

Section F contains policies, regulations, and exhibits on facility planning, financing, construction, and renovation. It also includes the topics of temporary facilities, school closings, bond campaigns and naming facilities.

FB - Facilities Planning	1
FBC - Prioritization of Facility Improvements	2
FBC-R - Prioritization of Facility Improvements Regulation	3
FBD - Land Use Impact Statements	6
FBD-R - Land Use Impact Statements Regulation	7
FB-R Facilities Planning Regulation	9
FCB - Retirement of Facilities	10
FD - Facilities Funding	11
FDA - Bond Campaigns	13
FEA - Educational Specifications for Construction	14
FEB - Architect/Engineer/Construction Manager	15
FED - Construction Plans and Specifications	17
FEE - Site Acquisition	18
FEE-R - Site Acquisition Regulation	20
FEG - Construction Contracts Bidding & Awards	23
FEGB - Contractor's Affidavits & Guarantees	25
FF - Naming Facilities	26
FF-R - Naming Facilities Regulation	27

## **Facilities Planning**

The Board believes that a quality educational program is affected to a great extent by the environment within which it functions. The development of a quality educational program and school facilities that promote the implementation of the program go hand in hand.

Therefore, it is the goal of the Board to provide and maintain the number of facilities needed for the enrollment and the types of facilities supportive of the educational program. It is the Board's goal to plan facilities that will:

1. Efficiently house students and staff in permanent facilities that are conducive to optimal teaching, learning, and working.
2. Be appropriately located to provide optimal use during the life of the facility.
3. Provide equity in instructional opportunities for all students.
4. Reflect the value placed on instruction by the school district community.
5. Ensure that the planning process clearly identifies facility requirements with enough lead time to plan, fund, build, or renovate facilities to meet a validated need.
6. Ensure that the planning process addresses all educational and educational support facility requirements.

Adopted: May 5, 2021

LEGAL REFS.: C.R.S. 22-30.5-401 *et seq.* (*Charter School Capital Facilities Financing Act*)  
C.R.S. 22-41-110 (*payment of bonds*)  
C.R.S. 22-41.5-101 *et seq.* (*weakening of debt limitations*)  
C.R.S. 22-42-101 *et seq.* (*bonded indebtedness*)  
C.R.S. 22-45-103 (1)(b) and (d) (*bond redemption and special building and technology funds*)  
C.R.S. 29-14-101 *et seq.* (*Bond Anticipation Note Act*)

CROSS REF.: LBDA\*, Facilities Planning and Funding for District Charter Schools

## **Prioritization of Facility Improvements**

The Board recognizes that not all facility improvement needs have the same level of importance. Therefore the Board directs the superintendent to develop a process to prioritize the relative importance of each facility improvement need. The four following priority groups shall be used in prioritizing capital improvements:

1. Priority Group 1 – Critical projects
2. Priority Group 2 – Necessary projects
3. Priority Group 3 – Deferrable necessary projects
4. Priority Group 4 – Desirable projects

Adopted: October 7, 2020

## **Prioritization of Facility Improvements**

### **Priority Group 1 - Critical Projects**

This group includes those projects that are deemed to be of utmost importance. For this reason, projects in this group need to be accomplished as soon as feasible and preferably within a year, subject to the availability of funds. The following are the types of projects that are included in priority Group 1.

1. Projects involving health and safety (water supply that may become contaminated, poor traffic patterns that endanger pupil safety, potential structural failures, installation of emergency systems, etc.)
2. Projects mandated by law (Americans with Disabilities Act, EPA regulations, state/local health department regulations, code revisions, etc.)
3. Projects necessary to avoid a building or facility being temporarily closed (leaking boiler, cracked combustion chamber in a furnace, etc.)
4. Projects that are necessary to prevent other damage to a building or site (extensive roof leaks that can cause interior damage, severe erosion along foundations and footings, etc.)
5. Projects which retard deterioration or which will cause an inordinate increase in scope or cost if delayed beyond one year (roof deterioration that will impact other building components such as deck, insulation, electrical, flooring, wall finishes, if not corrected, extensive deterioration in pavement that could adversely affect subgrade conditions or that creates a safety hazard if not repaired, etc.)
6. Projects which provide permanent additional capacity housing for students (when current enrollment at a school is greater than 125% of permanent program capacity, permanent facilities or other alternatives for housing students should be provided unless projections indicate a declining enrollment trend)

