

700--BUSINESS AND NON-INSTRUCTIONAL OPERATIONS POLICIES

710 Organization of Business and Non-Operational Services

The business and non-instructional operations shall encompass the following major functions: finance and financial management, budget, accounting, maintenance of physical plant, maintenance, operations, facilities construction, purchasing, warehousing, fixed assets/equipment and grounds, and equipment, purchasing, warehousing, transportation, risk management, insurance, plant construction and operation, food services, student nutrition, and data processing, public affairs, community education, and community services.

711 Chief Officers

Administrative officers responsible for the operation of the business and non-instructional functions of the District shall be designated by the Superintendent ~~of Schools~~.

720 Finance and Financial Management

721 Financial Management - Responsibility For

721.1 Board

All funds of the District shall be subject to the supervision of the Board. The Board shall adopt a budget covering all funds needed for school purposes in accordance with prevailing statutes and regulations of the Commissioner of Education and Early Development. This budget shall be submitted to the Municipal Assembly for review and approval of the amount required to be raised from local sources as well as the total budgeted amount.

721.2 Superintendent

The Superintendent shall direct the development of the annual budget preparatory to its adoption by the Board, and shall be responsible to the Board for maintaining expenditures within the limits prescribed by each major category within the budget as approved. The Superintendent shall administer the budget as enacted by the Board, acting in accordance with legal requirements, and the adopted policies, schedules, procedures, accounting techniques and other business, financial, and administrative controls established by the Board.

721.3 Chief Financial Officer

The Chief Financial Officer shall be responsible for seeing that adequate records of all expenditures and revenues are maintained, controlling the major budget categories and providing the information required for the annual budget preparation and ~~the~~ long-range fiscal planning. ~~—and maintaining facilities.~~

722 The Budget and Budgetary Process

722.1 The Budget Defined

The school budget is a written document which presents the Board's plan for the allocation of the available financial resources to sustain and improve the educational functions of the District.

722.2 Budget Contents

The budget shall present a complete financial plan in advance for each year. It shall be organized in accordance with requirements of law and the State Department of Education and Early Development.

The budget will be based upon the educational needs and financial ability of the District as cooperatively identified by the Superintendent and his/her staff, the Board, the community, and the Municipal Assembly and as expressed by the annual statement of Board priority goals for instructional improvement.

~~(Section 722.2 – Revised September 12, 1983)~~

722.3 Planning and Compilation

Prior to ~~October 30~~ November 15, the Superintendent will present a recommended revenue and expense proforma budget to the Board for approval based on previous discussion at a Board work session. The Board will establish a budget cost ceiling by setting and outside spending limits and assumptions for the annual budget preparation process.

Budget planning shall be based, as much as possible, upon policies adopted by the Board pertaining to staffing and the allocation of funds for specific needs and programs. The Building administrator will review their proposed budget plan

with their ~~PTA~~, parent and staff groups. This will take into consideration the needs assessment conducted at the unit level. Building administrators and department heads shall submit their budget requests and justifications to the Budget Director prior to November 15, for the next fiscal year.

722.4 Preparation of the Budget Document

The Superintendent, after considering the ~~tentative~~ needs of the schools, separate and combined, against the sources of anticipated revenue, shall prepare a ~~tentative—budget~~ Preliminary Financial Plan allocating funds for the operation of the District schools. The annual budget will also include a revised three-year revenue and cost proforma analysis.

722.5 Public Hearings

The Board will hold Public Hearings and approve the Proposed Financial Plan and submit it to the Municipal Assembly ~~not later than April 1~~ on the first Monday in March of each year. The public hearing will require a first and second reading before the adoption of the Proposed Financial Plan.

722.6 Final Adoption

The Board shall submit the school budget for the following school year according to the provisions set forth in the Municipal Charter and Alaska Statutes, Chap. 14, Sec. 14.14.060.

722.7 Budget As a Spending Plan

722.71 Responsibility for Administering

The budget shall be considered as a controlled spending plan for the fiscal year. The Superintendent is authorized to make expenditures and commitments in accordance with and in harmony with the specific regulations of the Board and the State of Alaska. The same procedure shall be followed with respect to expenditures provided for by special Board action.

722.72 Methods and Procedures

The ~~Chief Financial Officer~~ Superintendent shall submit to the Board ~~for the District~~ a summary statement of revenues and expenditures, bank balances and report of investments on a monthly basis; and bank balances, and interest earnings/rates on a quarterly basis or by request of the Board. at the Board meeting designated for business affairs.

722.73 Transfer of Funds Between Categories

The Superintendent or his/her designee, may transfer funds between budget categories within those limits authorized by the Board.

The Board may approve transfer of funds between budget categories above the limits set for the Superintendent. ~~by resolution.~~

The Superintendent shall submit to the Board a listing of budget transfers on a monthly basis or by request of the Board.

723 Revenue

723.1 Local

Local revenue for school support is derived from real and personal property taxes levied by the Municipal Assembly, fees, interest earnings, and the fund balance and other local funds.

723.2 State

State funds, both categorical and general, are based upon objective formulae. The District shall conform to the statutes and requirements to qualify for the Public School Foundation Funding ~~Program~~ and other state funds; and shall file the required reports and forms to secure the amount of state funds to which it is entitled.

723.21 Alaska Public School Funding ~~Foundation~~ Program

The Public School Funding ~~foundation~~ Program monies ~~funds apportioned~~ allocated to the ~~credit off the~~ District are to constitute a part of the District's General school Fund and shall be budgeted and expended under authority of the Board subject to the law and State Board regulations. The expenditure of earmarked funds shall be restricted to the programs for which the funds have been authorized according to law and regulations of the State Board.

The District shall maintain financial records of the receipt and all disbursement of all monies. The records must be in the form required by the ~~Commissioner~~ Department of Education and Early Development and are subject to audit by the ~~Commissioner or the Board~~ Department of Education and Early Development at any time. (AS 14.17.~~190910~~)

723.3 Federal Revenues

The District shall conform to the statutes and requirements to qualify for Impact Aid, reimbursement for school breakfast and lunch program and other federal funds, both categorical and

general, and shall file the required reports and forms to secure the amount of federal funds to which it is entitled.

~~723.34~~ State and Federal Grants

Applications shall be made for ~~state and federal~~ grants when available provided that none of the conditions of acceptance are in disharmony with the policies of the Board, the objectives of the District, or the laws of the State of Alaska.

~~723.45~~ Trust Funds

All trust funds ~~or any public funds subject to the supervision of the Board~~ shall be deposited under the supervision of the Chief Financial Officer ~~and the Treasurer of the Board.~~

724 Management of Funds

724.1 Salary and Payroll Management

The Superintendent ~~shall control the use~~ oversees the authorization of overtime.

724.2 Payroll Deductions

~~The Board shall approve all voluntary payroll deductions.~~ No voluntary deduction shall be made from an employee's paycheck without written authorization of the employee on file ~~in the payroll office.~~ The deduction shall be in effect until revoked in writing, or by the terms of the authorization.

724.3 Investments and Collateralization

The Superintendent or his/her designee is authorized to invest excess funds of the District by direct investment or through the Municipality of Anchorage pursuant to Board Policies 724.31 or 724.32 and in compliance with Board Policy 724.33.

724.31 Direct Investments

a. Investments Allowed

The Superintendent or his/her designee is authorized to invest excess funds of the District directly as follows:

- (1) Ten ~~Five~~ Days or Less

The Superintendent or his/her designee is authorized to secure investments in repurchase agreements from the District's regular banking institution(s) for not to exceed ten (10) ~~five (5)~~ days. All such investments shall be collateralized, as set forth in Board Policy 724.31.b. The securing of such investments is exempt from any competitive bidding requirements.

(2) Undesignated Time Period

The Superintendent or his/her designee is authorized to secure investments for any length of time in the following:

- (a) Obligations of, or obligations insured or guaranteed by, the United States or an agency or instrumentality of the United States; or,
- (b) Repurchase agreements secured by obligations insured or guaranteed by the United States or agencies or instrumentalities of the United States.

These investments shall be secured according to the collateralization requirements set forth in Board Policy 724.31.b and the competitive bidding requirements set forth in Board Policy 724.31.c.

b. Collateralization Requirements

- (1) Each investment in excess of any F.D.I.C. insured amount shall be collateralized at all times with United States Government guaranteed securities having a market value, plus accrued interest, which equals or exceeds the collateralized amount of the District's investment.
- (2) Collateral shall be held, in the District's discretion, by the District's agent in the District's name, or in the bank's trust department in the District's name, or by the bank's agent in the District's name.

c. Competitive Bidding Requirements

- (1) Investments secured pursuant to Board Policy 724.31.a(2) shall be offered only to banks and other appropriate financial institutions or brokerage firms approved by the ~~School~~ District's Chief Financial Officer and having a main or branch office within the Municipality of Anchorage.
- (2) The bids for each investment must be separate and with a maturity date. Partial bids for each investment are acceptable only if identified as to specific maturities. Bids for each investment must identify both the rate of return and any fee that would be incurred by the District as a result of the investment. The award of each investment will be made to the bank or banks offering the highest net yield to the District. Net yield shall be determined by subtracting any fee to be charged from the gross yield. If identical proposals are received from two or more banks, the investment will be divided equally among such bidders.
- (3) The District may reject all bids received.

724.32 Investment Through Municipality Of Anchorage

The Superintendent or his/her designee is authorized to secure investments for two years or less through the Municipality of Anchorage under its collateralization and bidding requirements (AMC 6.50.030).

724.33 ~~Investment Reports The Superintendent shall provide to the Board on a quarterly basis or by request of the Board each month a report of investments transacted during that month.~~

The Superintendent shall provide to the Board each month a report of investments transacted during the month, unless the Board requests a report of investment transactions for a different period of time.

~~(Section 724.33 Revised June 15, 1987)~~

725 Purchasing and Contracting

It is the policy of the ~~Anchorage School~~ District to encourage full and open competition ~~whenever practicable~~ among potential

contractors and suppliers ~~by competitive bidding practices~~; to centralize purchasing and contracting to realize the economies resulting therefrom; and to seek maximum ~~educational~~ value for every dollar expended. Any discretionary departures from this policy, taken by the Administration, shall be in the best interest of the District.

~~725.1 Purchasing Department~~

The function of the Purchasing Department is to serve the educational program of the District by ~~providing~~ procuring the necessary supplies, equipment, construction, and services. To this end, the Purchasing Department shall serve as the agent (contracting officer) of the District to prepare, advertise, open, and recommend the award of contracts on behalf of the District. In this capacity, the Purchasing Department shall, in addition to following required state purchasing guidelines:

- a. Prepare for the purchase, rental, or other provision of supplies, materials, equipment, and/or contractual services on behalf of the District;
- b. Prescribe the time, manner, authentication, and form of requisitions for supplies, materials, equipment, and contractual services;
- c. Fix standards of quality and quantity and develop standard specifications in conjunction with affected divisions of the District. (In this regard, the use of "brand name or better" specifications is specifically authorized);
- d. Prescribe and prepare forms for bids, requests for proposals, and contracts for the purchase, rental, or other acquisition of goods or services, which bids, requests for proposals or contracts may contain provisions as the affected division may consider necessary (as well as such provisions as are required by the Board in these policies or otherwise);
- e. Schedule and conduct pre-bid conferences and pre-proposal conferences when deemed necessary;
- f. In conjunction with the affected division, prepare a tabulation of bids/evaluation of proposal(s) and recommendation for award of contract for the Board in cases in which the Board makes the award of contract;
- g. Provide for issuance of purchase orders and/or contracts without prior approval of the Board when the provisions of ~~Section 725.172~~ Board Policies 725.12, 725.142 or 725.22 are met;

- h. Take steps on a regular basis to inform new and existing businesses of the types of goods and services which the District purchases and the procedures through which the District acquires such goods and services;
- i. Adopt and pursue administrative procedures to implement Board Policy relative to purchasing and contracting.

725.1 Acquisition of Personal Property or Services

725.11 Acquisition of Personal Property or Services Valued over at \$50,000 and Above

- a. The acquisition of personal property, or personal services, the estimated cost of which ~~exceeds~~ is fifty thousand dollars (\$50,000) and above shall be by formal ~~bid~~ competitive procedures except as exempted by Board Policy 725.13, as established in Section 725.30 of these policies.
- b. ~~Prohibition against subdivisions.~~ No project or contract specification shall be subdivided to avoid formal ~~bid~~ competition requirements. This provision does not preclude use of alternate deductible items.
- c. Formal procedures include public advertising and the use of competitive bidding and/or the use of competitive requests for proposals to obtain maximum value for the District through the encouragement of full and open competition when practicable.
- d. Public advertising shall include requests for bids or proposals for goods or services published at least once in a local newspaper of general circulation at least ten (10) days proceeding the last day set for receipt of bids or submission of proposals. Additional notices may also be published in appropriate trade journals or sent directly to known active prospective bidders/proposers. Circulation may be restricted to vendors within the Municipality if required goods or services are available through them and adequate competition exists among them.
- e. The newspaper notice shall include all of the following:

- (1) A general description of the work, materials, or services sought;
- (2) Where bidder forms and specifications and/or requests for proposals may be obtained;
- (3) The closing time and place for submittal of bids/proposals;

(4) The time and place for opening of bids/receipt of proposals; and

(5) The amount of bid security, if any, required.

~~c. For changes in design and construction services already under contract the Superintendent or his/her designee will have the ability to authorize field activities to correct unforeseen activities that have schedule and cost consequences up to the project funding as approved by the ASD Board. Construction includes major rehabilitation, major repair, renovation, and new construction work. The Superintendent may further delegate this authority as follows:~~

~~(1) The Assistant Superintendent for Administration (Contracting Officer) Support Services is authorized up to \$250,000 per change order if project contingency funds are available.~~

~~(2) The Director of Facilities is authorized up to \$50,000 per change order if project contingency funds are available.~~

~~d. The ASD Board will approve all changes over approved funding levels and all program changes which increase the scope of the project, as bid, by more than \$50,000. The Administration will provide monthly reports detailing change order activities, by project.~~

~~(Section 725.11 Revised November 23, 1987, June 28, 1993, and February 21, 1995)~~

~~e. The acquisition of Architectural and/or Engineering Service will be solicited using a Request for Proposal and evaluated on qualification basis factors. Fee shall not be an evaluation factor in the selection process. The Anchorage School District Board will approve selection of Architect and/or Engineer services, and delegate authority to contract to the Superintendent.~~

~~(Section 725.11 e Adopted January 9, 1995)~~

725.12 Acquisition of Personal Property or Services Valued at Less than \$50,000

- a. The acquisition of personal property or personal services, the estimated cost of which is less than fifty thousand dollars (\$50,000) may, at the discretion of the Superintendent or his/her designee, be on the basis of ~~"open market" or informal bid~~ procedures under which the requirement for ~~an~~ publicly advertised invitations to bid or requests for proposals to bid need not be observed. ~~"Open market" or informal bid~~ procedures shall include obtaining quotations or proposals, when practical, from at least three (3) contractors, preferably in writing.
- b. The Purchasing Department shall pursue procedures to assure that where numerous potential and interested contractors exist, requests for quotations/requests for proposals are made in a manner which is calculated to obtain the best price and performance for the District while promoting competition to the greatest extent practicable.
- c. The Purchasing Department shall maintain a record of all ~~"open market" or~~ informal bids/informal proposals submitted, and such record shall be kept open to the public for inspection. Such records will be maintained by the District for at least one year from the award conclusion of any contract.

