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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, physical plant, maintenance, operations, facilities construction, purchasing, warehousing, fixed assets/equipment, transportation, risk management, student nutrition, 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.

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 long-range fiscal planning.

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. The Superintendent and his/her staff will also utilize the Board-approved Six-Year Instructional Plan and its annual evaluation as well as the Profile of Performance in its budget preparation.

(Section 722.2 - Revised April 10, 2006)

722.3 Planning and Compilation

Prior to 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 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 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 needs of the schools, separate and combined, against the sources of anticipated revenue, shall prepare a 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 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 Superintendent shall submit to the Board a summary statement of revenues and expenditures, bank balances and report of investments on a monthly basis; and interest earnings/rates on a quarterly basis or by request of the Board.

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.

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, 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 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 Program

The Public School Funding Program monies allocated to the District are to constitute a part of the District's General 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 Department of Education and Early Development and are subject to audit by the Department of Education and Early Development at any time. (AS 14.17.910)

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.

723.4 Grants

Applications shall be made for 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.

723.5 Trust Funds

All trust funds shall be deposited under the supervision of the Chief Financial Officer.

724 Management of Funds

724.1 Salary and Payroll Management

The Superintendent oversees the authorization of overtime.

724.2 Payroll Deductions

No voluntary deduction shall be made from an employee's paycheck without written authorization of the employee on file. 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 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 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 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.

725 Purchasing and Contracting

- (a) It is the policy of the Anchorage School District to encourage full and open competition among potential contractors and suppliers; to centralize purchasing and contracting for the purposes of efficiency and cost savings; and to seek maximum value for every dollar expended.
- (b) Any discretionary departures from this policy shall be fully justified and in the best interest of the District.

725.1 General Provisions

725.1.1 Purpose and Policies

725.1.1.1 Purpose

The underlying purposes of these Board policies are the following:

- (a) To provide increased economy in District procurement activities and to maximize to the fullest extent practicable the purchasing values of funds;
- (b) To foster effective broad-based competition for procurement;
- (c) To support procurement capability that is responsive to user needs;
- (d) To ensure the fair and equitable treatment of all persons who deal with the procurement system of the District;
- (e) To develop an efficient and effective means of delegating roles and responsibilities; and
- (f) To authorize and require ongoing professional development of procurement staff to maximize knowledge and efficiency.

725.1.1.2 Obligation of Good Faith

Every contract or duty within Board Policy 725 imposes an obligation of good faith in its negotiation, performance or enforcement.

725.1.2 Application of this Policy

725.1.2.1 Application to District Procurement

Board policy applies to every procurement or expenditure of funds by the District as herein defined, irrespective of the source of the funds, except that these policies do not apply to gifts, to the issuance of grants, or to contracts between public procurement units, except as provided in 725.7.

725.1.3 Payment for Goods and Services

725.1.3.1 Payment

- (a) Payment shall not be made until after services are actually rendered or goods are actually received, except as provided in 725.1.3.2.
- (b) Payment may be made by a variety of means, to include procurement cards, at the discretion of the Superintendent.

725.1.3.2 Prepayment for Goods and Services

When it is necessary, allowable, and to the District's benefit, the District may pre-pay for certain goods and services subject to the following guidelines:

(a) Prepayments are allowed under the following conditions:

1. Industry standards require payment in advance of actual receipt of goods or services (e.g., insurance, rent, certain maintenance contracts);
2. The District will receive additional benefit for prepayment (e.g. price breaks on prepaid maintenance contracts or registrations that would not be available if the charge was paid after delivery) where risk of failure or inadequate performance is either low or well mitigated or the District is confident the benefit outweighs any risk;
or
3. All prepayments must be for specified goods or services to be furnished or delivered at a specified time or within a specified timeframe. The timeframe must be reasonable and not unnecessarily long.

(b) Prepayment Authorization:

1. The Superintendent, or designee, may approve prepayments within his or her approval authority.

2. The Board shall approve prepayments above the Superintendent's approval authority.

725.1.4 Determinations

Written determinations expressly required by Board policy must be retained in an official contract file by the District. These determinations must be documented in sufficient detail to satisfy the requirements of an audit.

