



LEA DD/CD Reviewer Certification – Public School Reviews

ORIGIN

Chapter 14 Laws of Maryland 2018, HB 1783, Maryland Annotated Code, Education Article § 5-314(e)(2).
Enacted: June 1, 2018

PURPOSE

The Department of General Services' (DGS) LEA DD/CD Reviewer Certification is designed to streamline the State funded school project review process by allowing qualified Local Education Authorities (LEAs) the ability to perform their own design and construction reviews for public school construction. This process does not apply to schematic design, educational specifications or preventive maintenance.

REVIEWER CERTIFICATION REQUIREMENTS

In order to obtain DGS approval for Reviewer Certification of State funded school project design review, the following minimum requirements must be met:

1. If the LEA uses a Project review staff, it shall include the following registered professionals: Architect, Civil Engineer, Structural Engineer, Mechanical Engineer, and Electrical Engineer. One staff member shall be familiar with Maryland High Performance Green Building Program (HPGBP).
2. The Architect(s) and Engineer(s) shall have a minimum of 7 years of commercial design and construction experience in their area of expertise (preferably in schools). Architects must have 7 years of experience in school construction.
3. Performance of previous project submissions to DGS will be evaluated and considered in determining if any LEA has the expertise and capacity to receive Reviewer Certification. LEAs will be evaluated by reviewing previous submissions for compliance against DGS Procedures Manual, submittal criteria checklist, Roofing Policy, and IAC Administrative Procedure Guidelines. If a LEA has failed to comply on three (3) or more occurrences during a 12 month period, DGS may determine the LEA is ineligible, and this will be documented in the DGS response letter. A LEA who has not demonstrated the expertise and capacity to receive Reviewer Certification due to past performance on a previous project must wait one (1) year before resubmitting their application for Reviewer Certification.

If the LEA chooses to hire Consultants for the review and Reviewer Certification process, the following additional requirements must be met:

1. The Consultant firm shall be Licensed in Maryland as an Architectural/Engineering Firm
2. The Consultant firm shall have two (2) Principals.
3. Per project being reviewed, the Consultant firm must be an independent and separate firm from the Designing Firm of the project.
4. The LEA is responsible for any costs associated with third party consultants for Reviewer Certification.

The LEA must certify that a project complies with all the latest applicable statutes, regulations and codes, including but not limited to Maryland building codes, Code of Maryland Regulations (COMAR), Maryland High Performance Building Standards (MD Green Building Council) as well as all applicable local standards and ordinances, and the project can be approved without a review by DGS. LEAs are also required to review project design according to the latest [DGS Procedures Manual](#)¹ and DGS Roofing Policy [DGS Roofing Policy](#)² available on the DGS web site as well as the [Interagency Commission Administrative Procedures Guide](#).³

REVIEWER CERTIFICATION SUBMISSION

1. The LEA is required to provide a [Federal Standard Form 330](#)⁴ for all professional staff/consultants responsible for the review of school projects and must notify DGS of any changes in professional staff/consultants within 30 days of that change
2. The LEA's designated authority must provide a signed letter outlining the ability to meet the requirements of the DGS Reviewer Certification program
3. DGS will review all submitted documentation and provide a response within 30 days of submission
4. Performance of previous project submissions to DGS will be evaluated and considered in determining if any LEA is eligible for DGS Reviewer Certification

APPROVALS AND RESUBMISSIONS

DGS will issue a letter approving or denying the application from the LEA for Reviewer Certification. Denials will include an explanation for the decision. If the denial is due to missing or correctable documentation, the LEA may resubmit within 10 working days. If the denial is due to lack of qualifications or past submission performance, the LEA must wait 1 year before resubmitting.

APPEALS

If a LEA wishes to appeal a Reviewer Certification denial, please submit your appeal in writing to the Secretary of the Department of General Services within 10 working days of your receipt of the agency decision. Please send your letter to:

301 W. Preston St
Suite 1401
Baltimore, MD 21201

RECERTIFICATION

Annually, LEAs must attest that reviewing staff is still in place, by September 1 of each calendar year. The LEA must notify DGS within 30 days of any changes to project review staff.

LEAs are subject to DGS re-certification every 5 years.

AUDIT

DGS may elect to randomly select projects, documentation, staff and their credentials for auditing at any time to assure that LEAs are maintaining compliance to standards for Reviewer Certification. If the LEA is found to be non-compliant to the established requirements through DGS audit, DGS approval will be revoked and the LEA must wait 1 year before resubmitting.

REVIEWER CERTIFICATION PROCESS AFTER APPROVAL – PROJECT SPECIFIC REQUIREMENTS

Once DGS has authorized the LEA for Reviewer Certification, the LEA must complete the accompanying DGS Reviewer Certification Form signed by the LEA and project Architect/Engineer of Record prior to an issuance of an invitation for bid. This form must be provided for all IAC approved projects that receive State funding. Please submit the form via e-mail to DGS Program Manager, Clarence Felder at clarence.felder@maryland.gov, copying DGS Administrator, Angela Allen at angela.allen@maryland.gov

1. A LEA must be responsible for maintaining certain documentation for each project for 3 years, unless stated otherwise, from the date of completion of the project including:
 - a. Drawings and Specifications (including all Addenda) for life of facility

- b. All required IAC Submission Forms as appropriate for the submittal phase (DD, CD, DD/CD) for 5 years
- c. All items required by the DGS Criteria Checklist
- d. Narrative of the IAC's Approved Scope of Work
- e. State of MD MBE Goals established
 - i. Governor's Office of Small, Minority & Women Business Affairs (GOSBA) approved MBE Goal Setting Model Analysis Form (copy)
- f. Prevailing Wage Rates
- g. Buy American Steel Act
- h. Use of Solar Technologies (as established in Chapter 14 Laws of Maryland 2018, HB 1783, SFP §§5-318 & 5-319)
- i. Ineligible Items clearly identified as Not In Contract (NIC), an Add Alternate, or listed providing quantity and total cost for the life of the facility
- j. Project Specific Calculations for the life of the facility
 - i. Structural
 - ii. Mechanical
 - iii. Electrical
- k. Geotechnical Report (as established in the State of Maryland Interagency Commission Administrative Procedures Guide (APG)) for the life of the facility.

¹ State of Maryland DGS Procedures Manual

² DGS Roofing Policy

³ Interagency Commission Administrative Procedures Guide (APG)

⁴ U.S. Federal Form sf-330