### **Priority Group 2 - Necessary Projects**

This group includes those projects that are essential to support the facilities' mission and purpose. Although they are important in nature, they are not as critical and urgent as those projects in Group 1. Group 2 projects should be accomplished within the next five years, subject to availability of funds. Examples include:

1. Necessary preventative repairs and improvements to maintain the integrity of and keep in operation a building or facility (replacement of equipment and systems that have served their useful life, including boilers, electrical panels, roofs, floor replacement, pavement overlay, etc.)
2. Projects which provide permanent housing for students (new schools and additions required to permanently house current or projected enrollment not exceeding 125% of permanent program capacity, etc.)

3. Projects which support existing instructional/auxiliary service programs (additions, renovation of open space classrooms, acoustical treatment in instructional areas, renovation of older schools to meet current program standards, renovation to provide functional facilities, etc.)
4. Projects which support the expansion of or changes in instructional/auxiliary service programs (computer classrooms, modular technical education laboratories and similar improvements)
5. Projects which provide operational efficiencies and economies (energy conservation projects, pavement sealing/overlays, ditch water irrigation systems, HVAC control automation and automated irrigation systems, and projects that provide a substantial cost avoidance or return on investment)

A large number of capital improvement needs are usually identified as Group 2 priorities. Therefore this priority group is divided into six sub-groups as follows:

**Priority Group 2A**

Necessary repairs and improvements to maintain the safety and integrity of the building and avoid imminent failure of a building system that would cause the facility to be shut down and/or result in a substantial loss (roof replacement, boiler replacement, heating pipe and domestic water pipe replacement, etc.)

**Priority Group 2B**

Projects required to house students in permanent facilities on a regular single track schedule (new schools or additions to existing schools where the projected five year future enrollment, based on the most current enrollment projection report, exceeds the permanent program capacity by 20% or more)

**Priority Group 2C**

Projects which support existing instructional/auxiliary service programs and will provide a substantial return on investment, including acoustical improvements, renovation of classroom facilities and renovation/upgrade of facilities 35 years old and older that have had no major remodeling during the last 10 years, including mechanical, electrical, core facility and flooring improvements as required

**Priority Group 2D**

Projects which support existing instructional/auxiliary service programs, renovation/upgrade of facilities 30 years old and older that have had no major remodeling during the last 10 years and site improvement projects required to provide safe and functional site facilities, including mechanical, electrical, core facility and flooring improvements as required

**Priority Group 2E**

Projects which support existing instructional/auxiliary service programs, renovation/upgrade of facilities 25 years old and older that have had no major improvements during the last 10 years, including mechanical, electrical, core facility and flooring improvements as required

**Priority Group 2F**

Necessary maintenance or repairs to maintain the site facilities (pavement, drainage and other projects which provide operational efficiencies and economies) and projects that support the expansion of instructional/auxiliary service programs (computer labs, modular technical education laboratories, etc.)

**Priority Group 3 - Deferrable Necessary Projects**

Projects in this group are identical to those in Group 2 except they may be deferred beyond five years.

**Priority Group 4 - Desirable Projects**

Desirable projects are those that improve the environmental qualities of a building or site above adopted district standards (installation of plantings and shrubs, carpet replacement for esthetic reasons, etc.)

Approved: October 7, 2020

## **Land Use Impact Statements**

In compliance with state law, the regulations and resolutions of the towns of Johnstown, Milliken and Berthoud, and Weld County, the district may be called upon to comment upon the adequacy of school sites and structures in connection with proposed plans for real estate subdivisions, developments or rezonings.

The Board recognizes that the responsibility for authorizing land use rests with governmental authorities such as the towns of Johnstown, Milliken and Berthoud, and the Weld County Planning Commissions, town councils or boards of county commissioners. However, the district shall comment consistently upon the adequacy of school sites and structures that will be affected by proposed plans for real estate subdivisions, developments or rezonings.

