California Underground Facilities Safe Excavation Board

August 20, 2018

Agenda Item No. 3 (Information Item) – Staff Report

Discussion on Relevant Education and Training

Presenters
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Background
The California Underground Facilities Safe Excavation Board ("Dig Safe Board" or "Board") is tasked with several responsibilities, one of which is to coordinate the state's education and outreach activities that encourage safe excavation practices (Gov. Code § 4216.12(a)(1)). The Board's 2018 Plan also establishes the identification of relevant education to require in lieu of fines as a strategic activity under the strategic objective of developing an education and enforcement program. To carry out these responsibilities, staff recommends broadening educational opportunities available in California with classroom, onsite, and online courses. These courses are anticipated to increase the availability of affordable, relevant education in California and may be taken by anyone interested in excavation near underground utilities.

Discussion
In early 2019, education and training institutions will be selected to create the courses that must be in place by July 1, 2020. From now through the end of 2018, staff will focus on identifying education and training institutions with the capability to create courses that meet the minimum standards of the one-call law (Gov. Code §§ 4216-4216.24). To help gauge the need for educational courses, an appendix titled "Illustrative Demand for Education" is included at the end of this staff report. The Board, with the assistance of staff, will further define minimum standards for classroom, onsite and online courses and choose the process to select educational providers through the methods explained in the next paragraph. The timeline highlights the work that must be done by the end of 2018.

Selecting Education and Training Institutions

Through a competitive process, the Board will select education and training institutions that meet requirements to offer educational courses. Below are the methods available to evaluate possible providers.

Request for Proposal ("RFP")

The RFP process consists of asking education and training institutions for proposals to create and provide educational courses. The Board will provide education and training institutions with the requirements and rank their proposals based on quality of the proposal, including experience and qualifications of the institution, and course cost to the attendees. The institution with the top ranked proposal would be allowed to create and provide the courses, and charge attendees a fee to take the courses. The RFP process requires the institution to enter into a zero-dollar contract with the Board. Attendees will pay course fees to the

contractor. The Board may issue one RFP and enter into one contract for the entire state or a contract with a primary contractor and secondary contractor as backup under certain conditions; or issue a consolidated RFP for a contract per geographic location. Benefits include zero upfront cost to the Board and fewer number of providers to monitor. Furthermore, having limited providers may lead to lower costs to the end-user from less production costs. Disadvantages include an additional three months of approval time to have the RFP and contract reviewed by Cal Fire's internal process, and only one or few institutions that offer the courses.

<center>Request for Information ("RFI") or Request for Qualifications ("RFQ")</center>

The RFI or RFQ process requests information necessary to evaluate education and training institutions' capability to create and provide educational courses that meet the Board's standards. Such institutions will be put on a list of approved educational providers. There is no contract involved with the RFI or RFQ process. Benefits include zero upfront cost to the Board and the potential for multiple providers leading to increased accessibility and convenience for end-users. Conversely, if interest is robust, there may be a burden to the Board in ensuring the standards of courses being offered by numerous institutions. Furthermore, having too many providers may lead to institutions not generating enough revenue to continue providing courses. With no contract in place, institutions could cancel courses at their discretion.

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Minimum Standards

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Minimum standards must be created for courses provided by the education and training institutions. These standards will ensure that the Board approved curriculum is sufficient in content and delivery. Below are several considerations on minimum standards for classroom, onsite, and online instruction.

<center>**Classroom:**</center>
- The number of classroom locations in California to meet geographical need
- The number of classes held at each location to provide timely and regularly scheduled educational courses to violators
- Maximum class size
- Instructor certification
- Length of training
- Classes for both general education and to satisfy a violation
- Educational courses provided in multiple languages
- Cost for taking the class

<center>**Onsite:**</center>
- Minimum/maximum class size to deploy a trainer/instructor
- Geographical area to provide onsite training
- Instructor certification
- Length of training
- Classes for both general education and to satisfy a violation
- Educational courses provided in multiple languages
- Cost for taking the class

<center>**Online:**</center>
- The number of questions to be in a pool for testing
- The number of questions to be tested on from the pool
- The number of test questions that should come from each area of content
- Test taking capabilities on laptop, tablet and smartphone

- Modules for both general education and to satisfy a violation
- Educational courses provided in multiple languages
- Cost for taking the class

Timeline for the rest of 2018

August: Reach out to other relevant state agencies to understand how they have procured trainings.
August-October: Conduct market research by calling educational and training institutions.
November: Staff meeting to go over results of market research and then discuss with Board Members assigned to the topic of education.
December-January: Obtain Board approval for desired RFP, RFI or RFQ process and then draft RFP, RFI or RFQ.

Appendix: Illustrative Demand for Education

Deciding the number of class seats required to satisfy California's need for education in lieu of fines requires several estimations. It is not possible to know now how many violations will be suitable for education, how many violators will choose education, the medium of education violators will choose and the number of individuals required to attend per violation. The following calculations are intended to illustrate how the number of violations can affect the demand for education. These estimates will help when gauging interest from education and training institutions, determining the best method to select institutions (RFP, RFI and RFQ) and cost to the end-user.

The first set of calculations is a high-end estimate of the number of class seats needed to satisfy the demand for education in lieu of fines assuming equal participation in classroom, onsite and online media. The calculations below only account for education taken in lieu of a fine. Additional seats may be needed for individuals seeking education without the need to satisfy a violation.

2,000 qualifying violations x 3 individuals attending per violation = 6,000 class seats needed.

Let us assume that a individuals choose education instead of a fine and choose equally amongst the three educational media, or 6,000 / 3 = 2,000 per medium.

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Classroom
2,000 ÷ class size of 40 students = 50 classes needed
Onsite
2,000 ÷ class size of 3 students = 667 classes needed
Online
2,000 ÷ no minimum or maximum class size

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The following calculations assume 80% of violators choose to use education in lieu of a fine and choose classroom, onsite and online media evenly.

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Classroom
1,600 ÷ class size of 40 students = 40 classes needed
Onsite
1,600 ÷ class size of 3 students = 534 classes needed
Online
1,600 ÷ no minimum or maximum class size

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