725.1.5 Use of Technology

725.1.5.1 Authorization for the Use of Electronic Transactions

- (a) The District may, to the fullest extent permitted by law, conduct procurement transactions by electronic means or in electronic form including, but not limited to, the advertising and receipt of responses.
- (b) Procurement procedures shall be developed regarding identification, security, confidentiality and the utilization of digital signatures.

725.1.5.2 Electronic Posting

Procurement procedures shall provide for the electronic posting of solicitations, award notices, determinations and other matters related to procurement on a centralized Internet Web site designated by the District for this purpose.

725.1.6 Environmental Sustainability

The Superintendent will develop environmental sustainability procedures that recognize the operational benefits of purchasing enhanced sustainability products and energy conservation goods and services to improve waste reduction, energy conservation, and pollution prevention.

725.2 Procurement Organization and Operational Procedures

725.2.1 Delegation of Authority

Except as otherwise provided in Board policy, all rights, powers, duties and authority relating to the procurement of goods, services and

construction for the District are the responsibility of the Superintendent or designee.

725.2.2 Operational Procedures

The Superintendent, or designee, shall be authorized to develop internal operating protocols, procedures, and forms consistent with Board policy.

725.2.3 Reporting

725.2.3.1 Exemption Reporting

The Superintendent, or designee, shall make an annual report to the Board of all acquisitions in excess of one hundred thousand dollars (\$100,000) exempt from competitive requirements pursuant to paragraph 725.2.6.

725.2.3.2 Professional or Consultant Services Contracts

The Superintendent, or designee, shall make annual reports to the Board of all professional or consultant services contracts above ten thousand dollars (\$10,000); excluding architectural/engineering design services contracts.

725.2.3.3 Emergency Procurements

At the next scheduled Board meeting after the purchase, the Superintendent, or designee, shall make a full report to the Board concerning any emergency contracts awarded at one hundred thousand dollars (\$100,000) and above.

725.2.3.4 Sole Source Procurement

The Superintendent, or designee, shall make an annual report to the Board of all sole source acquisitions in excess of one hundred thousand dollars (\$100,000).

725.2.3.5 Contracts not Approved by Board

The Superintendent, or designee, shall make quarterly reports to the Board of all solicitations awarded by the District between \$100,000 and \$500,000 for which Board approval was not required.

725.2.4 Board Approvals

725.2.4.1 Board Approval Required

- (a) All contracts awarded at five hundred thousand dollars (\$500,000) and above require approval by the Board except as exempted by Board Policy 725.2.6.
- (b) No project or contract specification shall be subdivided to avoid formal competitive requirements.

725.2.4.2 Board Approval Not Required

Board approval is not required on contracts entered into by the Superintendent or designee if the estimated value of a goods or services contract does not exceed five hundred thousand dollars (\$500,000).

725.2.5 Ratification of Unauthorized Procurement

725.2.5.1 Ratification

- (a) The ratification of an act obligating the District to a contract by any person without the requisite authority to do so by an appointment or delegation under Board policy rests with the Board.
- (b) The Superintendent, or designee, may ratify such acts within his or her approval authority.

725.2.5.2 Corrective Action

When ratification is necessary, the Superintendent, or designee as authorized in writing, shall prepare a written determination as to the facts and circumstances surrounding the act, corrective action taken to prevent reoccurrence, and documentation that the price paid is fair and reasonable.

725.2.6 Exemption from Formal Competitive Procedures and Reporting

725.2.6.1 Exemptions

- (a) The Board may exempt specific goods, services or construction from the purchasing procedures required in Board policy or withdraw exemptions provided for in this section.
- (b) Exemptions granted by the Board shall appear in any internal operation procedures adopted.

(c) Even when the estimated amount of goods or services is one hundred thousand dollars (\$100,000) and above, formal competitive procedure requirements in Board policy need not be followed in conjunction with the acquisition of goods or services as delineated below:

1. Copyrighted Educational Materials (Hard Copy or Digital Format) are subject to curriculum adoption policies 336.2:

(A) Books, dictionaries, textbooks, newspapers;

(B) Professional journals, technical pamphlets, periodicals, subscriptions;

(C) Educational films, filmstrips, slides and transparencies;

(D) Video tapes, cassettes, DVDs;

(E) Computer assisted instructional and assessment materials, interactive video programs, CD-ROM documents, data bases; and

(F) Site Licenses, maintenance contracts, upgrades, and related information/materials for District-adopted software only available or provided by the software company.