In its impact statements, the Board shall include the following considerations, among others deemed relevant:

1. Adequacy of school sites and school structures in the affected area.
2. The size and capacity of affected schools.
3. Location of affected schools and sites.
4. Ability of the district to accommodate new student enrollment.
5. Future plans for accommodating new student enrollment.
6. Estimated cost of new facilities needed if land use plans are approved.

Adopted: April 23, 2001  
Revised: October 7, 2020

LEGAL REF.: C.R.S. 30-28-136(2) (*district review of county-proposed plans*)

CROSS REF.: FEE, Site Acquisition

## **Land Use Impact Statements**

The district will include the following considerations (among others deemed relevant) in its comments with reference to the adequacy of school sites and structures in connection with plans for proposed real estate subdivisions, developments or rezonings.

### **Adequacy of structures**

The adequacy of school structures in connection with any plan for real estate subdivisions, developments or rezonings will include comments regarding the adequacy of related or involved elementary schools, middle schools and senior high schools, together with related supporting facilities.

### **Size and design**

The comments may include, but are not limited to:

1. The location and size of all related school sites.
2. The location and size of all permanent buildings.
3. The permanent program capacity of such buildings (with/without consideration of enrollment caused by the plan under consideration).
4. Temporary buildings being used.
5. The capacity of school buildings with the temporary structures.

### **Description**

If appropriate, the comments will include a description of the structural and educational condition of the permanent buildings together with a description of any needed modification or reconstruction.

### **Location**

Comments will include the location of all school sites and school structures together with comments regarding walk-in considerations, transportation access and related issues.

### **Accommodation for new student enrollment**

The comments will include the district's opinion as to whether existing permanent structures with an accepted number of temporary buildings can accommodate the new student enrollment anticipated as a result of the plan for the proposed new real estate subdivisions, developments or rezonings, without exceeding the property capacity of the permanent buildings or structures, and the permanent buildings or structures together with temporary buildings.



### **Future plans**

Comments will include district plans for future construction, remodeling or modification, if any. If there are no such plans, the land use authority will be so advised. The comments will also include the amount of money appropriated for new buildings or structures, or for the remodeling or modification of existing structures necessary to accommodate additional enrollment in the area of the proposed subdivisions, developments or rezonings. If no such money has been appropriated, the land use authority will be so advised.

The comments also will include the cost of housing at the current planned square footage and per pupil estimated costs for furnishing any additional space needed to keep all the students on single sessions.

### **Other comments**

Any other comments relating to the adequacy of school structures, capacities and sites within the area of the proposed subdivisions, developments or rezonings will be included as may be deemed pertinent, necessary or informative to the land use authority.

Approved: April 23, 2001  
Revised: October 7, 2020

## **Facilities Planning**

The Board recognizes that facility planning is an ongoing process that requires resources to carry out short and long-range facility planning responsibilities. The superintendent will establish a facilities planning process that includes:

1. Coordinating a process to identify, evaluate, validate, and document capital improvement needs, including the capital needs of district charter schools.
2. Maintaining and updating a comprehensive list of capital improvement needs.
3. Maintaining complete and current educational and technical specifications.
4. Providing facility needs data and background information for the development of short and long-range capital improvement programs.
5. Maintaining permanent facility project record documents and providing facility record information.
6. Conducting a thorough technical evaluation of proposed school sites.
7. Providing consultation, research, and information on facility matters.
8. Keeping abreast of educational program changes/trends and their facility impact.

Approved: May 5, 2021

## **Retirement of Facilities**

As population matures or shifts within the school district, certain school buildings may become inadequate for instructional purposes and should be used to benefit the school district or public in other ways. In determining which facility is to be retired from regular academic functions, the Board shall be guided by the following factors:

1. **Educational flexibility.** Which school buildings are least adaptable for housing a current and flexible educational program?
2. **Site.** Which school buildings are least adequate for continued use in the district's educational program?
3. **Cost.** Which school buildings represent the highest cost in terms of upkeep and maintenance?