~~(Section 725.12 - Revised June 28, 1993)~~

- ~~b. The acquisition of Architectural and/or Engineering Service will be solicited as a Request for Proposal and evaluated on qualification basis factors. A price estimate will be submitted with the proposal for contract negotiations.~~

~~(Section 725.12 b - Adopted January 9, 1995)~~

~~725.15 Waiver of Formal Requirements~~

~~Whenever, because of the nature of supplies or services required, it is impractical to invite bids, the Board may authorize the Superintendent to issue requests for proposals and to negotiate with those who reply. Proposals will be required to comply with all other provisions of these policies. The award, if any, will be made by the Board to the person submitting the best proposal, considering both the nature of the proposal and the proposed cost.~~

725.16- .13 Exemption from Formal Bid Requirements-Competitive Procedures and Reporting

725.131 Exempt

Even when the estimated amount of personal property or services ~~exceeds~~ is fifty thousand dollars (\$50,000) and above, formal ~~bid~~ competitive procedure requirements in Board Policy 725.11 need

not be followed in conjunction with the acquisition of the following personal property or services:

- a. Books, films, periodicals, and other educational materials;
- b. Proprietary (sole source) items for which no competition exists;
- c. Weekly and monthly food service requirements relative to perishables, emergency requirements, and the requests which cannot reasonably be obtained on a timely basis through the formal ~~bidding~~ competitive procedures;
- d. Goods or services from agencies of the Federal, State, or local government;
- e. Goods or services available from local vendors on State of Alaska or Municipality of Anchorage, or Federal GSA contracts;
- ~~f.~~ Professional services (such as property and casualty insurance) purchased jointly with the State of Alaska or Municipality of Anchorage, or Federal GSA.
- ~~g.~~ Goods or services purchased for and to be reimbursed by student/parent teacher organizations;
- ~~g.~~ h. Items traded in on like items;
- ~~h.~~ i. Professional or consultant services (such as legal, negotiations, or educational services) not including architectural/engineering design services;
- ~~i.~~ j. Contracts for the provision of pupil transportation authorized under AS 14.09.010 and regulations promulgated pursuant thereto.

725.131 Reporting:

The Administration shall make an annual report to the Board of all acquisitions exempt from competitive requirements pursuant to paragraph 725.131.a - .j in excess of fifty thousand dollars (\$50,000). In addition, the Administration shall make semi-annual reports to the Board of all professional or consultant services contracts above ten thousand dollars (\$10,000), excluding

architectural/engineering design services contracts, (paragraph 725.131.i).

~~(Section 725.16 – Revised June 28, 1993)~~

725.17 .14 Approval of Contracts for Personal Property and Services

725.171 .141 Board Approval Required

~~Except as provided in subsection 725.172, all contracts awarded on behalf of the District, including contracts let pursuant to the requirements for proposals authorized by Section 725.15, and contracts exempted from competitive bidding by Section 725.16 ((h) and (i)), require approval by the Board.~~

All contracts awarded at one hundred thousand dollars (\$100,000) and above require approval by the Board except as exempted by Board Policy 725.13.a - i.

725.172 .142 Board Approval Not Required

The following purchase contracts need not be approved by the Board:

- a. ~~Emergency contracts let by the Superintendent pursuant to Section 725.14.~~ Contracts let by the purchasing officer or his/her authorized designee if all of the following conditions are met:
 - (1) The estimated value of a personal property or services contract does not exceed one hundred thousand dollars (\$100,000);
 - (2) Funds for the acquisition in question have been authorized in the District budget approved by the Board; and
 - (3) Sufficient funds exist in the appropriate account to cover the acquisition in question.
- b. Petty cash purchases under ~~Section~~ Board Policy 725.13 725.16.
- c. Exempt contracts let by the Superintendent or his/her authorized designee pursuant to ~~Section~~ Board Policy 725.1631 .a - (g)-i.

- d. Emergency contracts let by the Superintendent pursuant to Board Policy 725.15 provided that sufficient funds exist to cover the acquisition in question.

~~Contracts let by the purchasing officer or his/her authorized designee if all of the following conditions are met:~~

- ~~(1) (1)The estimated value of a personal property or services contract does not exceed \$100,000;~~
- ~~(2)The estimated value of a non construction contract does not exceed \$50,000.~~
- ~~(2) Funds for the acquisition in question have been authorized in the District budget approved by the Board;~~
- ~~(3) Sufficient funds exist in the appropriate account to cover the acquisition in question.~~

~~(Section 725.172 Revised June 28, 1993)~~

~~(Section 725.172 Revised February 20, 1995)~~

725.14 .15 Emergency Contracts

~~Whenever, because of an emergency for personal property or services which does not allow sufficient time to engage in normal bidding procurement procedures, it is deemed necessary and in the public interest, by the Superintendent or his/her designee to may enter into any contract without following the formal or informal bidding procurement procedures required by Section Board Policies 725.11 or 725.12 hereof, he/she shall authorize such emergency contract.~~ The Superintendent shall make a full report concerning the any such emergency contracts awarded at fifty thousand dollars (\$50,000) and above to the Board at the next scheduled Board meeting.

725.13 .16 Petty Cash Accounts

Petty cash funds may be established for each school unit and department of the District. Such funds shall be used only for the payment of properly itemized bills up to two hundred fifty dollars (\$250) unless authorized by the Superintendent or his/her designee of nominal amounts under conditions calling

for immediate payment. Allowances, responsibility, security, and accounting of petty cash funds shall be in accordance with state law and procedures established by the Superintendent.

725.2 Acquisition of Construction Projects and Architectural/Engineering Design Services

725.21 Acquisition of Construction Projects and Architectural/Engineering Services Valued at \$100,000 and Above

The acquisition of construction projects and architectural/engineering design services, the estimated cost of which is one hundred thousand dollars (\$100,000) and above, shall be by formal competitive procedures as set forth herein and consistent with the Facilities Department Project Procedures Manual.

- a. No project or contract specification shall be subdivided to avoid formal competitive procedures. This provision does not preclude use of alternate deductible items.
- b. Public advertising shall include a notice inviting bids or proposals for construction projects and/or architectural/engineering design services published at least three (3) times in a local newspaper of general circulation at least twenty-one (21) days preceding the last day set for receipt of bids or submission of proposals. Additional notices may also be published in appropriate trade journals or sent directly to known active prospective bidders/proposers. Circulation may be restricted to vendors within the Municipality if required goods or services are available through them and adequate competition exists among them.
- c. The newspaper notice shall include all of the following:
 - (1) A general description of the construction work, materials, or professional services sought;
 - (2) Where bidder forms and specifications and/or requests for proposals may be obtained;
 - (3) The closing time and place for submittal of bids/proposals;

- (4) The time and place for opening of bids/receipt of proposals; and
- (5) The amount of bid security, if any, required.
- d. All contracts awarded under the provisions of Board Policy 725.21 require approval of the Board.

725.211 Acquisition of Construction Projects Valued at \$100,000 and Above

- a. The acquisition of construction projects which the estimated cost is one hundred thousand dollars (\$100,000) and above shall be by formal competitive procedures. Formal competitive procedures include public advertising and the use of competitive bidding or requests for proposals to obtain maximum value for the District through the encouragement of full and open competition when practicable.
- b. In the majority of the invitations, the invitation to bid format will be used, but there may be some exceptions where the request for proposal format may be used. The use of competitive requests for proposals will be approved by the Board prior to advertising, as indicated in Board Policy 725.213. When using the request for proposal format, the specified evaluation criteria shall include a price component which shall be weighted at least fifty-one percent (51%) in the evaluation scoring. _

A committee shall be established by the Superintendent or his/her designee under the guidance of the Purchasing Department, for the purpose of evaluation scoring. At least one member of the committee, but less than a majority of the committee, shall be a person with construction, engineering, or design expertise, who is not employed by the District, and who has no direct or indirect financial interest in the project.

- c. In addition to price, the evaluation criteria will include at least some of the following factors:
 - (1) The ability, capacity, and skill of the proposer to perform the contract.

- (2) Whether the proposer can perform the contract within the time specified without delay or interference.
- (3) The character, integrity, reputation, judgment, experience, and efficiency of the proposer.
- (4) The quality of performance by the proposer on previous contracts.
- (5) Whether the proposer is in arrears on any existing contract with the District or is in litigation, arbitration, or other legal disputes with the District.
- (6) Previous compliance by the proposer with laws and regulations relating to the contract.
- (7) The number and scope of conditions attached to the proposal.
- (8) The number and scope of minor variations contained in the proposal.
- (9) If the subject of the contract will require future maintenance or repairs, the availability of replacements, replacement parts, and maintenance service for any machinery, equipment, or other material proposed to be installed or supplied by the proposer.
- (10) The quality, availability, and adaptability of the supplies, equipment or contractual services to the particular use required.
- (11) Whether the apparently successful proposer is prepared to furnish supplies, equipment, or contractual services which meet the specifications of the District.
- (12) After the minimum acceptable qualifications have been demonstrated, enhancements offered or demonstrated by the proposer which increase the quality, efficiency, or value of the project as defined in the request for proposal may be considered.

- d. To demonstrate the integrity of the process, each proposer shall be entitled to a private meeting with the committee chair or the chair's designee subsequent to evaluation scoring and prior to contract award, for the purpose of receiving an explanation from the committee as to the basis of only the proposer's score.

725.212 Acquisition of Architectural/Engineering Design Services Valued at \$100,000 and Above

- a. The acquisition of architectural/engineering service will be solicited using a request for proposal and evaluated on qualifications-based factors, specific to the project. Fees shall not be an evaluation factor in the selection process.
- b. An architectural/engineering consultant or firm is recommended by a committee appointed by the Superintendent under the guidance of the Purchasing Department. At least one member of the committee, but less than a majority of the committee, shall be a person with construction, engineering, or design expertise, who is not employed by the District, and who has no direct or indirect financial interest in the project. The recommendation is forwarded by the Superintendent to the Board for approval. To demonstrate the integrity of the process, each proposer shall be entitled to a private meeting with the committee chair or chair's designee subsequent to the committee recommendation and prior to Board approval, for the purpose of receiving an explanation from the committee as to reasons why the proposer was not recommended.
- c. The Board will approve selection of the architect and/or engineer and will further approve architectural/engineering service contracts in the amount of one hundred thousand dollars (\$100,000) and above.
- d. After the Board has approved the selection of the architectural/engineering consultant or firm (hereinafter "A/E"), the A/E will proceed with a qualifications-based selection of any required sub-consultants. After the A/E's selection of sub-consultants, the Superintendent or his/her designee shall negotiate the fee with the A/E. If a fair and reasonable fee agreement cannot be negotiated between the District and the A/E because the A/E is

unable to negotiate a fee agreement with the most qualified sub-consultant, the District may allow the A/E to negotiate a fee agreement with the next qualified sub-consultant. In the event that a fair and reasonable fee agreement cannot be negotiated between the District and the A/E, the next qualified A/E will be selected, and the process repeated.

725.213 Acquisition of Projects Valued at \$100,000 and Above by use of Alternative Techniques

When it best serves the interest of the District, the use of alternative techniques may be approved by the Board, as indicated below. The use of an alternative technique shall be based on appropriate evaluation and planning to ensure quality, creativity, flexibility, innovation, and excellence. Evaluation and planning may consider:

- (1) Standardization of equipment and systems.
 - (2) Life cycle costs.
 - (3) Operation and maintenance requirements.
 - (4) Current technologies and design trends.
 - (5) Local site conditions.
 - (6) Complexity of the project.
 - (7) Construction costs.
 - (8) Risk reduction/sharing.
 - (9) Project completion requirements.
 - (10) Constructibility.
- a. A modified two-step Invitation to Bid process may be used. The first step is the identification of qualified bidders based on any or all of the criteria referenced in 725.361. In the second step, identified, qualified bidders are invited to submit a bid.
 - b. The Design/Build process may be used to obtain competitive contracts. With the exception of the price

consideration set forth in the following sentence, selection criteria shall be qualifications based. These contracts will be awarded using price as a major consideration of the selection criteria.

In the Design/Build process, the District first develops design and budgetary criteria for the project. It then contracts with a single entity to provide complete design services, and perform construction of the project.

- c. General Contractor/Construction Manager (GC/CM). In the GC/CM process, the project is designed by an architect/engineer under contract with the District. However, the District also contracts with a GC/CM to provide pre-construction services such as cost estimating, value engineering, constructibility reviews, and project scheduling in cooperation with the architect/engineer.

After design, the GC/CM submits a Guaranteed Maximum Price (GMP) to the District for construction of the project. If the District and the GC/CM can agree on that GMP and on a construction schedule, the District contracts with the GC/CM as the project's general contractor.

- d. Other methods as approved by the Board.

725.22 Acquisition of Construction Projects and Architectural/Engineering Design Services Valued less than \$100,000

The acquisition of the cost of construction projects and architectural/engineering design services which are estimated not to exceed one hundred thousand dollars (\$100,000), may, at the discretion of the Superintendent or his/her designee, be on the basis of informal procedures under which the requirement for a publicly advertised notice need not be observed. Informal procedures shall include obtaining quotations or proposals, whenever possible, from at least three (3) firms, preferably in writing. The Purchasing Department shall pursue procedures to assure that where numerous potential and interested firms exist, requests for quotations/requests for proposals are made in a manner which is calculated to obtain the best price and performance for the District, for example, posting on the District website, while promoting competition to the greatest extent practicable. Contracts awarded as a result of this process shall be

in the form of a purchase order or short form contract signed by the contracting officer or his/her designee. The Purchasing Department shall maintain a record of all informal bids/informal proposals received, and such record shall be kept open to the public for inspection. Such records will be maintained by the District for at least one year from the conclusion of any contract.