(G) Online curricular subscription services.

2. Educational Goods and Services

(A) Provision of services to students;

(B) Services for the valuation of academic programs;

(C) Professional dues and membership fees;

(D) Travel expenses;

(E) Food items for classes and after school programs;

(F) Training facilities to include food, materials, and equipment; and

(G) Artwork, historical artifacts, or scientific items to be used for classroom instruction.

3. Software purchases that are subject to the procedures outlined by the District's Software Standards Committees.

4. Software and Hardware Maintenance and Upgrades: The Superintendent may enter into a contract and may renew existing contracts for proprietary information technology and telecommunications services, and hardware or software maintenance or upgrades where the efficient utilization of existing equipment or systems requires the acquisition of compatible goods or services, or where goods or services are available from only one source.
5. Professional or consultant services (such as medical, legal, negotiations, technical, or educational services) not including architectural/engineering design services.
6. Governmental Services
 - (A) Goods or services from agencies of the Federal, State or local government; and
 - (B) Professional services (such as property and casualty insurance) purchased jointly with the State of Alaska or Municipality of Anchorage, or Federal GSA.
7. Staff Development
 - (A) Training provided by consultants, certified teachers/trainers or District personnel;
 - (B) Training materials secured or prepared for instructional purposes;
 - (C) Workshop, conference, or seminar registrations; and
 - (D) Travel expenses, such as airfare, hotels, and registrations.
8. Public service, utilities, and energy expenses only where no competition exists.
9. Weekly and monthly food service requirements relative to perishables, emergency requirements, and requests that cannot reasonably be obtained on a timely basis through formal competitive processes.
10. Goods and services acquired with local school funds from booster clubs, canteens, fund raising events, and donations from other similar sources.

725.3 Procurement Methods and Contract Formation

725.3.1 Procurement Methods

- (a) The acquisition of goods or services, the estimated cost of which is one hundred thousand dollars (\$100,000) and above, shall be awarded by competitive sealed bid or other approved procurement method except as exempted by Board Policy 725.2.6.
- (b) No project or contract specification shall be subdivided to avoid formal competitive requirements.
- (c) Other approved procurement methods include the following:
 - (1) Competitive sealed proposals;
 - (2) Small purchases;
 - (3) Sole source procurement;
 - (4) Multi-step sealed bidding; and
 - (5) Emergency procurement.
- (d) Public Notice
 - (1) Public notice of the invitation to bid/request for proposal shall be given.
 - (2) All invitations to bid/requests for proposals shall be advertised on the procurement page of the District Web site or in a local newspaper of general circulation once at least ten (10) days preceding the last day set for receipt of bids or submission of proposals unless a shorter time is deemed necessary for a particular procurement, as determined by the Superintendent, or designee.
 - (3) Additional notices may also be published. A minimum of ten (10) days shall be provided.
 - (4) The public notice shall include all of the following:
 - (a) A general description of the work, goods, or services sought;
 - (b) Where bidding forms and specifications and/or requests for proposals may be obtained;
 - (c) The closing time and place for submittal of bids/proposals;

- (d) The time and place for opening of bids/receipt of proposals; and
- (e) The amount of bid security, if any, required.

725.3.2 Competitive Sealed Bids

- (a) Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation to bid.
- (b) The time for submission of bids shall be stated in the solicitation.
- (c) The dollar amount of each bid and such other relevant information, together with the name of each bidder, shall be recorded; the record and each bid shall be open to public inspection after the award.
- (d) Only the information disclosed at the bid opening is considered to be public information until an award is actually made.

725.3.2.1 Opening Postponement

- (a) If it becomes necessary to postpone a bid opening, the Superintendent, or designee, shall issue the appropriate amendments to the solicitation postponing or rescheduling the bid opening.
- (b) When the District experiences an emergency district closure, bid opening will be postponed to the same time on the next official business day.

