

ECKA-P

Descriptor Term: CONTRIBUTIONS FOR CAPITAL PROJECTS

Descriptor Code: ECKA-P

Presented to the Board: September 16, 2014

Adopted by the Board: November 6, 2014

- I. **Purpose** The purpose of this procedure is to define the approval process and management of capital improvement projects.
- II. **Donations for Capital Improvement Projects (FORM 1)** For donations that involve construction, expansion, renovation or other capital improvements to GCS-owned property and facilities, the following pre-solicitation process will be used:
 - a. GCS retains the right to reject fundraising proposals for capital projects that may interfere with district fundraising priorities and initiatives/campaigns. (For additional guidance, contact the Superintendent/designee.)
 - b. Funders interested in donating constructed materials and/or raising funds for specific capital projects, should meet with the principal of the impacted school first and submit a written proposal for his/her review and approval.
 - c. Principals retain the right to accept or reject fundraising proposals based on the needs of their students and school.
 - d. If the Principal approves the proposal, he/she will share the proposal with the Superintendent/designee.
 - e. The Superintendent/designee must approve any project plans or a proposal before any fundraising or other aspects of the project is begun.
- III. **Feasibility Review and Analysis of the Project (FORM 2)** The Superintendent/designee will review the proposed project plans. Project information, documentation and verifications will be required for the review process to begin required documentation includes, but is not limited to preliminary design and architectural renderings, design drawings and bid documents, and construction to conduct a feasibility review and analysis of the project to:
 - a. Determine the impact of the donation/project proposal on facility/construction-related priorities established by the Board of Education and/or district administration;
 - b. Determine the impact of the donation/project proposal on GCS' operating/capital budget;
 - c. Determine whether the proposed donation/project proposal meets applicable laws and GCS specifications, standards and procedures; and,
 - d. Ensure that the proposed improvement's budget and project timelines are adequate and realistic.

- e. All cost related components of the proposal shall be disaggregated as follows:
 - i. Amount to be donated in monetary form;
 - ii. Amount donated as in kind construction and or design or other professional services;
 - iii. Amount donated in the form of construction material; and
 - iv. Amount donated in the form of furnishings, fixtures, or equipment.
- f. Supervision and completion of the work by an individual or firm licensed to do work in the relevant discipline or trade is required. All license and permit requirements shall be met in accordance with all applicable statutes, codes and industry standards.
- g. The Superintendent/designee will also consult with other chief officers to determine the district impact of the donation/project proposal.
- h. If the Superintendent/designee determines that the submitted proposal does not:
 - i. Meet applicable laws, or GCS specifications, standards and guidelines;
 - ii. Has unrealistic budget and project timelines;
 - iii. May substantially increase inequity within programs/departments and among schools; or,
 - iv. Determines that the project cannot move forward without impacting other Board of Education and district priorities, the Superintendent/designee may:
 - 1. Reject the donation and/or proposal; or,
 - 2. Assign staff to work with the project team to correct any deficiencies; or,
 - 3. Place the donation/proposal on hold until the funders are able to satisfactorily address any concerns/deficiencies.
- i. If the project passes all qualifiers, the project will be given a project scale designation.
- j. GCS will not allow any work to start on GCS-owned property and/or facilities until all funds are raised by the funders, secured in an account designated specifically for the capital improvement and verified by appropriate GCS staff.

IV. Project Scale Designation If the Superintendent/designee determines that the donation/proposal meets GCS specifications, standards and guidelines, as well as applicable laws, and will not substantially increase inequities between and among schools in regard to facilities/capital improvements, or negatively impact the district, the project will be designated as a small scale low risk project or a substantial project. Substantial projects are capital improvements that have a total estimated cost of \$125,000 or more, and/or that have an estimated labor cost of \$50,000 or more. The Superintendent/designee may also designate a

project as substantial that has a total estimated cost less than \$125,000, based upon the project's complexity or scope of work.

a. **Small Scale/Low Risk Project (FORM 3A and 4)** When projects designated small scale/low risk with all required information, documentation and verifications are approved to begin by the Superintendent/designee, the principal and funder representative will be notified by the Superintendent/designee and will manage the project with basic oversight from the appropriate GCS staff.