The Superintendent or his/her designee shall approve the contract.

725.221 Acquisition of Construction Projects Valued less than \$100,000

- a. For the acquisition of construction projects between twenty-five thousand dollars (\$25,000) to one hundred thousand dollars (\$100,000), formal competitive bidding is preferred. _
- b. The acquisition of construction projects which are estimated not-to-exceed twenty-five thousand dollars (\$25,000) may be accomplished through the use of informal procedures. The requirement for public advertising need not be observed.

725.222 Acquisition of Architectural/Engineering Services Valued less than \$100,000

The acquisition of architectural and/or engineering services pursuant to 725.22 will be evaluated on qualifications based factors.

725.23 Emergency Construction Projects and Architectural/Engineering Design Services

When an emergency does not allow sufficient time to engage in normal procurement procedures, the Superintendent or his/her designee may enter into any contract for construction and/or architectural/engineering design services without following the procedures required in Board Policies 725.2 - 725.222. The Superintendent shall make a full report concerning any such emergency contract awarded at one hundred thousand dollars (\$100,000) and above to the Board at the next scheduled Board meeting. For purposes of this section, "emergency" means a situation that presents an immediate threat of serious harm to persons or property.

725.19 .24 Rehabilitation, Repair and Construction of School Buildings

When the District undertakes responsibility for rehabilitation, construction or repair of school buildings, the purchasing and contracting procedures of ~~School Board Policy Section 725~~ and the written administrative procedures established by the Superintendent set forth in the Capital Projects and Facilities Management Procedural Manual shall apply.

~~(Section 725.19 — Revised June 22, 1992)~~

~~(Section 725.19 — Revised June 28, 1993)~~

725.2 .3 General Requirements and Conditions for All District Purchases

725.21 .31 Non-Discrimination

- a. No bidder/proposer on any District contract may illegally discriminate on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, handicap, or change in marital status in employment, provision of services, or otherwise. Any bidder/proposer submitting a bid or proposal of fifty thousand dollars (\$50,000) or more must certify that if awarded a contract on the basis of that bid or proposal, he/she as the contractor will not illegally discriminate against any member or applicant for employment because of race, color, religion, national origin, ancestry, age, ~~or~~ sex, marital status, handicap, or change in marital status, in employment, provision of service, or otherwise.

~~(Section 725.21 a — Revised June 28, 1993)~~

- b. All successful bidders/proposers shall ~~take affirmative action to~~ insure such non-discrimination. All successful bidders/proposers must agree to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination section and this section shall be deemed to be a part of every contract entered into by the District under these policies.

- c. The ~~School~~ District requires adherence to the ~~has adopted the policies set out in the~~ Anchorage Municipal Code, ~~Chapter 7.50~~ relating to Minority Business Enterprises and will monitor and implement this Code ~~those policies~~

through the ~~School~~ District's Equal Employment Opportunity Director (EEO). ~~Specifically, the School District through its Equal Employment Opportunity shall:~~

- ~~(1) Monitor the compliance of the District and its contractors with the requirements of Anchorage Municipal Code, Chapter 7.50.010 120, as well as any implementing procedures adopted by the District.~~
- ~~(2) Investigate complaints with regard to non-compliance against the School District or any of its contractors, conduct hearings, and report in writing any findings or recommendations to the Anchorage School Board.~~
- ~~(3) Recommend such other and further activities or actions as necessary and sufficient to enforce compliance with the School District's policy to promote equality of opportunity and prevent discrimination on the basis of race, color, religion, national origin, ancestry, age, sex or marital status in the awarding of School District contracts and in the conduct of those awarded contracts.~~

d. ~~It is the policy of Tthe School District that has adopted a policy of aid and assistance to socially and economically disadvantaged minority businesses located within the Municipality of Anchorage, and encourages the provision to such businesses of~~ be afforded an equitable opportunity to participate in ~~School~~ District contracts. ~~On behalf of the Anchorage School District, the Equal Employment Opportunity Director shall administer, monitor and assure compliance with the policies set out in Anchorage Municipal Code Chapter 7.60 and the Minority Business Enterprise Program developed in compliance with AP 79 161 and 49 CFR Part 23 and approved by Municipality on February 18, 1983. The Equal Employment Opportunity Director shall have the following authority and responsibilities in this area:~~

- ~~(1) To formulate and administer plans, procedures and techniques for aiding and assisting socially and economically disadvantaged minority businesses within the Municipality of Anchorage in~~

~~accordance with the policy and intent of AMC Chapter 7.60.010 et seq.~~

- ~~(2) To propose annual goals for participation by minority businesses in School District contracts which are substantially similar to those set out in the aforementioned Minority Business Enterprise Program, approved February 18, 1982.~~
- ~~(3) To certify minority businesses in compliance with the qualifications for minority business status in accordance with AMC 7.60.060.~~
- ~~(4) To investigate and determine whether violations of this policy or implementing procedure have occurred and whether sanctions should be recommended to the Anchorage School Board.~~

- e. Any appeal from a decision of the Equal Employment Opportunity Director shall be to the Superintendent and, if not satisfied, to the School Board.

~~(Section 725.21 Approved January 28, 1985)~~

725.3 Formal Bidding Procedures

~~The formal bidding procedures as described in this policy shall be pursued by the District to obtain maximum education value for the District through the encouragement of full and open competition when practicable.~~

725.31 Invitation to Bid

725.311 Timing and Circulation of Invitation to Bid

~~A notice inviting bids for shall be published at least once in a local newspaper of general circulation at least ten (10) days preceding the last day set for the receipt of bids. Additional notices may also be published in appropriate trade journals or sent directly to known active prospective bidders. Bid circulation may be restricted to vendors within the Municipality if required goods or services are available through them and adequate competition exists among them.~~

725.312 Content of Invitation to Bid

~~The newspaper notice shall include all of the following:~~

- ~~a. A general description of the work, materials, or services sought;~~
- ~~b. Indication of where bidder forms and may be obtained;~~
- ~~c. Indication of the closing time and place for submittal of bids;~~
- ~~d. Indication of the time and place for opening of bids;~~
- ~~e. The amount of bid security, if any, required.~~

725.313 .32 Vendor Bidder Lists

~~Vendor Bidder lists may be maintained in accordance with procedures established by the Purchasing Department, according to commodity classifications. Any bidder lists shall be periodically updated, and all vendors are invited to make application to have their names included. Lists may be periodically purged to remove the names of vendors who on two (2) or more successive occasions fail to acknowledge invitations to bid. Failure of any person on the bidders list to receive an invitation to bid shall not invalidate the bidding process.~~

725.32 .33 Bid Bond/Security

- a. Any individual or organization submitting a bid/proposal shall accompany the bid/proposal with adequate bid security as may be required in the invitation to bid. Bid security, when required, shall be in the form of a corporate surety bond from a surety company authorized to do business in Alaska, or a certified cashier's check, or a cash deposit. Any bidder/proposer who is not awarded a contract shall have his bid bond exonerated or certified cashier's check returned, or deposit refunded. Any bidder/proposer awarded a contract shall forfeit the bid security if the contractor bidder/proposer fails to enter into the contract. The successful bidder/proposer will have his bid security exonerated upon execution of the contract.
- b. On projects for which the estimated cost is one hundred thousand dollars ((\$100,000) or less, the bid specifications

may require a bid bond no greater than five (5) percent of the bid amount or five thousand dollars (\$5,000), whichever is less, and waive the requirement of a performance and payment bond. Solicitations may allow for certified cashiers check and/or corporate surety bond. However, additional bonding or security may be required on such contracts where it is determined essential to protect the interests of the District. If the Superintendent, or his/her designee, determines that additional bonding or security is essential, this decision shall be reduced to writing and a file copy maintained for review by the public.

725.33 .34 Pre-Bid/Pre-Proposal Conference and Addenda ~~in~~ Bid Documents

725.331 .341 Pre-Bid/Pre-Proposal Conference

The Purchasing Department may provide for a pre-bid/pre-proposal conference. Such conference if deemed necessary, shall be held at least seven (7) days prior to the date for submission of bids/proposals.

725.332 .342 Addenda to Bid Solicitation Documents

- a. Clarifying information which may affect the bid/proposal shall be issued in the form of written addenda to all prospective bidders/prospective proposers, whether or not present at the pre-bid/pre-proposal conference.
- b. No oral change or interpretation of a contract document shall be relied upon by the prospective bidder/proposer or shall be binding on the District ~~is valid~~ whether issued at a pre-bid/pre-proposal conference or otherwise. ~~Written a~~Addenda may be issued when changes, clarifications, or amendments to bid/request for proposal documents are deemed necessary by the District. ~~Written a~~Addenda shall be issued when questions arise which might affect ~~the bids~~ solicitation responses.
- c. The Purchasing Department shall deliver any addenda to all prospective bidders/prospective proposers by mail, fax, or by hand. While the Purchasing Department shall make reasonable efforts in each case to assure that each prospective bidder/prospective proposer receives addenda in a timely fashion, for example, posting on the District website, the risk of non-receipt of any addendum lies with the prospective bidder/prospective proposer.
- d. The issuance of an addendum should normally occur a sufficient number of working days before the time scheduled for the receipt of bids/proposals so as not to detrimentally impact a bidder/proposer's ability to submit a responsive and considered bid/proposal by that due date. When an addendum contains detailed, complicated, or voluminous information, the date of issue should normally be at least five (5) working days before the due date. If an addendum is issued less than four (4) working days before the time scheduled for the receipt of bid/proposals, the addendum shall contain a new due date which shall be at least one (1) working day after the originally scheduled due date. When an addendum is

~~issued less than four (4) working days before the time scheduled for the receipt of bids, the addendum shall contain a new due date for the bid opening which shall be at least one (1) working day after the originally scheduled bid opening date.~~

- e. Receipt of any addenda shall be acknowledged by each bidder/proposer as part of the bid/proposal submitted.

725.34 ~~5~~ Bids/Proposals Submittal, Withdrawal and Late Bids

725.341 ~~.351~~ Submittal

Each bid/proposal must be signed by the bidder/proposer and submitted in a sealed envelope addressed to the District and plainly marked with the name of the ~~bid~~ procurement and the time and date of bid opening/proposal deadline.

725.342 ~~.352~~ Withdrawal

Any bid/proposal may be withdrawn or withdrawn and resubmitted by the bidder/proposer without penalty prior to the scheduled time for opening of bids/receipt of proposals.

725.35 ~~.353~~ Bid/Proposal Opening and Tabulation Procedure

- a. Bids shall be opened in public at the time and place stated in the public notice, or any extension thereof under Board Policy Section ~~725.33~~ 725.34 which time shall be immediately after the closing time for submission of bids. The time for submission of bids shall be during the normal business day.
- b. Proposals shall be received up to the proposal due time and date specified in the request for proposals.
- b. c. A tabulation of bids/proposals shall be prepared and transmitted to the Board by the Superintendent with appropriate recommendations for acceptance or rejection. A copy of the tabulation shall be furnished upon request to each bidder/proposer.

725.343 ~~.354~~ Late Bids/Proposals

Late bids/proposals shall not be considered and shall be returned to the bidder/proposer unopened, except that the District

reserves the right at its discretion to consider bids/proposals which have been delayed or mishandled through the mail system or by a ~~C~~commercial ~~C~~carrier when the envelope/package containing the bid/proposal bears postmark or ~~C~~commercial ~~C~~carrier affixed evidence of having been mailed at least three (3) calendar days, (in the case of U.S. ~~M~~mail) or clearly marked for delivery (in the case of a ~~C~~commercial ~~C~~carrier), in advance of the bid opening/proposal due time. Postmark evidence means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U. S. Postal Service.

~~(Section 725.343 — Revised May 6, 1997)~~

725.36 .355 Rejection of Bids/Proposals and Waiver of Irregularities

The Board shall have the authority to reject any and all bids/proposals.

~~725.361 The Board shall have the authority to reject any and all bids.~~

725.362 .355.1 Reasons for Rejection ~~A bid shall be rejected if:~~

A bid/proposal shall be rejected if:

- a. The bid/proposal is late (except as provided by Board Policy Section ~~725.343~~ 725.353 hereof);
- b. The bidder/proposer fails to include security pursuant to Board Policy Section ~~725.32~~ 725.33 hereof;
- c. The bidder/proposer submits more than one bid/proposal; ~~for the contract in question.~~
- d. The bid/proposal is not signed.

~~725.363- .355.2 Reasons for Rejection by Discretion ~~A bid may be rejected at the discretion of the District, if:~~~~

A bid/proposal may be rejected at the discretion of the Administration, if:

- a. ~~The bid/proposal is not signed;~~

- ~~b.~~ a. The bidder/proposer has failed to perform under some other contract with the District;
- ~~e.~~ b. The bidder/proposer fails to supply plans, specifications, samples, etc., when such item was called for in the invitation to bid or request for proposal;
- ~~d.~~ c. The bid/proposal fails to include acknowledgment of all ~~agenda~~ addenda issued by the District;
- ~~e.~~ d. The bid/proposal contains an alteration or erasure which is not initialed by the signer of the bid/proposal;
- ~~f.~~ e. The bidder/proposer changes or qualifies a material term or condition of the invitation to bid/request for proposal.

(Section ~~725.363~~ e 725.355.2.b - Revised May 6, 1997)

~~725.364~~ .355.3 **Waiver of Irregularities** ~~The Board has the authority to waive any and all irregularities on any or all bids except that the irregularities noted in 725.362 shall not be waived.~~

The Board/Administration has the authority to waive any and all irregularities on any or all bids/proposals except that the irregularities noted in Board Policy 725.355.1 shall not be waived.

725.355.4 **Negotiation**

The Board/Administration reserves the right to negotiate when such an approach is in the best interest of the District.

~~725.37~~ 6 **Award of All Contracts**

~~725.371~~ .361 **Award to Lowest Responsible Bidder**

In the case of Invitations to Bid, the contract shall be awarded to the lowest responsible bidder. In determining the "lowest responsible bidder," the District may consider, in addition to price, at any point in the selection process, any of the following factors:

- a. The ability, capacity, and skill of the bidder to perform the contract.
- b. Whether the bidder can perform the contract within the time specified without delay or interference.