725.3.2.2 Cancellation of Bids Prior to Award

- (a) When it is determined prior to an award, but after opening, that the requirements relating to the availability and identification of specifications have not been met, the invitation to bid shall be cancelled.
- (b) Written determinations to cancel invitations for bid shall state the reasons for the cancellation.

725.3.2.3 Award

725.3.2.3.1 Award to Lowest Responsive, Responsible Bidder

- (a) A tabulation of bids shall be prepared and transmitted to the Board by the Superintendent, or designee, with appropriate recommendations for acceptance or rejection.

- (b) A copy of the tabulation shall be furnished upon request to each bidder.
- (c) In the case of invitations to bid, the contract shall be awarded to the lowest responsive, responsible bidder.
- (d) In determining the "lowest responsive, responsible bidder," the District may consider, in addition to price, at any point in the selection process, any of the following factors:
 - (1) The ability, capacity, and skill of the bidder to perform the contract;
 - (2) Whether the bidder can perform the contract within the time specified without delay or interference;
 - (3) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
 - (4) The quality of performance by the bidder on previous contracts;
 - (5) 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;
 - (6) Previous compliance by the bidder with laws and regulations relating to the contract;
- (e) Contracts shall be awarded by written notice issued by the Purchasing Director to the lowest responsive and responsible bidder; however, some preferences may be given to local bidders using the sliding scale in subsection (e)(1) of this section when funds are available and such preference is not prohibited by the funding source.
 - (1) Sliding scale
 - (A) A five percent preference in bid price not to exceed \$5,000 on purchases not exceeding \$166,667;
 - (B) A three percent preference in bid price not to exceed \$10,000 on purchases exceeding \$166,677 but not exceeding \$500,000; and
 - (C) A two percent preference in bid price not to exceed \$20,000 on purchases exceeding \$500,000.
 - (2) Local bidder preference, as provided by this section, shall be specified in the invitation to bid documents.

(3) For purposes of this chapter, the term “local bidder” is defined as a person or entity who meets the following criteria:

- (A) Holds a current state business license;
- (B) Holds a valid municipal contractor’s or business license, if applicable;
- (C) Submits a bid for goods, services, or construction under the name as it appears on the person’s current state and, if applicable, municipal business license; and
- (D) Has maintained a place of business within the municipality staffed by the bidder or an employee of the bidder for a period of six months immediately preceding the date of the bid (If all partners of a joint venture satisfy this requirement, the joint venture will qualify).

725.3.2.3.2 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 for such action shall be filed with the other documents relating to the transaction.
- (b) 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.

725.3.2.3.3 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 Municipality of Anchorage firms with non-Municipality of Anchorage firms, award shall be made to the Municipality of Anchorage firm.
- (b) If no other basis for choosing exists, the successful bidder will be determined by lot as defined in ASD procedures.

725.3.2.3.4 Unavailability of Funds

In the event all bids exceed available funds as certified by the Chief Finance Officer, the Superintendent, or designee, is authorized, in situations where time or economic considerations preclude re-solicitation of work or a reduced scope, to negotiate an adjustment

in the bid price, including changes in the bid requirements, with the lowest three responsive and responsible bidders, in order to bring the bid within the amount of available funds.

725.3.3 Multi-Step Sealed Bids

When it is either considered impractical to initially prepare a purchase description to support an award based on price or is in the District's best interest, an invitation to bid may be issued requesting the submission of un-priced offers, to be followed by an invitation to bid limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

725.3.4 Competitive Sealed Proposals

- (a) If the Superintendent, or designee, determines that the use of competitive sealed bidding is either not practicable or advantageous to the District, a contract may be entered into by competitive sealed proposals.
- (b) Competitive sealed proposals shall be used when both the needs of the District and the costs to satisfy those needs are important, and the methods or items to satisfy those needs are not clear and precise.

725.3.4.1 Proposal Opening

- (a) Proposals shall be publicly opened, but only the names of the offerors shall be disclosed at the proposal opening.
- (b) Contents of competing proposals shall not be disclosed during the process of opening or negotiation.
- (c) All proposals shall be open for public inspection after contract award.