i. Projects designated as small scale/low risk are not required to turn funds over to GCS. The funder will designate a representative to act on its behalf to manage and direct, with oversight from GCS staff, all phases of the capital improvement. When required, submittals by funder representative to GCS shall include, but not be limited to:

ii. Name and contact information of funder representative

iii. Project plan indicating project area, material storage area, safety plan, project schedule, scheduled utility interruptions, etc.

iv. List of contractor(s)/vendor(s)/firm(s) and their employee(s) who will be involved with the project, including trade/professional license number(s) and emergency contact information

v. Written agreement between funder and contractor(s)/vendor(s)/ firm(s)

vi. Certificates of Insurance (Builder's Risk, All Risk, General Liability, Professional Liability, etc.) for all contractor(s)/vendor(s)/firm(s)

vii. Performance and Payment Bonds

viii. Building Permit

ix. Certificate of Occupancy and/or Final Inspection by the Authority having jurisdiction

x. As-built drawings, operating and maintenance manuals, warranties/certifications and other close-out documents

xi. Proof of final payment to all contractor(s)/vendor(s)/firm(s) and their sub-contractors and or suppliers

b. **Substantial Scale Project (FORM 3B)**

i. The Board of Education must approve the project.

ii. The GCS Facilities Department may establish a Building Advisory Team.

1. The Building Advisory Team may include a representative from the funder(s).

2. The Building Advisory Team will meet on a monthly basis for the duration of the project. Other members may include the principal of the school, an additional staff member of the school, GCS facilities manager for design services and the assigned project manager.
3. Since GCS board members are invited to attend all Building Advisory Team meetings, these meetings are publicized in accordance with open meeting laws and are open to the public.

iii. When funds are transferred to GCS, GCS staff will manage and direct all phases of the capital improvement using privately donated funds designated for this purpose. GCS will follow its normal processes and procedures regarding purchasing, bidding, selection of designers and/or contractors, and other tasks associated with capital improvements. Upon approval of the project, 50% of the budgeted project cost must be transferred by the funder to GCS. For planning purposes, a project cash-flow indicating projected monthly transfers to GCS for payment of project expenditures shall be agreed to by the funder representative. When actual expenditures incurred exceed available funds transferred to GCS, the funder shall immediately and in no longer than 5 business days, transfer the amount necessary to cover the expenditure, plus 5% of the remaining estimated project cost. Funds for change orders are to be transferred to GCS immediately upon notifying the funder representative of the need for the change, and prior to approval and commencement of the work.

iv. The addition of capital projects initiated by outside agencies and/or local school communities may necessitate the hiring of additional GCS staff/contractors, depending upon the complexity of the project, and/or the availability of GCS staff. If additional staff/contractors are required to manage the project, the outside agency and/or local school community group initiating the project shall provide for all associated staff expenses from the project funds.

v. If the funders' fundraising efforts fall short of a capital project's required budget, the project may remain on hold until the time that adequate funds have been secured and when required transferred to GCS.

vi. The Board of Education and GCS may not bridge funding gaps and/or rearrange district priorities in order to support projects initiated by funders.

vii. If funders' fundraising efforts fall short of the required budget, the funders also have the option of designating the funds for a different purpose in support of the designated school.

1. Any purchases made using these funds should be in keeping with all applicable laws and GCS purchasing guidelines, and approved by the principal.

V. Naming/Funder Recognition

- a. GCS does not assign permanent naming rights to projects based on private donations. (See also Board Policy Naming Facilities FDCA / FDCA-P.)
- b. GCS will entertain proposals and/or negotiate assigning naming rights for a limited time frame and for a specified funding amount. Such proposals and/or negotiations are

managed by the Superintendent/designee in conjunction with the Board of Education's legal counsel.

- c. GCS does allow funder recognition opportunities that do not interfere with, or distract from, the educational mission of schools, classrooms, or the district. These opportunities include funder recognition wall displays with limited signage, paving bricks, and publicity (such as news releases, web postings, social media outreach, etc.) For additional guidance and approval of recognition plans and displays, contact the Superintendent/designee.