- c. The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
- d. The quality of performance by the bidder on previous contracts.
- e. Whether the contractor is in arrears on any existing contract with the District or is in litigation, arbitration, or other legal dispute with the District.
- f. Previous compliance by the bidder with laws and regulations relating to the contract.
- g. The number and scope of conditions attached to the bid.
- h. The number and scope of minor variations contained in the bid.
- i. If the contract is one the subject of which will require future maintenance or repairs, the availability of replacements, replacement parts, and maintenance service for any machinery, equipment, or other material proposed to be installed or supplied by the bidder.
- j. The quality, availability, and adaptability of the supplies, equipment or contractual services to the particular use required.
- k. Whether the bidder is prepared to furnish supplies, equipment, or contractual services which meet the specifications of the District.
- ~~l. In relation only to contracts with an estimated value of more than \$50,000, a preference of ten percent (10%) not to exceed ten thousand dollars (\$10,000) preferential difference, to vendor bidding paper products with a recycled material content.~~

~~(Section 725.371 (l) Revised September 25, 1995)~~

725.362 Award to Other than Low Bidder

When the award of a contract is made to other than the lowest bidder, a full and complete written statement of the reasons therefor shall be filed with the other documents relating to the

transaction. For award of contracts that require Board approval, a full and complete written statement of the reasons why the contract is not being awarded to the lowest bidder will be included in the Board memorandum.

725.363 Tie Bids

When two or more bidders, each of whom fully meets bid conditions, are tied, awards shall be made as follows:

- a. Tie bids involving Anchorage firms with non-Anchorage firms, award shall be made to the Anchorage firm.
- b. If no other basis for choosing exists, the successful bidder will be determined by lot. The drawing will be held by the Purchasing Department in the presence of a representative of each of the tied bidders at a time reasonably convenient to the bidders. If a bidder's representative cannot attend a drawing within a time frame which allows the contract award to proceed in a timely manner, or if a representative fails to appear for a previously scheduled drawing time, an impartial witness from the Purchasing Department staff will be selected to observe the drawing on the bidder's behalf. The Purchasing Department will report the fact that a tie bid existed and the results of the drawing in any required memorandum to the Board which recommends contract award to the successful bidder.

725.364 Award to Successful Proposer

In the case of Requests for Proposals less than one hundred thousand dollars (\$100,000), the contract will be awarded based upon the evaluation criteria specified in the Request for Proposals.

In the case of Requests for Proposals of one hundred thousand dollars (\$100,000) and above, the recommended award of contract will be brought to the Board for its approval.

~~725.372 Award to Other than Low Bidder~~

- a. ~~When the award of a contract is made to other than the lowest bidder, a full and complete written statement of the reasons therefor shall be filed with the other documents relating to the transaction. The minutes of the Board~~

~~meeting relating to the matter may be used as the required statement in this regard.~~

- b. ~~In all cases where the District administration recommends the award of the contract to other than the low bidder, all bidders shall be notified of this recommendation and the meeting at which this recommendation will be considered for action by the Board.~~

~~(Section 725.371 Revised September 10, 1984)~~

725.38 .365 ~~Rejection of Bids and Readvertising~~

~~The Board reserves the right to:~~

- a. ~~Reject defective or non responsive bids.~~
- b. ~~Reject all bids.~~
- c. In the event all bids/proposals are rejected, the Administration reserves the right to Rereadvertise the invitation to bid/or request for proposal or any portion thereof for bidding either as initially bid or with advertised or with such changes in the invitation to bid or request for proposal as may appear necessary (1) to bring the estimated cost within the limit of funds available; (2) to make the invitation to bid/request for proposal conform more closely to District needs; (3) to correct errors or inappropriate specifications contained in the initial invitation to bid/request for proposal; or (4) to make such other changes as may be deemed in the best interest of the District.
- d. ~~Negotiate if it feels that such an approach is in the best interest of the District.~~

~~725.373 Tie Bids~~

~~When two or more bidders, each of whom fully meets bid conditions, are tied, awards shall be made as follows:~~

- a. ~~Tie bids involving Anchorage firms with non-Anchorage firms, after taking into consideration the Anchorage bidder's preference, shall be made to the Anchorage firm.~~

- ~~b. If no other basis for choosing exists, the successful bidder will be determined by lot. The drawing will be held by the Purchasing Department in the presence of a representative of each of the tied bidders at a time reasonably convenient to the bidders. If a bidder's representative cannot attend a drawing within a time frame which allows the contract award to proceed in a timely manner, or if a representative fails to appear for a previously scheduled drawing time, an impartial witness from the Purchasing Department staff will be selected to observe the drawing on the bidder's behalf. The Purchasing Department will report the fact that a tie bid existed and the results of the drawing in the memorandum to the School Board which recommends contract award to the successful bidder.~~

~~(Section 725.373 - Revised March 14, 1994)~~

~~**725.4 Notice of Award and Protest by Aggrieved Bidder**~~

~~**725.41 Appeals by Aggrieved Bidders**~~

~~**725.366 Notification of Award to Bidders/Proposers**~~

- ~~a. For awards not requiring Board approval, the Purchasing Office and/or Purchasing Contracting Office shall notify all participating bidders/proposers of the Intent to Award in writing on the same day of the award.~~

- b. For those awards requiring Board approval, the Administration will make public in the Purchasing Office and/or the Purchasing Contracting Office each notice of Intent to Award ten (10) calendar days prior to the scheduled award by the Board. Bidders/Proposers may, upon request to the Purchasing Office and/or Purchasing Contracting Office, review the bid tabulation/proposal scoring summary prior to the scheduled Board award date.

725.411 .367 Recommendations to the Board

The Administration, after evaluating the formal competitive bids or proposals received, recommends by memorandum to the Board a bidder/proposer for contract award ~~its ratification, the successful bidder(s) on each formal invitation to bid.~~

725.412 Posting of Award of Contract Memorandums

~~The Administration will post in the Board meeting room or lobby area each memorandum of award of contract due to be acted on by the Board. The memorandum will be posted for public inspection on or before noon of the Friday preceding the scheduled Monday afternoon or evening Board meeting. Any participating or interested bidder may review the memorandum scheduled to be acted on by the Board.~~

725.413 Time for Appeal

~~Any aggrieved bidder may, in writing, appeal to the Board the award of a contract prior to the time that the Board acts on the contract if it is a contract to be approved by the Board or prior to the execution of the contract if it is a contract which does not require Board approval. The appeal must be received by the Superintendent's office prior to 12:00 noon on the day of the Board meeting at which the protest is to be stated. The appeal must include the name of the person submitting the protest, the name of the bidder represented by that person, the specific bid which is being appealed and a detailed explanation of the reasons for the appeal. The aggrieved bidder must serve all other bidders with notice of its appeal. Failure to give written notice of appeal to the District as provided herein constitutes a waiver by the aggrieved bidder of any objections to the bid award.~~

725.368 Appeal Process for Aggrieved Bidders/Proposers

725.368.1 Appeal Process for Aggrieved Bidders/Proposers for Contracts Under \$100,000

Protest of awards by aggrieved bidders/proposers for contracts not requiring Board approval as identified in Board Policies 725.142 and 725.22, will be addressed to the Administration through the Purchasing Office or Purchasing Contracting Office in accordance with the procedures identified in the procurement documents. The appeal will be forwarded by the Purchasing Office or Purchasing Contracting Office for an independent review. Such independent reviews may be conducted by a not directly involved District employee or an experienced but disinterested third party from outside the District. The findings from the independent review will be reported to the Board.

725.414 368.2(a) Appeal Process For ~~Objection to~~ Aggrieved Bidders/Proposers for Contract Awards at \$100,000 and Above

~~Upon receipt of any appeal, the Board shall hear in open session the objection to the contract award. The successful bidder shall be permitted the opportunity to rebut any contentions of the aggrieved bidder.~~

Any aggrieved bidder/proposer may, in writing, appeal the intended award of a contract. The appeal must be received by the Purchasing Director with a copy to the Superintendent's office five (5) calendar days prior to the scheduled Board award. The appeal must include the name of the person submitting the protest, the name of the bidder/proposer represented by that person, the specific bid/request for proposal contract award which is being appealed and a detailed explanation of the reasons for the appeal. The aggrieved bidder/proposer must serve all other bidders/proposers with its appeal. Failure to appeal to the District as provided herein constitutes a waiver by the aggrieved bidder/proposer of any objections to the intended contract award.

725.415 .368.2(b) Consideration of Aggrieved Bidder's/Proposer's Appeal

~~After consideration of the aggrieved bidder's appeal, the Board may:~~

The Superintendent, upon review of the aggrieved bidder's/proposer's appeal, may pull the award recommendation from the Board agenda in an attempt to satisfy the aggrieved bidder's/proposer's appeal or he/she may decide to proceed with the award recommendation as scheduled. In which case, after consideration of the aggrieved bidder's/proposer's appeal and allowing the apparently successful bidder/proposer the opportunity to rebut any contentions of the aggrieved bidder/proposer, the Board may:

- a. Award the contract as recommended, indicating its reasons for rejecting the appeal;
- b. Recommend that the contract be awarded to some other bidder/proposer, in which instance formal award will be held over until the next Board meeting except that the Board may award the contract at that meeting to some other bidder/proposer if it finds that a delay in making the award would adversely affect the District;
- c. Stay any award of the contract to permit further consideration of the appeal, with action to be scheduled as soon as practicable, but in no event more than twenty (20) days after the stay as initiated;
- d. Reject all bids/proposals;
- e. Take such other action as appears appropriate and in the best interest of the District under the circumstances.

725.368.3 Appeals of Emergency Contract Awards

Emergency contract awards are not appealable.

725.42 369 Limitation of Liability

In the event that a contract is awarded to one party, and it is determined after award of the contract that it should have been awarded to some other party, the only financial liability of the District, if any, to the aggrieved party shall be actual costs reasonably incurred by that party in the preparation and submittal of its bid/proposal.

725.5 37 Payment

No payment for goods or services shall be made unless the goods or services are received and the receiving document is signed by

an authorized District representative. The Accounting Department shall establish procedures to insure that no unauthorized payments are made, to facilitate to the extent possible the timely payment for properly approved ~~and implemented~~ purchases, and to otherwise ~~effectuate~~ implement this policy.

~~(Section 725.5 — Revised April 27, 1998)~~

~~725.6 — Interpretation of this Policy~~

~~This policy shall be construed as supplemental to all other State Statutes, Municipal Ordinances, and Board Policies.~~

725.22 .4 Conflict of Interest

~~725.221~~ .41 No Gifts or Gratuities

Except as may be expressly authorized by the Board or the Superintendent or the Municipal Ethics Board, no staff member, including the Superintendent may:

- a. Accept any gratuity of money or goods (other than articles which are of token value or which have been made by pupils on their own volition), or benefits from any pupil, group of pupils, group of parents, or from any other community organization;
- b. Accept any gifts or favors in any form from any person, firm or corporation that is directly or indirectly involved or interested in business dealings with the District.

~~(Section 725.221 — Revised October 13, 1986)~~

725.42 Prohibited Acts

- a. No Board member or District employee may take any action in their official capacity to influence the District's selection of any bid or proposal, or the District's conduct of business, in which the Board member or employee has a financial interest.
- b. A Board member shall disclose any financial interest in any decision before the Board before debating or voting upon the decision, and may not participate in the debate or vote upon the decision of the Board until a determination is made that a financial interest is/or is not substantial as defined by Municipal Code. No Board member or employee shall testify before the Board, any legislative body or any municipal board or commission without first disclosing their financial interest in the subject of the testimony.
- c. No Board member or employee may disclose confidential information held by the District unless authorized or

required by law or Board policy to do so, or use that information to advance the Board member or employee's financial interest or the financial interest of others.

d. A Board member or employee may not engage in business or accept employment with, or render services for an organization or individual outside the District where that activity will conflict with the Board member's or employee's duties or impair their independence of judgement in performing their duties.

e. No Board member or District employee shall:

(1) Permit the use of District owned property, vehicles, equipment or materials for a non-District purpose; except as specifically provided by ordinance, Board direction, personnel rules, labor contracts, or terms and conditions of employment.

(2) Permit the expenditure of District funds for paid advertisements advocating or promoting a particular position, or for soliciting members of the public to advocate or promote a particular position, on legislation or other action pending before the Board. This policy is not intended to preclude the District from preparing and disseminating general, objective information about the issues to be voted on.

~~725.222 .43 Disclosure and Waiver of Conflict of Interest Acts of Board Members, the Superintendent and all Other Certificated and Non-Certificated Employees which Require the Obtaining of a Waiver of an Apparent Conflict of Interest and/or Disclosure~~

~~No School Board member or employee shall knowingly engage in any act in conflict with the performance of his/her official duties. Among the acts and circumstances which shall be deemed to be in conflict with the performance of official duties:~~

~~Which Require Waivers:~~

a. No Board member or employee shall knowingly engage in any act in conflict with the performance of his/her official duties. The following acts and circumstances shall not be deemed to be in conflict with the performance of official duties if, at the earliest opportunity after having

acquired such knowledge, the Board member or employee files a disclosure pursuant to 725.44 or requests and obtains a waiver pursuant to Board Policy 725.45:

- a. (1) Such person owns a sole proprietorship, or is a partner in a partnership, or is an officer, director, major shareholder (five percent (5%) or more of the outstanding shares) or has management control in a corporation that submits a bid, proposal or quotation to the ~~School~~ District or attempts to enter or enters into a contract with the ~~School~~ District;
- b. (2) Such person has any significant (five percent (5%) or more) financial interest in any sale, lease or rental to the ~~School~~ District of any service or property ~~with and such person has knowledge that the at the time of receiving or acquiring such interest that the~~ ~~School~~ District intends to purchase, lease or rent the property or service;
- c. (3) Such person ~~who~~ wishes to sell or receive royalties on books or materials sold to the ~~School~~ District for use in the school system for which the employee is the author;
- d. b. Subparagraphs ~~a—c~~ (1) – (3) herein do not apply to a director or officer of a non-profit organization that has been granted tax exempt status under Section 501 of the Internal Revenue Code who receives no salary or an insubstantial salary from that organization;
- e. c. Such person's spouse or other member of his/her household has any interest described in subparagraphs ~~(a.) —(c.)~~ (1) – (3). Such person must comply with the Disclosure requirements in Board Policy ~~725.223~~ 725.44 in order not to be deemed to have a Conflict of Interest.

