to public input*

## **B. Energy Efficiency Project Compliance Requirements — the Division of the State Architect (DSA)**

To ensure that buildings are safe, the Division of the State Architect (DSA) must review and approve public school construction for compliance with the *California Code of Regulations*, Title 24, the California Building Code (CBC), when alterations or additions are made to existing buildings. The CBC specifies the following three triggers that require a structural building upgrade:

1. The alteration project cost exceeds 50 percent of building replacement value (excluding structural work).
2. The building seismic mass is increased by more than 10 percent.
3. The building seismic load capacity is reduced by more than 5 percent.

DSA review and approval is not required for alteration or reconstruction projects:

- With an estimated construction cost of \$39,324.38 or less (for 2013); or
- With an estimated construction cost of between \$39,324.38 and \$157,297.53 (for 2013), when certain conditions are met.

For more information, refer to the DSA Interpretation of Regulations Document IR A-10 at the following Web page: [http://www.documents.dgs.ca.gov/dsa/pubs/IR\\_A-10\\_rev02-22-13.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/IR_A-10_rev02-22-13.pdf).

In addition to these cost threshold exceptions, under the current California Administrative Code (CAC, Title 24, Part 1) and other CBC (Title 24, Part 2) provisions, certain energy conservation and efficiency projects may be exempted from DSA structural safety and fire and life safety review and approval. The following table lists potential project types and the related DSA requirements for review and approval of structural safety and fire and life safety.

**Table 1: DSA Requirements for Structural, Fire, and Life Safety**

| No. | Project Type   | DSA Structural Safety Review and Approval |   |
|-----|--|---|---|
|     |  | Required?                                 | Notes/References  |
| 1   | Heating, ventilation, and air conditioning                                   | No  | HVAC unit replacement limited to units of equal or lesser weight, in the same location, and no structural framing is altered. |
| 2   | Reroofing with "cool" roof   | No  | Roof covering replacement and insulation limited to weight of existing roof covering and insulation.                          |
| 3   | Weatherization/caulking  | No  |   |
| 4a  | Window replacement (glazing only)  | No  |   |
| 4b  | Window replacement (frames and glazing)                                      | Yes                                       | DSA approval not required if entire window replacement project cost is \$39,324.38 or less per DSA IR A-10.                   |
| 5a  | Window shading devices—window screens (applied to glazing)                   | No  |   |
| 5b  | Window shading devices—solar shading devices requiring structural attachment | Yes                                       | DSA approval not required if entire window shade structure project cost is \$39,324.38 or less per DSA IR A-10.               |
| 6   | Energy Management Systems (EMS)  | No  |   |
| 7   | Lighting upgrades—re-lamping, ballast replacements, fixture replacement      | No  |   |
| 8   | Water-heating upgrades   | No  |   |
| 9   | Skylights  | Yes                                       | DSA approval not required if entire skylight project cost is \$39,324.38 or less and no structural framing is altered.        |

See the Endnotes on page 56.

## Accessibility Requirements for Energy Conservation and Efficiency Projects

The DSA must review and approve public school construction for compliance with accessibility standards given in the *California Code of Regulations*, Title 24, Part 2 (the CBC) when alterations or additions are made to existing buildings. If the existing “path of travel” elements do not comply with current code provisions, upgrades are required to the area of the work and designated elements serving the altered area. Upgrades to the current “path of travel” are required as follows:

- If the cost of the project is below \$139,934, then the cost of compliance is limited to 20 percent of the adjusted construction cost.
- If the cost is \$139,934 or higher, there is no limit to the cost of compliance unless the enforcing agency determines the cost of compliance is an unreasonable hardship.
- If unreasonable hardship is determined, there must be compliance by equivalent facilitation or to the greatest extent possible. However, the cost of compliance shall not be less than 20 percent of the adjusted construction cost.

Under the current proposed CBC accessibility provisions, certain energy conservation and efficiency projects may trigger accessibility upgrades outside the area of the project work. The following table lists potential project types and the related requirements for accessibility upgrades.