The Board may invite the viewpoints of parents and staff in making its decision. The Board will also consider the historic value of any building. In such cases, the Board may take special action to provide for its preservation.

If the Board decides to close a school, it shall first consider other uses that the school district might make of the building. After these factors have been found inappropriate or not beneficial, the Board may then declare the facility surplus property and consider its sale.

Adopted: January 10, 1994  
Reviewed: May 11, 1998  
Revised: April 23, 2001  
Revised: October 7, 2020

CROSS REF.: DN, School Properties Disposition

## **Facilities Funding**

The Board of Education may submit to the registered qualified electors of the school district, at any regular school election or at a special election called for the purpose, the question of contracting a bonded indebtedness for any of the following purposes:

1. Acquiring or purchasing buildings or grounds.
2. Enlarging, improving, remodeling, repairing or making additions to any school building.
3. Constructing or erecting school buildings.
4. Equipping or furnishing any school building, but only in conjunction with a construction project for a new building or for an addition to an existing building; or in conjunction with a project for substantial remodeling, improvement, or repair of an existing building.
5. Improving school grounds.
6. Funding floating indebtedness.
7. Acquiring, constructing or improving any capital asset that the district is authorized by law to own.
8. Supporting charter school capital construction needs or the land and facilities needs of a charter school.
9. Constructing a building that the school district may lease to a state institution of higher education.

Before such a bond election, the specific needs for facilities shall be made clear to the general public, and careful estimates will be made as to the amounts required for the sites, buildings and equipment.

Following approval by the voters, the bonds to be issued will be advertised in newspapers and national financial journals, the date of issue being coordinated with tax collection dates, payments on bonds already outstanding and favorable market conditions. Disposition of the bonds then shall be accomplished by public sale on the basis of sealed bids. The Board reserves the right to reject any and all bids.

The bond and interest fund of the district comes directly and solely out of the levy of taxes initiated by the successful bond election. In anticipation of interest and principal payments, the Board will adopt annual resolutions authorizing the withdrawal from the bond and interest fund of the amounts needed to meet the payments due and the deposit of such moneys with the depository for honoring the bonds and interest coupons presented for payment.

The building fund is the fund authorized by the approval of the bond issue. The initial receipts from the sale of bonds are deposited in this fund, and actual expenditures for sites, buildings and equipment are made from it. The Board of Education will adopt

an annual budget resolution authorizing the withdrawal from the fund of the amounts needed to meet the payments due architects, contractors and other individuals or firms. The Board shall receive periodic reports on the expenditures made from this fund as compared with the original appropriations for the various projects included.

Adopted: August 27, 2001

Revised: October 7, 2020

LEGAL REFS.: C.R.S. 22-30.5-401 *et seq.* (*Charter School Capital Facilities Financing Act*)  
C.R.S. 22-41-110 (*payment of bonds*)  
C.R.S. 22-41.5-101 *et seq.* (*weakening of debt limitations*)  
C.R.S. 22-42-101 *et seq.* (*bonded indebtedness*)  
C.R.S. 22-45-103 (1)(b) and (d) (*bond redemption and special building and technology funds*)  
C.R.S. 29-14-101 *et seq.* (*Bond Anticipation Note Act*)

CROSS REFS.: FDA—, Bond Campaigns  
LBDA\*, Facilities Planning and Funding for District Charter Schools

## **Bond Campaigns**

Any special election to authorize bonded indebtedness shall be held on the first Tuesday in November in odd-numbered years in conjunction with the regular biennial school election or on general election day in even-numbered years.

If other jurisdictions that have overlapping boundaries or the same electors as the school district are conducting an election on the same day, the county clerk and recorder shall conduct the election as a coordinated election to allow voters to vote on all ballot issues at one polling place. The decision whether the election will be conducted as a polling place election or by mail ballot is one which shall be made by the county clerk.

The election shall be conducted pursuant to an intergovernmental agreement between the district and the county clerk and recorder for each county in which the district has territory. The agreement shall allocate responsibilities between the county clerk and the district for the preparation and conduct of the election and shall be signed no less than 70 days prior to the election. The Board shall designate a school election official to whom some election responsibilities may be delegated pursuant to the agreement.