725.3.4.2 Requests for Qualifications

- (a) Before soliciting proposals, the District may issue request for qualifications from prospective offerors.
- (b) A request for qualifications must contain at a minimum a description of the scope of the work or of the product to be solicited by the request for proposals and must state both the deadline for submission of information and how prospective offerors may apply for consideration.

- (c) The request may require information only on offeror qualifications, experience, and ability to perform the requirements of the contract.

725.3.4.3 Award

- (a) A tabulation of proposals shall be prepared and transmitted to the Board by the Superintendent, or designee, with appropriate recommendations for acceptance or rejection.
- (b) A copy of the tabulation shall be furnished upon request to each offeror.
- (c) Award will be made to the responsible offeror whose proposal is determined, in writing, to be the most advantageous to the District, taking into consideration price and the evaluation factors set forth in the request for proposals.
- (d) The contract file must contain the basis on which the award is made and must be sufficient to satisfy external audit.

725.3.5 Small Purchases

- (a) The acquisition of goods or services, the estimated cost of which is less than one hundred thousand dollars (\$100,000), may, at the discretion of the Superintendent, or designee, be on the basis of informal procedures under which the requirement for publicly advertised invitations to bid or requests for proposals need not be observed.
- (b) Any single procurement not exceeding \$100,000 may be made by the District in accordance with this paragraph, provided that such procurement shall not be artificially divided so as to constitute a small purchase.
- (c) Related items (such as small hardware items or spare parts for vehicles) may be included in one solicitation and the award made on an "all or none" basis.

725.3.5.1 Purchases Using Open Market Procedures

- (a) The Superintendent may delegate authority to buy items under this section to procurement card holders subsequent to procurement procedures.

- (b) Small purchases under \$2,500 may be solicited without competitive quotations, if the prices are considered to be reasonable.
- (c) The Superintendent may authorize the establishment of petty cash accounts.
- (d) When to the benefit of the District, purchases from \$2,500 to \$25,000 may be solicited using open market procedures.

725.3.5.2 Purchases from \$25,000 to \$100,000

When to the benefit of the District, purchases from \$25,000 to \$100,000 may be solicited using informal written quotations so long as a minimum of three (3) qualified suppliers are solicited.

725.3.5.3 Public Notice

All competitive procurements above twenty-five thousand dollars (\$25,000) must be advertised on the District Web site.

725.3.5.4 Purchase Documentation

- (a) Records shall be maintained of all informal quotations submitted, and such record shall be kept open to the public for inspection.
- (b) Such records will be maintained for at least one year from the conclusion of any contract.

725.3.6 Sole Source Procurement

- (a) The use of sole source procurement, as it is the least competitive procurement method, will be limited.
- (b) In those instances where the District's needs can only be met through acquisition from a sole source, sole source is an appropriate and necessary method of procurement.
- (c) The Superintendent, or designee, will make the determination as to whether procurement shall be made as a sole source.
- (d) Sole source procurements may be made for contracts where the purchasing officer determines in writing that the District's requirements reasonably limit the source for the supplies, services, professional service, or construction to one person.

725.3.7 Emergency Procurement

- (a) "Emergency" is defined as circumstances that may threaten the public health or safety or the District's welfare through loss of property or program which do not allow sufficient time to engage in normal procurement procedures.
- (b) Notwithstanding any other provision of this policy, the Superintendent, or designee, may make or authorize others to make emergency procurements when there exist a threat to public health, welfare or safety under emergency conditions or where normal daily operations are affected.
- (c) Emergency procurements shall be made with such competition as is practicable under the circumstances.
- (d) If emergency considerations exist after an unsuccessful attempt to use competitive sealed bidding, an emergency procurement may also be made.
- (e) A written determination shall be made stating the basis for an emergency procurement and for the selection of the particular vendor.
- (f) Emergency procurements shall be limited to that of goods, services or construction items necessary to meet the emergency.