~~(Section 725.222 — Approved October 13, 1986)~~
~~(Section 725.222 — Revised May 23, 1994)~~
~~(Section 725.222 — Revised June 22, 1998)~~

725.223 .44 Disclosure and Abstention

Disclosure

A Board member or District employee shall not be deemed to have a conflict of interest pursuant to Board Policy ~~725.222 (d)~~ 725.43.c as long as, at the earliest opportunity after having acquired knowledge that ~~the employee's~~ his or her spouse or family member intends to do business with the ~~School~~ District, the Board member or employee does the following:

- a. Discloses the conflict of interest in writing to the Superintendent or his/her designee and the Municipal Ethics Board prior to award of a contract to the business entity;

- b. Disqualifies himself/herself from participating in any decision by the District to recommend award of or to award a contract to the business entity; and
- c. Renews the disclosure for the next fiscal calendar year, if work of any kind is intended to be performed.

~~Abstention (not Waiverable)~~

- ~~d. No Board member or District employee may engage in or accept private employment or render service for private industry or other governmental entities or participate in any manner in School District decisions as an official of the School District which is incompatible with the proper discharge of official duties or impairs his/her independence of judgment or action in the performance of such official duties.~~
- ~~e. Such person violates a provision of the prohibition of the Municipal Ethics Code (AMC Section 1.15.010 -.250).~~

~~(Section 725.223 Revised October 13, 1986)~~

~~(Section 725.223 Revised May 23, 1994)~~

725.224 .45 Waiver for Board Members and Employees

725.451 Board Members:

A Board member must submit the request for waiver in a notarized statement to the Superintendent or his/her designee on the prescribed form. The statement must fully disclose the conflict of interest, and include the nature, type, extent, and the Board member's interest in the intended transactions. A Board member's waiver must be granted by the Board. Granted waivers expire on the last day of the fiscal year in which they are granted. If the Board member wishes to continue the activity which requires the waiver into the next fiscal year, a new waiver must be applied for and must be granted by the Board.

725.452 Employees:

- a. The following District employees may request a waiver from the acts identified in Board Policy ~~725.222~~ 725.43 .a - .c, 539.1.a - .c and 540.a - .c:
 - (1) A part-time employee.

- (2) A full-time employee who wishes to submit a bid, proposal, or quotation for a contract for the providing of goods or services which are outside the area of that employee's trade or profession and which would not interfere with the performance of that employee's job.
 - (3) A full-time employee who wishes to submit a bid, proposal, or quotation or a contract to be performed at a time other than during a period of employment (for example, summertime work by a certified employee).
 - (4) A part-time or full-time employee who wishes to sell or receive royalties on books or materials sold to the ~~School~~ District for use in the school system for which the employee is the author.
- b. The employee must submit the request for waiver in a notarized statement to the Superintendent or his/her designee on the form prescribed by the Administration. The statement must fully disclose the conflict of interest and include the nature, type, extent and the employee's interest in the intended transactions.
- c. The waiver must be granted by the ~~School~~ Board (~~Section Board Policy 540 - Publications~~) or by the Superintendent or his/her designee before the employee may submit a bid, proposal or quotation for any ~~School~~ District contract for which the waiver is requested. Granted waivers expire on the last day of the fiscal year in which they are granted. If the employee wishes to submit a bid, proposal or quotation on a ~~School~~ District contract in any year after his/her waiver has expired, he/she must request and be granted a new waiver for each new fiscal year before he/she may submit such a bid, proposal or quotation.

~~(Section 725.224 — Revised October 13, 1986)~~

~~(Section 725.224 — Revised May 23, 1994)~~

~~(Section 725.224 — Revised December 9, 1996)~~

~~(Section 725.224 — Revised June 22, 1998)~~

725.225 .46 Contract Voidable

Any contract ~~between~~ awarded by the District ~~and another party~~ shall be voidable at the option of the District if any Board member or employee had any conflict of interest described in Board Policy ~~725.222~~ 725.42 at the time of the award of the contract.

725.226 .47 Complaints Regarding Conduct

- a. Written complaint regarding alleged violations of any provision of ~~Section Board Policy 725.22~~ 725.4 shall be filed with the Superintendent who shall forward such complaints to the ~~School~~ Board or to the Municipal Ethics Board.
- b. If the complaint is filed with the Superintendent and if the Board decides the allegations are serious enough to warrant an investigation, the Board shall appoint a committee to investigate the alleged violations or the ~~School~~ Board may refer the complaint to the Municipal Ethics Board if the complaint appears to involve a violation of the Municipal Ethics Code. If the complaint is to be investigated by a committee appointed by the ~~School~~ Board, this committee shall be composed of one Board member, one member of the administration and three members of the public. The committee shall have the authority to conduct a formal hearing on the matter, with the same power to administer oaths and affirmations, examine witnesses and compel attendance of persons and production of documents, papers, books, accounts, letters and records by subpoena which the Board itself would have. Any person who appears before the committee and gives evidence shall have the right to be represented by counsel. Any person against whom a complaint has been made may demand and shall be entitled to a hearing which is open to the public. If the complaint is investigated by the Municipal Ethics Board, the procedures followed shall be those procedures adopted and followed by the Municipal Ethics Board.

~~(Section 725.226 — Revised October 13, 1986)~~

725.227 .48 Sanctions

- a. ~~Violation by Appointed Personnel and District Employees.~~ If the committee appointed under ~~section Board Policy 725.226~~ 725.47, subparagraph b., determines that any appointed District officer or employee has violated any provision of this section, the committee shall deliver a copy of its written decision to the Superintendent, the Board and the affected officer or employee, together with the committee's recommendation for disciplinary action. A violation of this section shall be grounds for

suspension, discharge or such other disciplinary action as the Superintendent shall determine.

- b. ~~Violation by Board Members.~~ If the committee determines that a Board member has violated this section, the Board may take such action as it is empowered to do by law, including but not limited to, public censure.

~~(Section 725.227 b – Approved October 14, 1985)~~

- c. If a complaint is investigated by the Municipal Ethics Board, the Ethics Board, upon completion of its investigation, shall make recommendations to the ~~School~~ Board pursuant to AMC Section 1.15.150.

~~(Section 725.227 c – Revised October 13, 1986)~~

725.3 Formal Bidding Procedures

~~The formal bidding procedures as described in this policy shall be pursued by the District to obtain maximum education value for the District through the encouragement of full and open competition when practicable.~~

725.311 Timing and Circulation

~~A notice inviting bids for shall be published at least once in a local newspaper of general circulation at least ten (10) days preceding the last day set for the receipt of bids. Additional notices may also be published in appropriate trade journals or sent directly to known active prospective bidders. Bid circulation may be restricted to vendors within the Municipality if required goods or services are available through them and adequate competition exists among them.~~

725.312 Content

~~The newspaper notice shall include all of the following:~~

- a. ~~A general description of the work, materials, or services sought;~~
- b. ~~Indication of where bidder forms and may be obtained;~~
- c. ~~Indication of the closing time and place for submittal of bids;~~

- ~~d. Indication of the time and place for opening of bids;~~
- ~~e. The amount of bid security, if any, required.~~

726 Special Fund Expenditures

726.1 ~~Transportation~~

~~The major costs of providing bus transportation are financed by the State of Alaska, but the District must pay one half the cost of the hazardous route transportation, kindergarten transportation, the entire cost of vocational transportation, and transportation for activities. (Refer to Policy 752.1)~~

Local/State/Federal Projects Fund

Funds from local, state and/or federal revenue sources used to supplement the educational programs will be maintained according to local, state and federal statutes and regulations, and grant documents.

~~726.2 School Lunch Fund~~

~~All monies derived from the operation, maintenance or sponsorship of the food service facilities shall be deposited in the same manner as other monies belonging to the District. Such monies shall be expended in such a manner as may be approved and directed by the Board.~~

~~726.3 Bond Fund~~

~~Funds raised through the sale of bonds may be utilized only for the purposes set forth in the election which authorized the sale of bonds. The purposes for which bond funds may be used are: purchase of sites or site additions; erecting and equipping school buildings; reconstruction and rehabilitation of school buildings; and for advanced refunding on bond issues.~~

~~726.4 Extra Classroom Activity Funds~~

~~All monies derived from any school sponsored activity shall be collected, accounted for and deposited as directed by the Superintendent of Schools.~~

~~726.5 Petty Cash Fund~~

~~A petty cash fund may be established as directed by the Superintendent for the payment of properly itemized bills for materials, supplies or services furnished to the District under conditions calling for immediate payment to the vendor upon delivery of any such materials or supplies or the rendering of any such service.~~

~~726.6 Funding and Programs of Anchorage Community College~~

~~The District will pay the funds approved annually for the support of the non degree programs and activities at the University of Alaska Anchorage. (AS 14.40.560)~~

727 Accounting and Financial Reporting

727.1 Classification of Funds

Funds shall be classified in accordance with the District's chart of accounts and in accordance with state law and the regulations of the State Board of Education and Early Development.

727.2 Financial Reports

The financial records shall be kept in accordance with generally accepted principles of governmental accounting. All financial transactions shall be recorded in general, appropriation, revenue and expenditure records. Appropriate entries from the adopted budget shall be made in the records for the respective funds. Separate accounts shall be maintained for each of the several funds.

727.21 Periodic Reports

The Chief Financial Officer shall submit an Comprehensive Annual Financial Report (CAFR) before October 1, of each year for the previous fiscal year ended June 30.

727.22 Public Inspection

All financially related records shall be maintained at the District office. Records shall be open for public inspection during reasonable business hours.

727.3 Audits

- a. The Board will maintain a standing audit subcommittee with members appointed by the Board President. The audit subcommittee oversees District financial, operational and management audits. Audit reports shall be presented simultaneously to the Board and the Superintendent.

- b. The Board may direct the District to contract with an independent firm for financial, operational and management audits.

727.31 Internal

Internal auditing is an independent appraisal activity by employees of within the District for the review of accounting, financial and other District operations ~~as a basis for service to management and the Board.~~

727.32 Annual Independent Financial Audit

The Board shall, before October 1 of each year, provide for an annual independent financial audit by a certified public accountant ~~audit~~ of all school accounts for the school year ending the preceding June 30. One certified copy of the audit shall be filed with the Commissioner of Education and Early Development and one certified copy shall be posted in a public place at the principal administrative office at the District. (AS Sec. 14.14.050)

727.4 Internal Controls

Internal controls shall be established by the Superintendent to ensure the safeguard and management of District assets.

The Superintendent shall establish a control environment which shall include a reliable and accurate accounting system. Procedures shall be established with a well-defined organizational structure, sound personnel procedures, management awareness of operations through adequate monitoring, and a governing body oversight by the ~~School~~ Board Audit Subcommittee.

~~(Section 727.4 – Approved March 25, 1996)~~

~~**728 – Special Procedures**~~

~~**728.1 Student Funds**~~

~~**728.11 .1 Restriction on Sales to Students**~~

- a. Sale of supplies, materials and equipment to pupils through ~~regular high~~ school stores, or through the classrooms, or through any other agency of the school shall be held to a minimal basis and approved by the principal. ~~only when the materials are not generally or reasonably available from another source.~~

- b. With the approval of the principal, staff members may specify the types of materials to be procured for certain school uses, but under no circumstances are they to specify a particular supplier. ~~Principals should insure that prospective suppliers are provided with copies of specifications and an estimate of the market potential. Exclusive long term contracts for award sweaters, class rings, announcements, etc. shall not be entered into.~~
- c. Copies of specifications shall be made available to all prospective suppliers so as to encourage maximum participation and competition. One or two year contracts with options to renew may be issued at the discretion of the school for such items as sweaters, class rings, announcements, etc. In no case shall such contracts exceed five consecutive years.
- e. d. In the case of indigent children, fees for laboratory materials, shop materials, activities, and other like fees may be waived at the discretion of the principal. and as recommended to the Superintendent of Schools.

728.12 .2 Responsibility for Handling Student Activity Funds

All monies derived from any school-sponsored activity shall be collected, accounted for and deposited as directed by the Superintendent.

Any individual responsible for the handling of any school monies or assets is required to deposit promptly all such funds and assets as directed by the Chief Financial Officer in a school designated account. It is the intent of this regulation that principals shall act as treasurers and be responsible for their extra-curricular accounts.

728.13 .3 Fines and Fees

All fines and fees collected are sent to the District Accounting Office and are not retained in the school unit. All monies shall be accounted for according to the District's Accounting Handbook.

728.14 School Stores

~~The sale of articles and operational procedures should be approved by the Superintendent of Schools. The profits, if any, shall be disbursed in a manner approved by the Superintendent~~

~~of Schools. All monies shall be accounted for according to the ASD Student Funds Accounting Manual approved by the Superintendent.~~

~~728.2~~ **729 Risk Management**

~~728.21~~ **729.1 Risk Management Policy Statement**

The District is committed to effectively manage all risks of accidental loss by:

- a. Protecting the District against the financial consequences of catastrophic losses.
- b. Preserving the District's assets, and educational system from loss, destruction or depletion.
- c. Establishing a Loss Control Plan to identify, prevent and control accidental losses and their consequences.
- d. Creating a system to continually evaluate and assess the District's capacity and financial resources to provide protection from loss.
- e. ~~Striving to~~ ~~Eestablishing~~ an exposure-free work and educational environment in which District personnel, students, and the public can enjoy safety and security in the course of their pursuits.

729.2 Property and Casualty Insurance

- a. Risk Management Department is responsible to:
 - (1) Review annually the risks that face the District.
 - (2) Eliminate or reduce as far as possible the conditions, hazards or risks that could cause loss.
- b. With regard to risks of accidental loss, the District shall self-insure all losses:
 - (1) Which occur with predictable frequency;
 - (2) Which will not imperil the District's ability to continue providing education for the students of the District; or

- (3) Which will not have a significant impact on the District's fiscal position.
- c. If the risks cannot be reduced, eliminated, or self-insured, the District shall:
 - (1) Obtain insurance;
 - (2) Assume the risk of loss in areas where the maximum possible loss is small or assume portions of the losses in other areas where insurance premium savings can be advantageous to the District; or
 - (3) Assume other risks where the cost of insurance is prohibitive.
- d. The District will prepare a statement of property values that will take into consideration the inflation factor associated with replacement costs of facilities and equipment.

729.3 Safety, Health and Loss Control

- a. The District is committed to effectively manage known risks of safety, health and property by:
 - (1) Recognizing that no operation is so important that it cannot be done with appropriate safeguards.
 - (2) Complying with all applicable laws and regulations.
 - (3) Providing appropriate guidance where controlling laws or regulations do not exist.
 - (4) Designing and operating our facilities and equipment in a way that eliminates unacceptable safety, health and loss risks, and providing an environment free of recognized hazards that could lead to death, injury, illness or other losses.
 - (5) Providing a professional loss control staff.