Expenditures of any school district funds or in kind services to otherwise inform voters about election issues must be specifically authorized by the Board. The district may dispense a factual summary which includes arguments both for and against the proposal without any conclusion or opinions in favor of or against any particular issue addressed by the summary.

Adopted: January 10, 1994  
Revised: October 7, 2020

LEGAL REFS.: Constitution of Colorado, Article X, Section 20  
C.R.S. 1-1-101 through 1-13-108 (*Uniform Election Code of 1992*)  
C.R.S. 1-45-101 *et seq.* (*Fair Campaign Practices Act*)  
C.R.S. 22-41.5-101 *et seq.*  
C.R.S. 22-42-101 *et seq.*  
C.R.S. 22-54-108

## **Educational Specifications for Construction**

To ensure that all new facilities are designed to best implement the educational program, the superintendent shall provide for the development of detailed educational specifications to apply to the design and construction of new buildings. Upon Board consideration and approval, the specifications shall be presented to the architect.

In developing specifications, the superintendent shall draw on recommendations of citizens' committees, both the professional and supports staffs, students and student groups, and community organizations.

The specifications shall include:

1. Information concerning the plan of school organization and estimated enrollment in the proposed building.
2. A description of the students to be served.
3. A description of the proposed curriculum and the teaching methods and techniques to be employed.
4. A schedule of space requirements, including an indication of relative locations of various spaces.
5. A desired layout of special areas and the equipment needed for such areas.
6. An outline of mechanical features and special finishes desired.
7. A description of standard codes and regulations (school district, city, county and state) affecting planning.
8. Pertinent budget and related factors.

The Board expects the resulting document to serve two purposes:

1. Clarify and consolidate the thinking of the administration, the Board and the community on the needs, desires and objectives of the educational program to be conducted within the proposed new building.
2. Organize this important information in a manner that can be easily and clearly interpreted by the architect.

Adopted: January 10, 1994

Reviewed: May 11, 1998

Revised: October 7, 2020

## **Architect/Engineer/Construction Manager**

Employment of a licensed architect shall be required for construction of new schools, remodeling existing schools or constructing additions to existing schools. Selection of architects shall be based upon merit with the fee to be negotiated after selection. Preference shall be given to firms whose base of operations is located within Colorado.

The following criteria shall be used in evaluating architectural firms:

1. Successful performance on projects of comparable type, score and complexity.
2. Demonstrated capability of innovative, functional, flexible and aesthetic solutions to similar design requirements.
3. Quality and capability of the firm's staff and, in particular, the staff proposed to work on the project.
4. Quality and capability of the firm's engineering consultants. Definite team proposals are not required; consultants shall not be selected until after an agreement has been executed.
5. Demonstrated ability to work cooperatively with similar public agency owners, including relationships with the public.
6. Management systems for controlling budget and time schedules, and the firm's record for completing projects on time and within budget.
7. Performance introducing complete and accurate contract documents, including bidding patterns, addendum records and change order records.
8. A reputation for providing timely, comprehensive and fair administration of construction contract, including inspection services.
9. Experience and capability in value engineering, including designing project with low operating expenses.
10. Experience and capability in energy conservation and non-conventional energy sources, including design project with low utility expense.
11. Current and projected workload in relation to staff capabilities and the time schedule requirement of the project.
12. Proximity of the firm for projects requiring close coordination.
13. Experience and capability in operating under a variety of contractual arrangements, including but not limited to construction management and construction manager/general contractor.
14. Other criteria as may be deemed appropriate because of unusual requirements for particular projects.



Architect evaluations subject to the above criteria may apply to the following activities:

- Evaluations of submitted information-
- Verification of client and contractor references-
- Visits to completed projects-
- Visits to the firm's office-
- A formal interview-

The Board shall execute a contractual agreement with the architectural firm of its choice that serves the best interests of the school district. Such agreement shall set forth a general description of the project, services to be performed by the architect, services to be performed by the owner and services to be performed jointly, along with the architectural fees.