725.3.8 General Requirements and Conditions for All District Purchases

725.3.8.1 Non-Discrimination

- (a) No bidder/offeror on any District contract may illegally discriminate on the basis of race; color; gender; national origin; age; marital status; political or religious beliefs; physical or mental disabilities; family, social, or cultural background; or sexual orientation in employment, provision of services, or otherwise.
- (b) Any bidder/offeror submitting a bid or proposal of one hundred thousand (\$100,000) 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; gender; national origin; age; marital status; political or religious beliefs; physical or mental disabilities; family, social, or cultural background; or sexual orientation in employment, provision of service, or otherwise.

725.3.8.1.1 Notice of Compliance

- (a) All successful bidders/offerors shall insure such non-discrimination.
- (b) All successful bidders/offerors 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.

725.3.8.1.2 Minority Business Enterprises

- (a) The District requires adherence to the Anchorage Municipal Code, relating to Minority Business Enterprises and will monitor and implement these policies through the District's Equal Employment Opportunity Director (EEO).
- (b) It is the policy of the District that socially and economically disadvantaged minority businesses located within the Municipality of Anchorage be afforded an equitable opportunity to participate in District contracts.
- (c) Any appeal from a decision of the Equal Employment Opportunity Director shall be to the Superintendent and, if not satisfied, to the Board.

725.3.8.2 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.
- (b) Any bidder/offeror who is not awarded a contract shall have his bid bond exonerated or certified cashier's check returned.
- (c) Any bidder/offeror awarded a contract shall forfeit the bid security if the bidder/offeror fails to enter into the contract.
- (d) The successful bidder/offeror will have his bid security exonerated upon execution of the contract.

725.3.8.3 Pre-Bid/Pre-Proposal Conference and Addenda

725.3.8.3.1 Pre-Bid/Pre-Proposal Conference

- (a) The Superintendent, or designee, may provide for a pre-bid/pre-proposal conference.

- (b) Such a conference, if deemed necessary shall be held at least seven (7) days prior to the date for submission of bids/proposals.

725.3.8.3.2 Addenda to 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 offerors, 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/offeror or shall be binding on the District whether issued at a pre-bid/pre-proposal conference or otherwise.
- (c) Addenda may be issued when changes, clarifications, or amendments to bid/proposal documents are deemed necessary.
- (d) Addenda shall be issued when questions arise which might affect solicitation responses.
- (e) The Superintendent, or designee, shall deliver any addenda to all prospective bidders/offerors either electronically or by mail, fax, or by hand.
- (f) Whereas the Superintendent, or designee, shall make reasonable efforts in each case to assure that each prospective bidder/offeror receives addenda in a timely fashion, the risk of non-receipt of any addendum lies with the prospective bidder/offeror.
- (g) The issuance of an addendum should take place a sufficient number of working days before the time scheduled for the receipt of bids/proposals so as not to detrimentally impact a bidder/offeror's ability to submit a responsive bid/proposal by that due date.
- (h) 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.
- (i) If an addendum is issued less than four (4) working days before the original time scheduled for the receipt of bid/proposals, the addendum shall contain a new due date which shall be at least four (4) working days after the originally scheduled due date.

- (j) Receipt of any addenda shall be acknowledged by each bidder/ offeror as part of the bid/proposal submitted.

725.3.8.4 Bids/Proposals Submittal, Withdrawal and Late Bids

725.3.8.4.1 Submittal

Each bid/proposal must be signed with either manual or electronic signature by the bidder/offeror and submitted as per the requirements of the solicitation.

725.3.8.4.2 Withdrawal

Any bid/proposal may be withdrawn or withdrawn and resubmitted by the bidder/ offeror without penalty prior to the scheduled time for bid opening/proposal deadline.

725.3.8.4.3 Late Bids/Proposals

Late bids/proposals shall not be considered and shall be returned to the bidder/ offeror unopened.

725.3.8.4.4 Receipt and Safeguarding of Bids/Proposals

- (a) All bids/proposals, including modifications, received before the time of opening must be kept secure and unopened except as provided in 725.3.8.4.5.
- (b) If an invitation to bid/request for proposal is cancelled, bids/proposals shall be returned to the bidders/ offerors; necessary precautions shall be taken to insure the security of the bid/proposal.

