

ARTICLE VII

NEW CONSTRUCTION
SERIES 7000

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NEW CONSTRUCTION

7100

Planning

The board recognizes as one of its major responsibilities the duty to assess the need of, to plan for, and to make necessary arrangements for the construction of new buildings and facilities to house the educational programs of the district.

Determining Needs

In its consideration of the need for new construction, the board will review its actual and projected educational programs, enrollment forecasts, the state of existing buildings, and such other factors as may be determined by the board.

The board reserves the right to authorize the conduct of special study of the district's building needs whenever, in the board's judgment, such a study is warranted.

Determining Extent of New Construction

The board shall determine the extent to which new construction is needed, based upon its annual review of building needs or the results of a special study, and shall seek an optimum balance between the housing needs of the district's educational programs and the district's ability to fund new construction.

In determining the extent of new construction, the board shall seek to serve both short-range and long-range needs of the district and shall plan expenditures so as to provide benefits for the district for both present and future needs.

Patterns of Participation

The board may involve its employees and patrons of the district in assessing the need for and planning for new construction. The board may appoint such advisory committees as deemed necessary to solicit the advice and opinions of staff members and patrons.

Procedures—Bidding Construction Projects

The District shall bid every project for the construction, remodeling, or repair of any school-owned building or for site improvements when the contemplated expenditures for the project is over \$40,000.00. The bidding procedures shall comply with the requirements of state law and shall include the following:

1. Notice to Bidders: The Administration shall prepare a notice to bidders containing a general description of the scope of the project being bid; the location of the project; the means of obtaining project documents, including plans and specifications; the date and hour bids will close; and the date, hour and place bids are to be returned, received and opened, and a provision that such bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
2. Regular Manner of Advertisement for Bids: The notice to bidders shall be published one time in a newspaper of general circulation in the School District. The notice shall be published at least seven (7) days prior to the date designated for the opening of such bids. The Board of Education or Administration may, in its sole discretion, elect to utilize further advertisement for bids as it may determine appropriate to secure a sufficient number of qualified bidders for the scope of the project.
3. Bid Opening: When the hour is reached for such bids to close, bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
4. Contract Award: The contract shall be awarded to the lowest responsible bidder as and to the extent required by law. When not so required, the award shall be made on the basis of consideration of the contract award criteria set forth in this Policy for purchases of equipment, materials and supplies.
5. Performance and Payment Bonds. Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and material payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of \$10,000 or less unless the School Board or Administration includes a bond requirement in the specifications for the project. The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the

improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.

6. Retention of an Architect or Engineer. The School District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, or those under the direct supervision of an architect or professional engineer; provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed eighty-six thousand dollars (\$86,000), or the dollar amount set forth in Neb. Rev. Stat. § 81-3445, as amended from time to time.

7. Additional Procedures. Each bid for which a labor and material bond is required shall be accompanied by a bid bond or certified check in the amount of five percent (5%) of such bid unless the School Board or Administration waives such requirement. The Board of Education or Administration may provide for additional procedures for the procurement, opening and acceptance of bids as deemed appropriate for a particular project.

Revised September 12, 2007

Supervision

The superintendent of schools shall serve as the supervisor for new construction. The superintendent shall have the authority to require that all reports, requests, and communications from architects, engineers, contractors, attorneys, and other suppliers of materials, goods, services, equipment, and furnishings be submitted to the superintendent for transmittal to the board.

The board shall require each firm, agency, supplier, and business providing materials, goods, and services to designate one individual to serve as the spokesperson for said firm, agency, supplier, and business; this spokesperson shall submit records, reports, and other documents to the superintendent for transmittal to the board.