- (6) Creating a system that continually evaluates the District's capacity to provide a safe, healthful and loss free workplace.
- b. The District has adopted the following safety and health principles to provide direction and focus to our operations:
 - (1) All injuries are preventable.
 - (2) Management at all levels is accountable for managing safety, health and property as set forth in paragraph a above.
 - (3) All accidents and injuries should be investigated.
 - (4) All operating exposures should be reasonably safeguarded.
 - (5) Training employees to work safely is essential.
 - (6) Working safely is a condition of employment.
 - (7) Develop a positive process for the sharing of safety and health related information.

~~728.22~~ 729.4 Liability Protection

a. Board/Employee Liability Protection

- ~~a.~~ (1) The District shall indemnify, protect and defend the Board, its individual members, the Superintendent, and employees against claims, demands, and/or suits for alleged violations of civil rights or constitutional rights, wrongful death, bodily injury, personal injury, and property damage when negligence or other wrongful acts are alleged to have been committed in the scope of employment, service, or under direction of the District.
- ~~(1)~~ (2) No protection shall be provided under this section unless the person seeking protection was a member of the Board, the Superintendent, ~~officer~~ or employee of the District acting within the scope of his/her authority at the time of the incident from which the claim arises. Additionally, no protection

shall be provided unless the individual or individuals seeking protection provide the District with timely notice of the claim and provide full cooperation in the preparation of the defense of the claim.

~~(2) (3) This policy shall not affect any contracts or agreements previously entered into by the District, or which may be entered into by the District in the future which agreements or contracts contain provisions relative to liability coverage, indemnity obligations, and/or defense obligations. The District may, by written contract or agreement allocate for any individual and/or organization dealing with the District the duty to defend, indemnify, and/or insure in such amounts and under such conditions as may be agreed upon in such contracts and/or agreements. Contracts or agreements entered into by the District prior to the effective date of this Policy may contain provisions relating to liability coverage and indemnity/defense obligations. This Policy shall not alter those contracts or agreements.~~

b. (4) The District may maintain liability insurance or provide such other protection as appears sufficient to

accomplish the purposes set out in ~~Section~~ Board Policy (a) 729.4.a(1).

- e. (5) Nothing in these policies is intended to establish liability where it would not otherwise exist or to indicate the consent of the District or any of its employees, officers, or agents to be sued or otherwise held liable in any form for any claim for which insurance or indemnity would be provided by this section.
- d. (6) Nothing in this policy shall prohibit the District and/or its insurer from exercising a right of subrogation against any individual or organization otherwise covered by this policy if liability has been created through the willful or malicious conduct of such individuals or organization.

~~728.23 Property and Casualty Coverages~~

- a. ~~Review annually the risks that face the District.~~
- b. ~~Eliminate or reduce as far as possible the conditions, hazards or risks that could cause loss.~~
- c. ~~With regard to risks of accidental loss, the District shall self-insure all losses:~~
 - (1) ~~Which occur with predictable frequency;~~
 - (2) ~~Which will not imperil the District's ability to continue providing education for the students of the District; or~~
 - (3) ~~Which will not have a significant impact on the District's fiscal position.~~
- d. ~~If the risks cannot be reduced, eliminated, or self-insured, the District shall:~~
 - (1) ~~Obtain insurance;~~
 - (2) ~~Assume the risk of loss in areas where the maximum possible loss is small or assume portions of the losses in other areas where insurance~~

~~premium savings can be advantageous to the District; or~~

~~(3) Assume other risks where the cost of insurance is prohibitive.~~

~~e. The District will prepare a statement of insurable property values that will take into consideration the inflation factor associated with replacement costs of facilities and equipment.~~

~~728.24 Loss Control~~

~~The objective of the District Loss Control Program is to eliminate or minimize, as far as practicable, the conditions and practices that exist which might cause losses to employees, students and property by:~~

~~a. Insuring District compliance with all federal, state, and local laws on Life Safety and Health;~~

~~b. Maintaining a planned program of safety inspections to identify exposures;~~

~~c. Monitoring the accident reporting systems and investigating all serious injury and property damage accidents to identify trends;~~

~~d. Providing educational Safety Programs and materials such as; Employee Safety Handbook and in-service training on job exposures; and~~

~~e. A continued evaluation of the Loss Control Programs to identify deficiencies and needs, and to communicate those deficiencies and needs to the Administration.~~

~~6.2 Volunteer Worker's Insurance~~

~~b. Volunteer Workers' Liability/Medical Protection~~

~~a. (1) The District shall provide liability protection for duly authorized volunteer workers as written in Board Policy Section 728.22 729.4 Liability Protection. Such protection shall be excess to any insurance coverage which a volunteer or volunteer organization might otherwise possess.~~

- b. (2) Medical costs resulting directly from injuries to volunteer workers incurred in the scope of the volunteer's reasonable performance of the duties which he/she has been authorized to perform on behalf of the District by the District will be covered by the District to the extent that these costs are not covered by other medical or accident insurance covering the volunteer and are not otherwise recoverable from a third party who may be responsible for such injuries. Such medical payments will be made to the injured volunteer worker, but no indemnification or reimbursement shall be made nor may the volunteer file any further claim against the District or any of its officers, agents, employees or insurers for lost time from any occupation or any other economic or non-economic injury or damage unless the injury is the result of gross negligence on the part of the District.

- e. (3) Nothing in this policy prevents the District from entering into written agreements with individuals or organizations (including but not limited to PTA's) providing volunteer services to the District which agreements contain provisions defining the scope of the volunteer's activities and responsibilities and the level and nature of the District's responsibilities as well as the allocation of such responsibilities between the District and the volunteer.

~~(Section 728.22 - Revised March 16, 1987)~~

~~(Section 728.25 - Revised March 16, 1987)~~

729.5 Resolution Of Claims and Lawsuits

The Superintendent is responsible for overseeing claims, employment lawsuits, student lawsuits, other lawsuits, administrative actions, and workers' compensation compromise and release settlements brought by parties against the District. The Superintendent shall make at least semi-annual reports to the Board on the status of such claims, lawsuits, administrative actions and settlements. The Superintendent shall recommend to the Board how to resolve such claims, lawsuits, administrative actions, and settlements except for those under 729.51. The Board must authorize such resolutions.

729.51 Settlements Less Than \$50,000

Claims, employment lawsuits, student lawsuits, other lawsuits, administrative actions, and workers' compensation compromise and release settlements less than fifty thousand dollars (\$50,000) may be settled at the discretion of the Superintendent or his/her designee. The District shall maintain records of all such settlements.

729.6 Recovery From Third Parties or Insurance Companies

The Superintendent or his/her designee is authorized to recover bodily injury or property damage losses to the District from third parties or for insured property losses from insurance companies. Recovery of damages from third parties in the amount of fifty thousand dollars (\$50,000) and above or recovery of insured property losses in excess of property insurance deductible will be reported to the Board.

730 Buildings, Grounds, and Equipment

Pursuant to AS 14.14.060(i), Anchorage Assembly Resolution AR 82-276, and related Memorandum of Understanding passed by the Assembly and the School Board, the District, through the Superintendent, shall provide for all construction, major rehabilitation and major repair of school facilities. The Superintendent shall also provide for maintenance, both preventative and routine, and custodial services of District facilities.

730.01 Definition of School Property

- a. All buildings, grounds, and real and personal property, including buildings, grounds and equipment, — real or personal— of the District, or any item of equipment or real property loaned, leased or donated to the District, shall be deemed as school property by these rules and regulations.
- b. For budgetary purposes, equipment is defined as those instructional materials, tools, and movable furniture which have a life of more than one year and which are not used up in instruction or the operation of the schools. Materials which have a life of less than one year and are consumed in instruction and operations are termed "supplies," unless state and federal regulations require otherwise. Handbooks II and III of the U.S. Office of Education standard accounting series will be used as a guide.

~~731—Operation and Maintenance of Plant~~

~~731.1 Responsibility~~

~~731.11 Board~~

~~The Board shall provide custodial services and routine maintenance for school buildings and shall appoint, compensate, and otherwise control personnel for these purposes. The Anchorage School District, through the Superintendent of Schools, shall provide for all major rehabilitation, all construction and major repair of school buildings.~~

~~(AS Chap. 14 Sec. 14.14.860(f))~~

~~(Section 731.11 Revised February 20, 1995)~~

731.2 Safety and Security

The goal of the District shall be safe and secure schools. The Board has established a policy for zero tolerance of threats and violence. All District facilities shall be as free as possible from hazards, accidents and crisis. All students and staff shall be drilled on safe evacuations and other responses in the event of fire, natural disaster or other school crisis. In order for this goal to be reached, the District and each school in the District shall comply with AS 14.33.100, entitled, "Required School Crisis Response Planning." Each school principal, each school employee, each student and each visitor must carry out his/her respective responsibility to ensure safety and security for all. ~~Safety against the hazards of fire, accidents, and is the responsibility of each building principal, as well as of each school employee and student.~~

731.2.1 Enforcement

The Superintendent, his/her staff, and building principals shall take whatever action is necessary for the continued enforcement of the safety policies of the Board.

731.3 .2 Inspections

All school buildings and equipment shall be inspected periodically to assure that all are maintained at the highest level of safety.

731.4 .3 Security of Buildings and Grounds

The Superintendent is ultimately responsible for security at all District facilities. He/she shall designate those staff at each school and support facility who is responsible for security during their duty hours. ~~Building principals and custodians are~~

~~responsible for the security of school buildings during their duty hours.~~

731.4 Pest Management

The Superintendent shall establish a pest management plan to actively promote a healthy and safe school environment for students and staff. The Anchorage School District will use procedures that safely prevent and control pests while avoiding the unnecessary use of toxic chemicals. Pesticides may pose risks to human health and the environment, with special risks to children. The District will use non-chemical pest prevention and control measures first (such as sanitation and caulking), with pesticides used only as a last resort. The District will provide notification to students, parents/guardians and staff if a facility is to receive pesticide treatment as detailed in the District's pesticide management plan.

~~(Section 731.4 — Approved February 23, 2000)~~

734-732 Equipment and Real Property

734.1 732.1 Disposition or Exchange of Property

- a. Sale or exchange of real property approved for disposition shall be referred to the ~~Mayor of the~~ Municipality of Anchorage.
- b. Buildings which are surplus to the District's needs or are otherwise not in the District's best economic interests to retain, shall be referred to the Municipality of Anchorage for disposition, including demolition.
- ~~b.~~ c. Personal property which is obsolete, unusable, or surplus to District needs, or is otherwise not in the District's best economic interests to retain, shall be disposed of by requesting sealed bids or public auction, or other means as practical. The Administration will submit to the Board for approval the method of disposal of any such personal property which is non-perishable and has an expected net sale or auction value of over two hundred fifty dollars (\$250) for the individual item.

Personal property which has an expected net sale or auction value less than two hundred fifty dollars (\$250) for the individual item, may be sold to the public,

provided that a determination of price reasonableness is made by the Purchasing Director. Such personal property which is perishable or has an expected net sale or auction value of under \$250.00 for the However, individual items may be transferred to governmental units and then to nonprofit organizations without charge. Such transfers shall be made in accordance with the prioritization established in ~~School~~ Board Policies 854.1 through 854.4. The Administration shall establish procedures to facilitate such transfers.

Personal property with an expected gross auction sale value of under five dollars (\$5.00) per item may be transferred to the public with the approval of the unit administrator. Disposal of textbooks, library books, and supplies shall be in

accordance with administrative procedures developed by the Superintendent as noted under Board Policy 345.5.

Personal property purchased through restrictive federal grants, or other funding sources which have restrictive disposal provisions, shall be processed in accordance with those terms specified therein.

~~(Section 734.1 — Revised March 12, 1990)~~

~~(Section 734.1 — Revised March 14, 1994)~~

~~734.2~~ 732.2 General Fixed Assets - Equipment

Inventories of equipment shall be maintained in accordance with state, municipal or federal administrative regulations and good business practice.

~~734.3~~ 732.3 Care of ~~School District~~ Property, ~~and~~ Assets ~~and~~ Facilities

All employees of the District are responsible for the proper accounting of all property and equipment used by them either in the course of regular instruction of classes or in any other situation where the District is responsible or where any activity is conducted in the name of the District. Employees are responsible for promptly reporting damage, loss, or theft of any District property or equipment. ~~type of equipment to the Chief Financial Officer, with a copy to the appropriate Deputy Superintendent or Assistant Superintendent.~~

~~735~~ 732.4 Permanent Property Records

The Superintendent shall designate the school official responsible for maintaining the permanent property and equipment records.

Procedures shall be developed to ensure that when property or equipment is transferred from one location to another the permanent inventory file reflects said transfer.

~~735.1~~ Responsibility

~~The Superintendent of Schools shall designate the school official responsible for maintaining the permanent property and equipment records.~~

~~735.2~~ Accounting Procedures

~~735.21 Transfer of Property or Equipment~~

~~Procedures shall be developed to ensure that when property or equipment is transferred from one location to another the permanent inventory file reflects said transfer.~~

740 Capital Improvement Programs

741 Long-Range Planning

~~A~~ The long-range capital improvement program should serve as a guide for the acquisition of school sites, the construction of new buildings and the modernization and rehabilitation of existing buildings and sites.

The District believes in long-range planning and will attempt to identify site needs for twenty (20) years into the future.

741.1 ~~Study to Determine~~ Determination Of Needs

741.11 Forecasting Growth Patterns

It shall be the responsibility of the Superintendent to furnish enrollment information necessary for the determination of ~~school plant~~ District facility needs and to confer with the Municipality of Anchorage demographer for future growth predictions.

741.12 Updating ~~Study~~ Needs

The Superintendent shall develop procedures and recommendations for annually updating the Six-Year Capital Improvement Plan document to provide guidance for capital outlay expenditures and to assure that the District has well-planned ~~school buildings~~ District facilities when needed at the proper locations at reasonable costs. Public testimony shall be considered in the development of the Six-Year Capital Improvement Plan. The Six-Year Capital Improvement Plan shall be approved by the Board and submitted to the Municipal Assembly at least ninety (90) days before the end of the current fiscal year of the District.

741.13 Funding Sources for ~~the~~ Capital Improvement Projects and Site Acquisitions

The sources of funding are bonds that are voter approved and sold by the Municipality, other Municipal funding, state grants funding, for specific projects administered through the Department of Transportation/Public Facilities, or the Municipality, federal funding, surplus funds, insurance proceeds, and others sources such as PTA's, or community groups' donations.

a. Bonding

(1) The authority to issue bonds for school facilities rests with the Municipal Assembly. The Administration shall prepare information setting forth the need for school building bonds and make recommendations to the Board for approval. The recommendation, as approved by the Board, shall be forwarded to the Municipal Assembly.