Adopted: January 10, 1994

Reviewed: May 11, 1998

Revised: April 23, 2001

Revised: October 7, 2020

LEGAL REFS.: C.R.S. 12-4-101  
C.R.S. 12-4-102

## **Construction Plans and Specifications**

When a contract agreement is signed both by the Board and an architectural firm, the architectural firm shall prepare preliminary drawings for the building project and site development. Preliminary drawings shall include a plot plan, floor plans, elevations, typical sections, soil test data, a preliminary outline of material specifications, recommended heating and ventilation systems, type of lighting, and space dimensions.

At the same time the preliminary drawings are presented, the architectural firm should be prepared to present a careful cost estimate and time schedule for completing the project.

Upon Board approval of the preliminary drawings and cost estimated, the architect shall cooperate closely with a committee of professional staff members and any other group the Board may designate in developing a set of working drawings and specifications.

Adopted: April 23, 2001

Revised and recoded: October 7, 2020

## **Site Acquisition**

The Board acknowledges that the acquisition of school sites is an essential aspect of educational facilities planning. The Board shall approve school site acquisitions only after presented with evidence that the following have been satisfied:

1. The site conforms to district site criteria/standards.
2. Statutory requirements have been met.
3. If purchased, the property can be acquired at a reasonable price based upon fair market value.
4. The property can be conveyed in fee simple.
5. The property can be conveyed free of all encumbrances, encroachments and any easements or rights of way, except those easements or rights of way that do not adversely affect the full use of the sites for the district's intended purposes.

The Board believes that the location of school sites adjacent to public parks is desirable, when appropriate and mutually beneficial. The Board also desires and intends to cooperate with all involved governmental units to plan school sites in accordance with this policy and its accompanying regulation.

Certain situations may warrant the payment of cash-in-lieu of land rather than land dedication itself. Such circumstances may be due to inadequate student generation from the development to justify a complete site, or unavailability of a suitable site because of unsatisfied criteria. Should the developer, district and applicable land use control entity agree upon cash-in-lieu of land dedication, the following criteria should be satisfied:

1. Cash-in-lieu of land, as permitted by state law, shall be in an amount equal to the price the district would pay per acre for a fully improved site (as required by district regulation) multiplied by the proportionate land need generated by the proposed development in accordance with Board policy.
2. The cash-in-lieu of land payment shall be made either directly to the school district or to the land use control entity prior to recording the final plat or prior to issuing a building permit. These payments may be made based upon the proportion of residential property being platted relative to the total project or, if a substantial change in housing units is evident, compared proportionate number of housing units being platted. If cash-in-lieu of land is paid to the land use control entity and the anticipated use of funds is demonstrated as provided by state law, the county or municipality will transfer the funds to the school district.

Adopted: April 23, 2001  
Revised: October 7, 2020

LEGAL REFS.: C.R.S. 22-45-103 (1)(c) (*capital reserve fund transfers for land acquisition, construction, etc.*)  
C.R.S. 30-28-133 (4) (*subdivision regulations*)

CROSS REF.: FBD-R, Land Use Impact Statements (Regulation)

## Site Acquisition

(Site Selection and Acquisition Criteria)

School site selection and acquisition involves a diligent team effort by district staff, and appropriate facility planning, and real property professionals in cooperation with local government officials, the school community and property owners.

The district will maintain student yield/generation rate information, will calculate the student yields for elementary-, middle- and high school-levels throughout the district, and reexamine these ratios periodically, as warranted. The district will also evaluate demographic and development trends to assist in determining the best locations for new schools.

### Building capacities and site size criteria

The district will maintain facility capacity standards for each school type. The following standards apply:

<u>School Type</u>	<u>Student Capacity</u>
Elementary	650
Middle	900
High	1200

The Board believes that certain minimum site sizes will be required for a site to fully accommodate facilities with the above student capacities. The following minimum net usable acreage standards are required:

<u>School Type</u>	<u>Minimum Net Usable Acres</u>
Elementary	10
Middle	22
High	60

### Site selection criteria

School sites may be acquired through various methods, but the following criteria are to be considered when evaluating school sites in the selection process:

- The net developable size of the site to satisfy the applicable school needs.
- Appropriate site configuration for school use.
- Location with respect to the area to be served.
- The suitability of topography for school use.
- Appropriate vehicular and pedestrian access for proposed use.
- Drainage, flood zones, storm water systems.
- Availability and adequacy of utilities, including water, sewer, natural gas, electricity and telephone.