725.3.8.4.5 Unidentified Bids

Unidentified bids/proposals may be opened solely for the purpose of identification and then only by a Procurement Officer specifically designated for this purpose by the Superintendent, or designee.

725.3.8.5 Rejection of Bids/Proposals

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

725.3.8.5.1 Reasons for Rejection

- (a) A bid/proposal shall be rejected in the following scenarios:

- (1) The bid/proposal is late
- (2) The bidder/offeror fails to include security pursuant to 725.3.8.2 hereof;
- (3) The bidder/offeror submits more than one bid/proposal, unless the solicitation authorizes submission of more than one bid/proposal; or
- (4) The bid/proposal is not signed.

725.3.8.5.2 Reasons for Rejection by Discretion

(a) A bid/proposal may be rejected in the following scenarios:

- (1) The bidder/offeror has failed to perform under some other contract with the District;
- (2) The bidder/offeror fails to supply plans, specifications, samples, etc., when such item was called for in the bid/proposal;
- (3) The bid/proposal fails to include acknowledgment of all addenda issued by the District;
- (4) The bid/proposal contains an alteration or erasure which is not initialed by the signer of the bid/proposal; or
- (5) The bidder/offeror changes or qualifies a material term or condition of the bid/ proposal.

725.3.9 Waiver of Irregularities

The Superintendent, or designee, has the authority to waive any and all irregularities on any or all bids/proposals except that the irregularities noted in 725.3.8.5.1 shall not be waived.

725.3.10 Negotiation

The Superintendent, or designee, reserves the right to negotiate when such an approach is in the best interest of the District.

725.3.11 Re-Advertising

In the event all bids/proposals are rejected, the Superintendent, or designee, may re-advertise the bid/proposal or any portion thereof

either as initially advertised or with such changes in the bid/proposal as the District deems necessary.

725.3.12 Notification of Award to Bidders/Offerors

725.3.12.1 Awards Not Requiring Board Approval

For awards not requiring Board approval, the Superintendent, or designee, shall notify all participating bidders/proposers by the Notice of Intent to Award.

725.3.12.2 Awards Requiring Board Approval

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

725.3.13 Recommendations to the Board

After evaluating the formal competitive bids or proposals received, the Superintendent, or designee, shall recommend a bidder/proposer for contract award by means of memorandum to the Board.

725.3.14 Costs

Vendors may be charged the cost of District resources incurred for copying, preparing, and mailing requested bid or proposal documents.

725.3.15 Contracts

725.3.15.1 Types of Contracts

- (a) Subject to the limitations of this section, any type of contract that will promote the best interest of the District may be used.
- (b) The use of cost-reimbursement or a cost-plus-percentage-of-cost contract shall not be used unless the Board makes a determination that it contains a guaranteed maximum contract amount; such a contract may be used only when determination by the Superintendent, or designee, is made in writing and approved by

the Board that such contract is likely to be less costly to the District than any other type, or that it is impracticable to obtain the goods, services or construction required except under such a contract.

725.3.15.2 Multi-Year Contracts

- (a) A contract for goods or services may be entered into for a period of time generally not to exceed five (5) years, provided the term of the contract and the conditions of renewal or extension, if any, are included in the solicitation, and funds are available for the first fiscal period at the time of contracting.
- (b) Payment and performance obligations for succeeding fiscal periods shall be subject to the availability of funds therefore.
- (c) Multi-year contract periods will be identified in the ASD School Board Memorandum.

725.4 Specifications

725.4.1 Use of Brand Names

- (a) Unless otherwise provided in the invitation to bid, the name of a certain brand, make or manufacturer shall not restrict bidders and shall be deemed to convey the general style, type, character, and quality of the article desired, though a specific brand may be prescribed in the invitation to bid.
- (b) The use of brand name or equal is authorized.
- (c) Any article that the Superintendent, or designee, determines to be the equal of that specified, considering quality, workmanship, economy of operation, and suitability for the purpose intended, shall be accepted.