(2) If bonds are approved by the qualified voters of the Municipality of Anchorage, then funds raised through the sale of bonds may be utilized only for the purposes set forth in the election which authorized the sale of the bonds. The purposes for which bond funds may be used are: to pay costs of planning, designing, acquiring property, as well as for site preparation, constructing, acquiring, renovating, installing and equipping educational capital improvement projects within Anchorage. Bond funds may be used to acquire other bondable capital assets; and for early buy back/call of issued bonds.

b. The Board may make provisions for minor capital construction projects within the General Fund budget appropriations.

741.2 ~~Patterns of~~ Community/Staff Participation

741.21 ~~Involvement of Staff and Community~~

The community/school staff shall be given the opportunity to provide assistance and advice on the educational program, the facilities needed to carry out the program, and in conjunction with the local PTA or parent groups, the development of the educational specifications and space requirements of contemplated ~~school~~ District facilities.

The Superintendent shall decide if the services of outside consultants are needed.

~~741.22 Sources of Outside Assistance~~

~~The Superintendent shall recommend the engagement of outside consultants as needed.~~

~~741.23 Sources of Needed Legal Assistance~~

~~The Board may contract for all necessary legal services and/or utilize such services as provided by the Municipal Assembly.~~

~~741.24 Regular Board Meetings/Public Hearings~~

~~Regular Board meetings will be considered public hearings unless special hearings are scheduled by the Board.~~

741.3 Relations With Other Governmental Agencies

Cooperation with persons from municipal, state, and federal governmental agencies will be maintained. The Board will meet at least quarterly with the Anchorage Assembly. The District and other governmental agencies shall communicate on a regular basis to share information related to short and long-range planning which may have impact on the District's Capital Improvement Plan. The District shall cooperate with the Municipal Planning and Zoning Commission in accordance with AMC 21.10.015.a.6.

~~741.4 Advanced Planning for Site Acquisition~~

~~The Municipal Assembly shall determine the location of school buildings with due consideration to the recommendations of the Board as contained in the Six-Year Capital Improvement Program.~~

~~(AS Chap. 14 Sec. 14.14.860(d))~~

~~742 — Methods of Financing~~

~~742.1 Bonded Indebtedness~~

~~The authority to issue bonds for school facilities rests with the Municipal Assembly. The Board shall prepare information setting forth the need for school building bonds and make recommendations in accordance with appropriate resolution.~~

~~742.2 General Fund~~

~~The Board may make provisions for minor capital outlay projects within the budget appropriations.~~

743 742 The Individual Project Development

~~743.1 Determination of Needs to be Met~~

~~All projects planned and constructed shall conform to the requirements as set forth in the Alaska and Municipal Statutes and the planning criteria of the State Department of Education.~~

~~743.2~~ 742.1 Securing Architectural and Engineering Services

~~The ASD Board, through the Superintendent of Schools, is responsible for the design criteria of school buildings and sites. To the maximum extent consistent with educational needs, a design of a school building shall provide for multiple use of the building for community purposes, enhance educational program delivery, and be cost effective. Subject to the approval by the Board, the Superintendent shall select the appropriate professional personnel to develop the designs. The Superintendent of Schools shall submit preliminary schematic designs to the ASD Board for approval.~~

~~(AS Chap. 14 Sec. 14.14.860(e))~~ (AS Chap. 14. Sec. 14.14.060 (e))

~~(Section 743.2—Revised February 20, 1995)~~

~~743.3~~ 742.2 Site Selection Procedure

- a. ~~The District establishes a need in a general area for a new facility. This need is placed in the annual Six-Year Capital Improvement Plan. The Board advocates long-range 20-year planning for future school sites. The first phase of the school site selection process is the identification of the need for a school. The District identifies geographic areas where additional schools will be needed based on enrollment projections and Municipal demographic information. Specific site acquisition priorities are identified annually in the Six-Year Capital Improvement Plan. The Plan is approved and submitted to the Municipal Assembly by April 1 each year for approval.~~
- b. ~~Funding for approved projects is requested in the Six-Year Plan for bonding authorization. After voter approval the bonds are sold by bid proposals and the funds become available to the District. Funds could become available from State grants or through surplus funds from the operating fund. Funds for review and acquisition may be obtained from various sources as described in Board Policy~~

741.13. The Municipality ~~can~~ may offer designate excess lands for District use.

- c. ~~The District submits a request to Municipal Planning to locate acceptable sites.~~ Sites are selected in accordance with Title 25 of the Municipal Code. They may be selected by the Standard School Site Selection Process (AMC 25.25.210) or by Request for Proposals Sections AMC 25.25.3000 through AMC 25.25.399.
- d. ~~Municipal Planning selects a minimum of two possible sites, and usually five, in accordance with their Standard Procedure #60-62-001.~~ After preparation of the site selection report, the Board and the Municipal Planning and Zoning Commission hold public hearings and make recommendations of the preferred site to the Municipal Assembly. The public hearings may be joint meetings, but each body makes an independent recommendation to the Municipal Assembly.
- e. ~~Planning and Zoning Commission reviews the selected sites and assigns a priority to each site.~~ The recommendations are forwarded to the Municipal Assembly for its approval. The Municipal Assembly approves the site selection.
- f. ~~The District reviews the proposed sites and the Board approves the most suitable site for school use.~~ The Municipal Administration is responsible for acquiring the site for the District's use. Should the Municipal Assembly select a site other than one recommended by the District, the District is not required to accept and/or use that site.
- g. ~~The approved site is forwarded to the Municipal Assembly for final approval.~~
- h. ~~The Municipal Assembly directs the Municipal Division of Property Management and Right-of-Way to acquire the property.~~

743.4 742.3 Facility/Site Design and Construction Procedures

- a. The District establishes a need for a new or remodeled facility and includes it in the annual Six-Year Capital Improvement Plan.

b. Funding is obtained through bonding, grants, or other means as described in Board Policy 741.13.

~~e. A program statement is prepared by the Administration and approved by the Board.~~

~~d. c.~~ Educational specifications, including a program statement, are prepared by the Administration ~~in a cooperative method involving the Administration, teachers, and the community in accordance with 741.2.~~ Board approval is required for all major projects.

~~e. d.~~ An architectural/engineering consultant or firm is recommended by a committee appointed by the Superintendent or his/her designee under the guidance of the Purchasing Department. An architectural, engineering consultant or firm is selected by a committee composed of school administrators, community representatives, and appropriate Municipal technical personnel, except with respect to proposed for design contracts in an amount of less than of one hundred thousand dollars (\$100,000) and above. The selection recommendation is forwarded to the Board for approval. Final approval of such architectural/engineering firms is the responsibility of the Board for services in accordance with Board Policy 725.212. Design contracts under one hundred thousand dollars (\$100,000) do not require Board approval.

~~(Section 743.4 e Revised June 22, 1992)~~

~~(Section 743.4 e Revised February 20, 1995)~~

~~f. Final approval of Architectural/Engineering firms is the responsibility of the ASD Board.~~

~~(Section 743.4 f Revised February 20, 1995)~~

~~g. e.~~ Design is accomplished by the ~~A~~rchitectural/~~E~~ngineering firm with reviews and approvals by appropriate local, state and federal agencies. The Superintendent shall submit schematic designs to the Board for approval. The use of prototypical design is recommended whenever appropriate, with intermediate and final design reviews by the District, Department of Transportation and Public Facilities, Department of Education, Department of Energy Conservation, Department of Health and Social Services, Department of

~~Safety, and Municipal Public Works Department who obtain all Municipal commission and department approvals except the Planning and Zoning Commission. When design has progressed to the point that site development is well defined, the project is forwarded through the Department of Planning to the Planning and Zoning Commission for review and approval.~~

- ~~h. Contract documents, plans, and specifications are prepared. The District shall utilize prototypical facility designs to the greatest extent possible when planning for new facilities. If site conditions or program requirements do not allow the use of complete prototypical facility designs, the District shall incorporate as many prototypical design elements as feasible. Standardization of equipment and systems shall be achieved by using the latest edition of the "ASD Facilities Design Standard." The project is publicly advertised and the bid is awarded to the lowest responsible bidder.~~
- f. The ownership of drawings, specifications, and other documents produced by the architectural/engineering consultant or firm (A/E) for the project, and the ownership of any copyrights relating to those documents shall remain with the A/E. The District shall obtain an unrestricted, irrevocable license to use the drawings, specifications, and other documents, without infringing any copyrights, and without additional compensation to the A/E. Unrestricted use shall include use (1) for any additions, alterations, or other subsequent work to the project; (2) to demonstrate or reference conceptual arrangements, in whole or in part, for incorporation into any District project; and (3) reuse of a prototypical design on a District project.
- g. The facility shall be designed to best serve the needs of the District through quality, creativity, efficiency, flexibility, innovation, and excellence. Designs shall consider:
 - (1) Standardization of equipment and systems.
 - (2) Life cycle costs.
 - (3) Operation and maintenance requirements.
 - (4) Current technologies and design trends.

(5) Local site conditions.

- h. Prototypical facility designs are to be used when reuse is determined to be in the best interest of the District, considering, among other factors, current codes and technology, new building materials, improvements in design and construction practices, specific site conditions, and program requirements. A prototypical facility design is defined as a design that is originally intended, or becomes intended, for use on other projects. Prototypical design documents are construction documents requiring only site adaptation design revisions.
- i. In the event of reuse of a prototypical facility design, Board Policies 725.21, 725.212, 725.22, and 725.222, shall be waived if the District is able to negotiate a fair and reasonable fee agreement with the designer of record for any needed adaptations to the prototypical facility design. Adaptations may be needed as a result of factors such as code upgrades and unique site characteristics. In the event a fair and reasonable fee agreement cannot be reached with the designer of record, the applicable board policies set forth above shall be followed. If the A/E for any needed adaptations is not the designer of record, that A/E shall have no right or license to reuse of the prototypical facility design, with or without needed adaptations, for any other purpose. This subparagraph shall not apply to the reuse of a prototypical facility design in a Design/Build process. In that circumstance, the entity awarded the Design/Build contract decides which A/E to use for any needed adaptations, subject to the District's approval that the A/E meets the minimum qualifications set forth in the Design/Build request for proposal or other solicitation method.
- ~~j. The facility is constructed with construction management provided by the ASD or by construction management firm or the design Architectural/Engineering firm authorized or hired for the purpose. will be the sole discretion of the ASD, and the ASD Board.~~
- j. In the event the District reuses a prototypical facility design in a Design/Build process, the entity contracting with the District to provide complete design services and to perform construction of the project, shall have no right

or license to reuse of the prototypical facility design, with or without needed adaptations, for any other purpose.

- k. A comprehensive evaluation of the construction process will be conducted following completion of projects with design costs of one hundred thousand dollars (\$100,000) or above. A summary will be reported to the Board.
- l. After the facility has been in operation for a specified time, usually one year, a post occupancy evaluation and warranty inspection are to be made.
- ~~k. The completed facility is inspected and accepted by the construction management organization.~~
- ~~l. After the facility has been in operation for a specified time, usually one year, there is a post-occupancy evaluation and a warranty inspection made.~~

~~(Section 743.4 — Revised February 20, 1995)~~

744 743 Construction Contracts

~~The Board shall be responsible approve for all major rehabilitation, all construction and major repair of school buildings. The recommendations of the Board shall be considered in carrying out the provisions of this section.~~

~~In administering construction contracts for minor repair, rehabilitation, and construction of School Buildings, the Board adopts herein and by reference incorporated into this purchase and contract policy all applicable sections of the Code of Ordinances of the Municipality of Anchorage.~~

~~a. The Superintendent or his/her designee shall be the contracting officer in the management of contracts for the minor repairs, rehabilitation and construction of school facilities.~~

~~It shall be their his/her responsibility to invite bids, hold pre-bid conferences, open and tabulate bids and recommend to the Board the acceptance or rejection of these bids.~~

~~b. The Board shall receive the tabulation of construction bids accompanied by the recommendation of the Superintendent. The Board shall take formal action accepting or rejecting bids.~~

When the District undertakes responsibility for rehabilitation, construction or repair of school buildings, the purchasing and contracting procedures of Board Policy 725 and the administrative procedures set forth in the Facilities Department Project Procedures Manual shall apply.

~~(Section 744 – Revised February 20, 1995)~~

743.1 Construction Scope and Process

Contract modifications/change orders on construction projects shall not be used to avoid procurement by the competitive procedures set forth in Policies 725.2-.24. Except for emergency procurements authorized under Policy 725.23, contracts for construction projects may only be modified or change orders issued under the following circumstances:

- a. To change the scope of a project under a construction contract to meet unforeseen or changed state, municipal, or federal requirements.

- b. To change the specifications of a construction contract to meet unforeseen or changed conditions which render the original specifications inappropriate, impracticable, incomplete, or not in the best interests of the District.
- c. To change the time for completing a construction contract.
- d. To correct an error in contract specifications.
- e. To resolve a good faith dispute between the District and a contractor as to a party's rights and obligations under the contract.
- f. To change administrative provisions of the contract without materially altering the construction contract terms.
- g. The Superintendent and/or the Director of Facilities are authorized to make contract modifications or to execute change orders up to one hundred thousand dollars (\$100,000) that are within the project's budget. Prior to entering into such contract modifications or change orders, the Superintendent and/or Director of Facilities shall consult with the Purchasing Contracting Officer. The purpose of the consultation shall be to determine if the contract modifications or change orders result from circumstances set forth in paragraphs .a-f above, or if an emergency situation exists pursuant to Policy 725.23.
- h. The Superintendent is authorized to make contract modifications in excess of one hundred thousand dollars (\$100,000) but not-to-exceed two hundred fifty thousand dollars (\$250,000) that are within the project's budget. Prior to entering into such contract modifications or change orders, the Superintendent shall consult with the Purchasing Director. The purpose of the consultation shall be to determine if the contract modifications or change orders result from circumstances set forth in paragraphs .a-f above, or if an emergency situation exists pursuant to Policy 725.23.
- i. All contract modifications or change orders above two hundred fifty thousand dollars (\$250,000) shall be recommended by the Superintendent to the Board for its approval. The Superintendent shall advise the Board of the circumstances set forth in paragraphs .a-f above or of

the emergency circumstances pursuant to Policy 725.23, which allow for such a modification or change order.

