

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC: First and Final Reading of Policy CV (LOCAL): Facilities Construction

SUBMITTED BY: Gloria Rendon **OF** Asst. to the Supt.

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: August 20, 2008

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve First and Final Reading of Policy CV (LOCAL): Facilities Construction

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

FACILITIES CONSTRUCTION

CV
(LOCAL)

COMPLIANCE WITH LAW	The Superintendent shall be responsible for establishing procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.
CONSTRUCTION CONTRACTS	<p>Unless otherwise determined by the Board, the project delivery/contract award method to be used for each construction contract valued at or above \$25,000 in the aggregate for each 12-month period shall be the competitive sealed proposals or the job order contract method set forth in Texas Education Code Sections 44.031(a)(2)(7) and 44.039, Chapter 44, Subchapter B, as determined and approved by the Board to be the best value for the District. If another method is deemed by the Superintendent to be more appropriate for a particular construction project, the Superintendent or designee shall submit a recommendation(s) for the Board's consideration, determination, and approval as a delivery method that provides the best value to the District. [See CV series]</p> <p>For construction contracts valued at or above \$25,000, the Superintendent shall be authorized to execute the resulting contract after the Board has approved the proposal/bid. 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]</p>
PROJECT ADMINISTRATION	<p>All construction projects shall be administered by the Superintendent or designee.</p> <p>The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.</p>
EMERGENCY DAMAGE OR DESTRUCTION	The Superintendent or designee shall notify the Board of any exceptions to competitive procurement requirements due to damage to school facilities or equipment, as noted in CH(LEGAL) and CV(LEGAL).
CHANGE ORDERS	The Superintendent or designee is authorized to approve a change order under \$25,000 without Board approval. A change order in excess of \$25,000 shall be approved by the Board or its designee prior to any changes being made in the plans or the actual construction of the project. The Superintendent or designee is authorized to approve any time extensions to construction contracts without Board approval.
FINAL PAYMENT	Final payments for construction work and/or the supervision of such work in the District shall not be made until the work has been completed and accepted by the Superintendent or designee.

RESOLUTION AMENDING BOARD POLICY CV (LOCAL)

WHEREAS, a board of trustees of a school district that is considering a construction contract using a method specified by Section 44.031(a) of the Texas Education Code must, before advertising, determine which method provides the best value for the district;

WHEREAS, the job order contract method is best suited for projects that are neither schedule sensitive nor subject to potential change;

WHEREAS, the job order contract will generally provide the best value to the United Independent School District (the "District") for future construction projects;

WHEREAS, a mechanism should be in place that permits the District's Board of Trustees to select another method when it deems appropriate or upon recommendation by District staff.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNITED INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. The job order contract is designated as the default best value method for construction contracts valued at \$25,000 or more in the aggregate for each 12-month period.

Section 2. If another method is deemed by the Superintendent to be more appropriate for a particular construction project, the Superintendent or designee shall submit a recommendation for the Board's consideration, determination, and approval as a method that provides the best value to the District.

Section 3. The section titled "CONSTRUCTION CONTRACTS" of the District Board Policy CV (LOCAL) is hereby amended to read as follows:

"Unless otherwise determined by the Board, the project delivery/contract award method to be used for each construction contract valued at or above \$25,000 in the aggregate for each 12-month period shall be the job order contract method set forth in Texas Education Code Sections 44.031(a) (7) and 44.039, Chapter 44, Subchapter B, as determined and approved by the Board to be the best value for the District. If another method is deemed by the Superintendent to be more appropriate for a particular construction project, the Superintendent or designee shall submit a recommendation(s) for the Board's consideration, determination, and approval as a delivery method that provides the best value to the District. [See CV series]

For construction contracts valued at or above \$25,000, the Superintendent shall be authorized to execute the resulting contract after the Board has approved the proposal/bid. 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]"

PASSED AND APPROVED, this the ____ day of _____ 2008.

UNITED INDEPENDENT SCHOOL DISTRICT

JOHN M. BRUCE
President, Board of Trustees

ATTEST:

JUAN A. MOLINA
Secretary, Board of Trustees

(DISTRICT SEAL)