- Geologic/soils report, geo-technical consultant and Colorado Geological Survey.
- Compatibility with surrounding land uses.
- Site configuration and surrounding street alignments will provide for separate access of school buses and private vehicles.
- Impact of the easements and rights of way.
- Municipal services such as fire and police protection, recreational programs, etc.
- Natural/environmental factors such as attractiveness of site, orientation, exposure, micro-climate, wetlands, air traffic patterns, radon, electromagnetic fields, mine activity, hazardous materials, lakes, streams, irrigation ditches, etc.
- Anticipated relative cost for site development.
- Evidence of clear title to the property.

### **Methods of site acquisition**

Site acquisition may be accomplished by any of the following methods:

1. **Dedication** – This method involves the appropriation of land for school use by a private owner or public entity. The district will identify appropriate school sites and endeavor to obtain dedication of those sites in conjunction with the review of land development and rezoning requests submitted to the district.
2. **Negotiated purchase or lease** – An appraisal by a certified real estate appraiser will be obtained by the district to establish a basis for determining fair market value in negotiating the purchase price for school sites. Sites may be obtained by direct purchase, installment purchase, or lease agreement with/without the option to purchase, or similar agreement approved by the Board and subject to state law.
3. **Eminent domain** – The exercise of eminent domain refers to the district's right to take property for public use upon payment of just compensation. This method of acquisition is called a condemnation proceeding. Board approval is required for such a condemnation proceeding to be initiated. However, consultation with the district's attorney is required prior to initiating this process.
4. **Exchange** – This transaction involves the exchange of property ownership between the district and one or more other property owners. In order to facilitate judicious decision-making, the district will obtain an appraisal by a certified real estate appraiser on the properties to be exchanged to determine fair market value for each property.

5. **Title conveyance** – An ownership and encumbrance report or title commitment prepared by an abstract or title company will be obtained for any property to be acquired. Title to the property will be conveyed to the district in fee simple and not subject to any conditions, including reversion clauses, which would limit title to the property without approval by the Board. If ownership is received directly from a private party, conveyance is to be by general or special warranty deed. Conveyance from a county or municipality is preferred via general or special warranty deed but may be accomplished by quitclaim deed if the county's or municipality's general or special warranty deed is free and clear of any encumbrances, etc. The property will not be subject to any easements or rights of way that adversely affect full utilization of property.

Approved: April 23, 2001  
Revised: October 7, 2020

## **Construction Contracts Bidding and Awards**

Any construction project may be advertised and competitive bids solicited.

### **Request for bids**

All projects to be bid shall be advertised in a paper of general circulation within the district at least 10 days prior to the date set for the opening of bids. The advertisement shall state that drawings and specifications may be procured by any qualified builder interested in participating in open competitive bidding for the construction of school buildings.

### **Submission of bids**

Each bidder shall be required to submit with the bid a bidder's bond in a sufficient amount to be determined by the estimated cost of the project in order to ensure that the lowest responsible bidder accepts the contract.

No bid for the construction, alteration or repair of any building shall be accepted if it does not conform to the plans and specifications furnished.

Contractors may be required to provide specific information necessary to establish responsibility.

The Board shall take submitted bids under advisement rather than arriving at an immediate selection, allowing ample time for careful study by the architect, school administrative officials and the attorney for the school district.

The Board reserves the right to reject any and all bids in whole or in part for nonconformance with the factors stated below and to waive irregularities or technicalities.

Whenever two or more bids of equal amount are the lowest submitted by responsible bidders pursuant to the advertisement, the Board may award the contract to any one of the bidders as it may determine by the exercise of its discretion.

### **Selection of the winning bid**

The Board shall select the bid which appears to be in the best interest of the school district, as determined by the Board.