- j. A contract modification or change order which meets a circumstance set forth in paragraphs a.-f above, shall not be divided into separate modifications or change orders for the purpose of avoiding the dollar limitations set forth in paragraphs .g - .i above.
- k. The Administration will provide monthly reports to the Board detailing contract modifications/change orders by project with notations if cumulative change orders exceed two hundred fifty thousand dollars (\$250,000) or greater than ten (10) percent of the initial Board approved contracts over one million dollars (\$1,000,000) or those pricing requests/claims forecasted to exceed this threshold. If the cumulative cost of all contract modifications/change orders on a project exceeds two hundred fifty thousand dollars (\$250,000), the report shall also state the new cumulative cost resulting from the project's contract modifications/change orders reported that month.

~~744.1~~ 743.2 **Protection Security**

~~744.11~~ 743.21 **Performance and Payment Bonds**

- a. For projects for which the architect/engineer's estimated cost is one hundred thousand dollars (\$100,000) and over ~~a~~ contractor must provide a corporate surety bond from a surety company authorized to do business in Alaska to guarantee the full and faithful performance of his/her contract obligations and the payment of all claims for labor and materials expended pursuant to the contract, whenever and in such amount as is deemed necessary by the contracting officer. All such bonds shall be approved as to form by the District's attorney.
- b. ~~On projects for which the Architect/Engineer's estimated cost is \$100,000 or less, the bid specifications shall require a bid bond no greater than five percent of the bid amount or \$1,000, whichever is less, and waive the requirement of a performance and payment bond. However, additional bonding or security may be required on such contracts where it is determined essential to protect the interests of the District. If the Superintendent, or his designee, determines that additional bonding or security is essential,~~

~~this decision shall be reduced to writing and a file copy maintained for review by the public.~~

- b. Terms and conditions used in this policy for contracts under one hundred thousand dollars (\$100,000), as well as those ~~above~~ at one hundred thousand dollars (\$100,000) and above, shall be consistent with ~~State~~ Alaska Statute 36.25.010(a).

~~(Section 744.11 — Revised June 22, 1987)~~

~~744.12~~ 743.22 Working Conditions at Project

The District requires that all contractors on school construction projects ~~capital outlay programs~~ meet the federal Fair Employment Standards and other applicable federal, state and local laws.

~~744.13~~ 743.23 Insurance During Construction

The contractor shall provide builder's risk and fire insurance, naming the Municipality of Anchorage and the District on the policy; and ~~he/she~~ shall furnish public liability and property damage insurance in amounts to be determined by the District and provide for holding the District and Municipality harmless. The contractor shall also obtain workers' compensation insurance as required by state statute.

~~744.2~~ 743.3 ~~Supervision During Construction Administration~~

Expert ~~supervision~~ oversight and inspection ~~must~~ shall be provided by the District Board during the time the building is under construction, ~~in order that the public interest be adequately protected.~~

~~744.3~~ 743.4 Payments to Contractors

Payments to contractors shall be based on the actual extent of completion and made in a timely manner. The District will strive to complete all payments within thirty (30) days. The ASD Facilities Procedures Manual shall ensure compliance with the payment requirements set forth in Alaska Statutes 36.90.200-290.

~~(Section 744.3 — Revised February 20, 1995)~~

743.5 Dispute Resolution

- a. On major construction projects, the District, under the authority of the Superintendent will establish an independent Dispute Resolution Process. The process to be used will be identified in the Request for Proposal or Invitation to Bid documents.
- b. On minor construction projects, the Dispute Resolution Process will be as identified in the request for proposal or invitation to bid.

745 ~~744~~ Acceptance of the Completed Project

~~The completed project must pass all inspections before final payment is made.~~

The project must pass the substantial and completion inspections by the District, as well as the final certificate of occupancy from the Municipality, before it is accepted from the contractor.

746 ~~745~~ Naming of Schools and Facilities, Fields and Other Areas

- a. When a school or facility is to be named, the Superintendent will appoint a Districtwide committee. The committee will include a central office administrator as chairperson, a principal, and at least five other citizens in the community. Citizens, Board members, students, PTA's and/or other parent groups, and school personnel, community councils, and community members-at-large may submit names for consideration by the committee. The Superintendent will ~~recommend~~ make the final recommendation names to the ~~School~~ Board.

In selecting names, special consideration will be given to those names that have special meaning to students and will enhance educational values.

Schools or facilities may be named for national, state or local leaders as well as for community locations.

No two schools in the District will be given the same name nor will schools or facilities be named after living people.

~~The building names will be retained for as long as the facility is used for instructional purposes by the District. Exceptions to this policy may be made by the Board.~~

- b. Fields and/or other specific areas on a school campus or within a school building, may be named by the ~~School~~ Board.

In selecting names for these areas, special consideration will be given to those names of individuals or organizations that have special meaning to the students and/or staff and the community, and which will honor

commitment and dedication to that particular field, or area of the school.

Requests for naming such areas will be submitted through the building principal to the Superintendent. The Superintendent will review the request and who will submit the suggestions to the School Board with a recommendation for action.

~~(Section 746 — Revised November 9, 1987)~~

~~(Section 746 — Revised September 27, 1993)~~

747 746 Retirement of Facilities

- a. As a population matures or changes, certain school buildings or facilities may no longer be needed and should be recycled for the benefit of the public ~~that originally acquired the property~~. In determining which facility is to be retired or use redirected for District school purposes, the Board will be guided by this combination of factors:
 - (1) Educational flexibility: School buildings which are least adaptable for housing a modern and flexible educational program.
 - (2) Cost: Buildings representing the highest costs in terms of upkeep and maintenance.
 - (3) Alternate use: Buildings which can best be adapted for alternate use and therefore command the greatest return to the community.
 - (a) Redirecting school for an administrative use.
 - (b) Returning management authority to the Municipality and/or federal government.
 - (4) Demographic Projections.
- ~~b. (4)~~ Disposal of real property shall be handled as outlined in ~~School Board Policy, Section 734.1~~ 732.1 and shall be accomplished within state/local/federal statutes and regulations.

- c. The Board will seek both professional advice and the advice of the community in making its final determination as to the retirement of any school facility.

~~(Section 747 – Approved November 9, 1987)~~

747 Retirement and Transfer of Sites

As a population matures or changes, certain sites may no longer be needed and should be recycled for the benefit of the public. Sites to be retired for school purposes shall be handled as follows:

- a. Consideration of site transfer or retirement shall include a 20-year forecast as provided for in Board Policy 742.3.a.
- b. Retirement and transfer of management rights of sites shall be handled as outlined in Board Policy 732.1 and AMC 25.40.010 D, Heritage Land Bank Established – Purpose and Mission.
- c. The Board will seek both professional advice and the advice of the community in making its final determination as to the retirement of any site.

748 Leased Property/Buildings

The District may lease property/buildings to support the educational program as necessary.

750 Transportation

751 Responsibilities and Duties

751.1 Board

The Board through contract with the State Department of Education and Early Development, shall provide transportation for pupils in accordance with the State Department regulations.

751.2 Superintendent

The Superintendent shall be responsible for the total transportation program. Bus routes shall be set by the Superintendent.

751.3 Hazardous Walking Routes

The Board shall designate as hazardous those walking routes which cannot be safely traveled by children not served by regular school bus routes (those children who live within 1-1/2 miles of the nearest school). These routes shall be designated as hazardous routes, and transportation shall be provided by the District where so designated by the Board and Superintendent. The cost of such Hazardous Transportation routes will be equally shared by the District and the Alaska Department of Education and Early Development.

- a. A Hazardous Transportation Committee, composed of persons from various government agencies, District personnel, and a two representatives from the Anchorage Council of PTAs, one from Anchorage and one from the Chugiak/Eagle River area, shall be appointed by the Superintendent. The Committee shall make recommendations to the Superintendent and the Board for designation of hazardous routes each spring prior to the end of school. The Committee will meet periodically during the school year to review and/or re-evaluate hazardous routes. Minor adjustments to the total hazardous routes' program may be made by the Committee during the year without approval, as determined by the Committee and the circumstances involved.
- b. The Hazardous Transportation Committee will be chaired by the Superintendent's designee, and will be responsible for holding and conducting meetings of the Hazardous Transportation Committee and the maintenance of minutes and records.
- c. Requests for designation of additional hazardous routes will be submitted to the Superintendent or designee for Committee review; and based on locally developed standardized criteria, a determination shall be made by the Committee for approval or disapproval of the addition.
 - (1) If the group requesting the additional route(s) is not satisfied with the decision of the Committee, an appeal may be submitted to the Superintendent or designee for approval/ disapproval.

- (2) A final appeal may be submitted to the Board by a group who is not satisfied with the decision of the Superintendent.

~~(Section 751.3 – Approved May 9, 1983)~~

752 Arrangements for the Required Services

752.1 Publicly Owned and Maintained Equipment

Provisions may be made for the purchase, use and maintenance of publicly owned school buses for transportation of pupils to school and to school activities.

752.2 Other Transportation

The Superintendent shall be authorized to arrange and recommend such contractual provisions for the transportation of pupils by private buses, or other vehicles where regular school bus transportation is not feasible or sufficient.

~~753 Use of Equipment and Services~~

~~753.1 Regular Routes and Services~~

~~Bus routes shall be set by the Superintendent.~~

~~754~~ 753 School Buses

~~754.1~~ 753.1 Standards

All publicly and privately owned school buses shall meet or exceed minimum standards and specifications and specific requirements of the State Department of Education and Early Development.

~~754.2~~ 753.2 Maintenance, Inspections, and Safety

It shall be the responsibility of the Superintendent to organize a maintenance and repair service for school buses.

~~754.3~~ 753.3 Standby Equipment

Provisions shall be made for standby equipment in case of emergencies. Upon approval of the Superintendent, buses or equipment may be borrowed from other sources.

755 754 **Procedures for Emergencies**

Minimum safety standards and driver training, accident prevention and procedures for emergencies to ensure safety shall be set forth in the School Transportation Handbook. A copy of the Handbook shall be made available to all bus drivers, attendants ~~matrons~~ and transportation supervisory personnel.

760 **Food Services**

All monies derived from the operation, maintenance or sponsorship of the food service facilities shall be deposited in the same manner as other monies belonging to the District. Such monies shall be expended in such a manner as may be approved and directed by the Board according to state and federal regulations.

761 — **Facilities**

~~The District may operate cafeterias and other food service facilities for students and employees in such manner and under such conditions as the Board may direct.~~

761.4 Health Standards

Schools are required to maintain satisfactory health and sanitation conditions at all times and meet the standards of the Department of Health and ~~Welfare~~ Human Services outlined in the Anchorage Municipal Code.

~~762~~ Use

762.4 Free/Reduced Price Meals

Free, or reduced price meals, may be furnished to a student whose parents or guardian qualify under Federal Family Income and Size Regulations or other standards which may be established by the ~~Board~~ Superintendent or his/her designee.

~~762.23~~ School Employees Cost of School Employee Meals

The cost of meals to school employees shall reflect the actual cost to the District of preparing and serving meals.

~~762.34~~ Use of Facilities Cafeteria and Other Food Service Facilities

- a. The District may operate cafeterias and other food service facilities for students and employees in such manner and under such-conditions as the Board may direct.
- b. Cafeteria facilities and personnel shall be available for functions of school and community groups, provided such use of the cafeteria does not conflict with its normal daily ~~noontime~~ operation.
- c. An approved cafeteria employee must be on duty when major equipment (range, oven, dish machine, etc.) or storage facilities are used. Groups will be billed for salaries, benefits, fees, or other out-of-pocket expenses.

~~762.45~~ Vending Machine and Other Food Sales

- a. Schools on the National School Lunch Program/NSLP (schools that serve breakfast and/or lunch that are on the federal reimbursement program).
 - (1) The sale of any type of food or drink (vended or other) at any location on campus between the hours of 6 a.m. and the end of the last lunch is prohibited,

except by the Student Nutrition Program. All sales must have the approval of the unit principal.

(2) Vending machines dispensing commonly accepted nutritious foods (i.e., bottled water, fruit or fruit juices, soups, etc.) are permitted subject to the approval of the building principal, in middle school buildings. Vending machines of any type shall not be available to elementary school students.

~~a. Federal regulations prohibit the sale of low nutrition/high calorie foods such as soda water, water ices, chewing gum, and certain candies (hard candies, jellies or gums, marshmallow, fondants, licorice, spun candies, or candy coated popcorn). This regulation applies to any type of sale (vended or other) at any location on campus between 12:01 a.m. and the end of the last lunch period. All sales must have the approval of the unit principal.~~

~~b. Vending machines dispensing commonly accepted nutritious foods (i.e., fruit or fruit juices, soups, etc.) are permitted, subject to the approval of the building principal, in junior and senior high school buildings. Vending machines of any type shall not be available to elementary school students.~~

~~c. All vending and other food sales shall not operate in direct competition (time and location) with the official District operated food service program.~~

~~d. (3) The building principal has the discretion to determine what, when, and where any other food or beverage items may be sold.~~

~~e. (4) The above paragraphs do not pertain to placement of machines in teachers' lounges for adult use.~~

b. High Schools and Other Schools Not on the National School Lunch Program/NSLP

(1) Unauthorized vendors are prohibited from selling meals or food/drink in competition with the student nutrition lunch/breakfast program during the lunch/breakfast period.

- (2) The building principal has the discretion to determine what, when, and where any other food or beverage items may be sold.

765 770 Environmentally Sound Practices, Conservation, Waste Minimization

~~The District will maintain environmentally safe schools. The District office and all schools are encouraged to achieve Green Star awards. As such the Anchorage School District will strive to support resource and environmental stewardship through education and by conducting its asset management practices in a manner that conserves the environment and minimizes waste. improve environmental practices. These practices include conserving energy, reducing or eliminating waste, recycling, and properly disposing of remaining waste. In order to achieve these efficiencies the District is committed to a program of education on these topics for staff and students and improved productivity and efficiency and waste minimization.~~

- a. The District is committed to a program of education for students and staff which incorporates these principles into the educational curriculum and is a part of staff training objectives.
- b. Asset management practices shall promote improved productivity and efficiency by:
 - (1) Identifying conservation opportunities and improving the efficiency of building systems through the implementation of energy conservation practices without affecting occupant comfort;
 - (2) Reducing or eliminating waste;
 - (3) Reusing as much material as possible, and recycling; and
 - (4) Reducing air emissions from mobile and stationary sources.

~~(Section 765 – Approved December 14, 1992)~~

(Policy Section 700 – Revised June 5, 2000)