

**State of California  
Office of Administrative Law**

**In re:**

**State Allocation Board**

**Title 2, California Code of Regulations  
Sections 1859.2 and 1859.21**

**DETERMINATION FOLLOWING  
RESPONSE OF THE STATE  
ALLOCATION BOARD TO THE  
DETERMINATION ON REQUEST FOR  
PRIORITY REVIEW AND ORDER TO  
SHOW CAUSE**

**Government Code Section 11349.7(c)**

**OAL File No. Priority Review 2012-1**

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The Office of Administrative Law (OAL) received and considered the State Allocation Board's (SAB's) timely Response to OAL's Order to Show Cause (OSC), and the Declarations of David Zian and Lisa Jones and three Exhibits in support of the SAB's Response to the OSC.

Based on Sections I.A. and II. of the SAB's Response to the OSC and on the accompanying Declarations and Exhibits in support thereof, OAL finds as follows:

1) that the SAB has provided sufficient information regarding the necessity, pursuant to Government Code section 11349(a), for selecting 60%, as opposed to any other percent, as the minimum percent of the total grant amount provided by the State and the district's matching share that the work in the plans and specifications must cost in the estimate of the architect of record or design professional for the project; and

2) that the SAB has provided sufficient information regarding the necessity, pursuant to Government Code section 11349(a), for excluding from the cost estimate those items excluded, i.e., planning, tests, inspection, and furniture and equipment.

Dated: October 17, 2012

  
Dale P. Mentink  
Senior Staff Counsel

For: Debra M. Cornez  
Director

Original: Lisa Silverman, Executive Officer  
Copy: Lisa Jones