

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Legal counsel shall be made available to the Superintendent to ensure the legality of all contracts and agreements entered into by the District. [See also BDD]

Capital Projects Budget Process

Under the authority of the Financial Accountability System Resource Guide (FASRG), Section 2.6.3, the Board authorizes the District administration, as part of the budget preparation process, to budget for capital projects on a per project basis rather than on a fiscal year basis. [See CE]

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$100,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above \$100,000, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Performance Bonds

In addition to the requirements of law, the District shall require prime contractors who contract with the Board for the construction, alteration, or repair of any public building or public works valued in excess of \$50,000 to execute a performance bond. [See CV preceding]

Required Insurance

Contractors shall carry insurance as follows for the duration of their contract:

1. Builders' risk insurance in the contractor's and the District's name against loss or damage by fire or storm on the entire work including structures, as well as materials and equipment in or adjacent thereto intended for use on the project, in the amount of 100 percent of the value.

2. Workers' compensation as required by statute.
3. Public liability in limits of \$100,000/\$300,000.
4. Property damage in limits of \$10,000/\$25,000.
5. Owner's protective liability insurance:
 - a. Bodily Injury Liability - \$100,000/\$300,000
 - b. Property Damage Liability - \$10,000/\$25,000

The above insurance coverage amounts shall be carried with companies satisfactory to the District. Certificates of each of the above policies, together with a statement by the issuing company to the effect that the policy shall not be canceled without prior notice being given to the District, shall be delivered to the senior executive director of facilities and operations or designee before starting any work.

**Construction
Contracts Valued in
Excess of \$10,000**

When construction contracts are expected to exceed \$10,000, but are less than \$25,000, quotations of prices from contractors shall be called for and the purchase shall be made from the firm offering the best and lowest quotation if quality is equal.

Change Orders

Change orders permitted by law shall be approved prior to any changes being made in the approved plans or the actual construction of the facility.

Change orders valued at or above \$100,000 shall require Board approval. The submission of change orders on a component basis, with the intention of circumventing the policy requiring Board approval for change orders in excess of \$100,000 shall be prohibited.

**Project
Administration**

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

Hearing Officer

The Board designates the Superintendent or designee as hearing officer to hear cases under the policy. The Board reserves the right to hear or review any cases assigned to the hearing officer.