**Table 2: DSA Requirements for Accessibility Upgrades**

| No. | Project Type   | Path of Travel Access Upgrades |   |
|-----|--|--------------------------------|---|
|     |  | Required?                      | Applicable 2013 Code Sections                               |
| 1   | Heating, ventilation and air conditioning                                    | No <sup>ii</sup>               | 11B-202.4 Exceptions: 7                                     |
| 2   | Reroofing with “cool” roof   | No <sup>ii</sup>               | 11B-202.4 Exceptions: 7                                     |
| 3   | Weatherization/caulking  | No <sup>iii</sup>              | 2-202 Definitions “Alterations” and 11B-202.4 Exceptions: 7 |
| 4a  | Window replacement (glazing only)  | No <sup>iii</sup>              | 2-202 Definitions “Alterations” and 11B-202.4 Exceptions: 7 |
| 4b  | Window replacement (frames and glazing)                                      | Yes <sup>iv</sup>              | 2-202 Definitions “Alterations” and 11B-202.4               |
| 5a  | Window shading devices—window screens (applied to glazing)                   | No <sup>v</sup>                | 2-202 Definitions “Alterations” and 11B-202.4               |
| 5b  | Window shading devices—solar shading devices requiring structural attachment | Yes <sup>vi</sup>              | 2-202 Definitions “Alterations” and 11B-202.4               |
| 6   | Energy Management Systems (EMS)  | No <sup>vii</sup>              | 2-202 Definitions “Alterations” and 11B-202.4 Exceptions: 7 |
| 7   | Lighting upgrades—re-lamping, ballast replacements, fixture                  | No <sup>viii</sup>             | 2-202 Definitions “Alterations” and 11B-202.4               |

| No. | Project Type           | Path of Travel Access Upgrades |   |
|-----|------------------------|--------------------------------|---|
|     |                        | Required?                      | Applicable 2013 Code Sections                                     |
|     | replacement            |                                | Exceptions: 7   |
| 8   | Water-heating upgrades | No <sup>ix</sup>               | 2-202 Definitions<br>"Alterations" and 11B-202.4<br>Exceptions: 7 |
| 9   | Skylights              | Yes <sup>x</sup>               | 2-202 Definitions<br>"Alterations" and 11B-202.4                  |

See the Endnotes on page 56.

## Endnotes

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- <sup>i</sup> Exempted products must comply with all currently effective design, construction, and inspection provisions contained in Title 24 as adopted by DSA-SS. Refer to DSA IR A-10, Section 3.
- <sup>ii</sup> **11B-202.4 Path of Travel Requirements in Alterations, Additions and Structural Repairs.** When alterations or additions are made to existing buildings  
**Exceptions:**  
7. Projects consisting only of heating, ventilation, air conditioning, reroofing, electrical work not involving placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, equipment not considered to be a part of the architecture of the building or area, such as computer terminals and office equipment shall not be required to comply with 11B-202.4 unless they affect the usability of the building or facility.
- <sup>iii</sup> **ALTERATION [DSA-AC]** A change, addition or modification in construction, change in occupancy or use, or structural repair to an existing building or facility. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. **Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.**
- <sup>iv</sup> Replacement of glazing units is considered normal maintenance of the glazing system that does not affect the “usability of the building” and therefore would not qualify as alterations under 11B-202.4.
- <sup>v</sup> Replacement of screens is considered normal maintenance of a glazing sub-system that does not affect the “usability of the building” and therefore would not qualify as alterations under 11B-202.4.
- <sup>vi</sup> The addition of fixed and operable solar shading devices, such as horizontal sun shades or vertical fins that require structural connections to the building or ground, is a **“A change, addition or modification in construction”** and would qualify as alterations under 11B-202.4.
- <sup>vii</sup> The addition of an Energy Management System would be a **“change to an electrical or mechanical system”** and not considered an alteration for purposes of accessibility under 11B-202.4. See note iv above.
- <sup>viii</sup> Lighting Upgrades—re-lamping, ballast replacements, fixture replacement—are **“electrical work not involving placement of switches and receptacles.”** See note iii above. By definition, these upgrades are also **“changes to mechanical and electrical systems”** that would not qualify as alterations for purposes of accessibility upgrades under 11B-202.4.
- <sup>ix</sup> Upgrades to water heating systems are considered **“changes to mechanical and electrical systems”** and not alterations for purposes of accessibility upgrades. See note v above.
- <sup>x</sup> The addition of skylights or solar tubes in the roof of an existing building would be **“A change, addition or modification in construction”** and qualifies as an Alteration. See note v above.