In determining whether a bid is in the best interests of the school district, the Board shall consider the following factors:

- bid amount
- provision of the required security



- possession of or access to appropriate financial, material, equipment and personnel resources to meet contractual specifications and requirements.
- satisfactory record of performance and integrity.
- bonding ability and capacity.
- ability to meet insurance requirements.
- ability to legally contract with the district.

### **Entering into a construction contract**

The Board shall not enter into a construction contract unless an appropriation has been made for the project as required by law.

The contractor shall receive monthly payments for the work completed less a percentage to be determined to ensure completion. The final payment shall be due only after acceptance of the project by the Board, completion of the items to be corrected and following publication as provided by state law.

Adopted: August 15, 1994

Reviewed: May 11, 1998

Revised: October 7, 2020

LEGAL REFS.: C.R.S. 24-18-201 (*conflict of interest regarding contracts*)  
C.R.S. 24-91-101 *et seq.* (*construction contracts with public entities*)  
C.R.S. 38-26-101 (*definition of contractor*)  
C.R.S. 38-26-105 (*public works contractor's bonds*)  
C.R.S. 38-26-106 (*execution of contractor bond*)  
C.R.S. 38-26-107 (*publication prior to final payment*)

CROSS REFS.: BCB, Board Member Conflict of Interest  
FEGB, Contractor's Affidavits and Guarantees

## **Contractor's Affidavits and Guarantees**

Construction contractors doing business with the school district may be required to provide the district with such bonds or other acceptable security as the law or the Board may require in an amount and on terms deemed appropriate by the Board.

Such bonds shall be conditioned upon the faithful performance of the contract and also shall provide that if the contractor or any related subcontractor fails to pay for labor, materials or other supplies used in performance of the work, the surety will pay for the same in an amount specified together with interest as provided by law.

All construction contracts may provide for retention by the district of at least ten percent of any payments due pending completion of the project on such terms and conditions as approved by the Board and authorized by law.

The Board shall require each contractor doing business with the school district to have minimum liability insurance in amounts equal or greater than those normally required for projects of similar size.

The contractor also must provide proof that it is covered by Worker's Compensation.

Adopted: January 10, 1994

Reviewed: May 11, 1998

Revised: October 7, 2020

LEGAL REF.: C.R.S. 24-91-102 through 24-91-110 (*Construction Contracts with Public Entities*)

## **Naming Facilities**

The names for schools and facilities shall be the responsibility of the Board.

Names may be submitted to the superintendent, who in turn will submit the names for consideration at a regularly scheduled Board meeting. The Board, at a subsequent Board meeting, may select a name from the list of potential names or select another name of the Board's choosing.

School names shall, when possible, be descriptive of the geographic area in which the school is located. Nothing in this policy shall be construed to require changing the name of any existing school.

The Board may name a facility smaller than a school building for an individual when conditions warrant such recognition.

Adopted: January 10, 1994

Reviewed: May 11, 1998

Revised: November 11, 2002

Revised: October 7, 2020

## **Procedure for Naming of Facilities**

Facility refers to any district school, facility or portion of a school building or property. Per policy FF, names are to be submitted to the superintendent who then submits the names for consideration at a regularly scheduled Board meeting, and the Board subsequently makes the final determination of the name. However, in some cases, an advisory committee may be established to assist with the selection of facility names, and this procedure will then be followed.

1. An advisory committee will be established by the superintendent or designee for each new facility to be named. The advisory committee will be made up of community members, parents/guardians, educators and students. The superintendent or designee will serve as chairperson.
2. The advisory committee will solicit nominations for naming or renaming a facility from the community, including a call for ideas through the local press. All suggestions will be discussed and prioritized by the committee.
3. Community input to the committee regarding the naming of a facility is strongly encouraged. The committee may develop a plan to receive community input. Formal input to the committee may be made through presentation of a petition. The petition should specify the suggested name and the significance of the name.
4. To rename a facility, a Board directive or a petition with a minimum of 150 signatures will be required. Clarification as to why the current facility name is obsolete or inappropriate should also be presented with the petition or Board directive.
5. The advisory committee will present a written recommendation to the Board with a minimum of three names for consideration.

Approved: November 29, 2004

Revised: October 7, 2020

Revised: March 17, 2021