725.4.2 Specifications and Standards Development

- (a) Specifications and standards shall, to the extent practicable, emphasize functional or performance criteria while limiting design or other detailed physical descriptions to those necessary to meet the needs of the District.
- (b) The Superintendent will establish criteria that provide for the efficient utilization of new or existing goods by the acquisition of compatible goods or services.

1. For this specific purpose, compatibility includes, without limitation, technical compatibility, technological equity, and equivalent ease of training durability and use.
 2. Compatibility also includes, without limitation, compatibility among equipment in a standardized technology bundle.
- (c) The District may acquire goods of the approved standard product; however, if purchases of the standard product are expected to exceed \$500,000 over the life of the designation of that standard, Board approval of the standard is required.

725.5 Acquisition of Construction Projects and Architectural/ Engineering Design Services

725.5.1 Construction Projects and A/E Services Valued at \$100,000 and Above

- (a) 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 ASD Facilities Department procedures and state capital requirements. .
- (b) No project or contract specification shall be subdivided to avoid formal competitive procedures.
- (c) In addition to the requirements of 725.3.1.d, construction projects and A/E services will be advertised at least three (3) times in a local newspaper of general circulation beginning at least twenty-one (21) days preceding the last day set for receipt of bids or submission of proposals.

725.5.1.1 Construction Projects Valued at \$100,000 and Above

- (a) The acquisition of construction projects for which the estimated cost is one hundred thousand dollars (\$100,000) and above shall be by formal competitive procedures.
- (b) 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.

- (c) In the majority of the invitations, the invitation to bid format will be used; however, there may be some exceptions where a competitive request for proposals format will be used.
- (1) The use of a competitive request for proposals will be approved by the Board prior to advertising, as required by 725.5.1.2.
- (2) When using a competitive request for proposals format, the specified evaluation criteria shall include a price component which shall be weighted at least fifty-one percent (51%) in the evaluation scoring.
- (d) A committee shall be established by the Superintendent, or designee, under the guidance of the Purchasing Department, for the purpose of evaluation scoring.
- (1) 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.
- (2) In addition to price, the evaluation criteria will include at least some of the following factors:
 - (A) The ability, capacity, and skill of the proposer to perform the contract.
 - (B) Whether the proposer can perform the contract within the time specified without delay or interference.
 - (C) The character, integrity, reputation, judgment, experience, and efficiency of the proposer.
 - (D) The quality of performance by the proposer on previous contracts.
 - (E) 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.
 - (F) Previous compliance by the proposer with laws and regulations relating to the contract.
 - (G) The number and scope of conditions attached to the proposal.
 - (H) The number and scope of minor variations contained in the proposal.
 - (I) 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.

- (J) The quality, availability, and adaptability of the supplies, equipment or contractual services to the particular use required.
- (K) Whether the apparently successful proposer is prepared to furnish supplies, equipment, or contractual services that meet the specifications of the District.
- (3) After the minimum acceptable qualifications have been demonstrated, any 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.
- (4) To demonstrate the integrity of the process, each proposer shall, upon request, 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.

725.5.1.2 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, or designee, under the guidance of the Purchasing Department.
- (1) 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) To demonstrate the integrity of the process, each proposer shall, upon request, 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.

- (d) The architectural/engineering consultant or firm (hereinafter "A/E") will proceed with a qualifications-based selection of any required sub-consultants.
- (e) After the A/E's selection of sub-consultants, the Superintendent or his/her designee shall negotiate the fee with the A/E.
- (f) 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.
- (g) 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.

725.5.1.3 Projects Valued at \$100,000 and above by use of Alternative Techniques

- (a) When it best serves the interest of the District, the use of alternative techniques may be approved by the Board.
- (b) The use of an alternative technique shall be based on appropriate evaluation and planning to ensure quality, creativity, flexibility, innovation, and excellence.
- (c) The following factors are among those that may be considered:
 - (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) Constructability.

725.5.1.3.1 Two-Step Invitation to Bid Process

- (a) A modified two-step invitation to bid process may be used.
 - (1) The first step identifies bidders qualified based on any or all of the criteria referenced in 725.5.1.3.
 - (2) The second step invites identified, qualified bidders to submit a bid.
- (b) The two-step invitation to bid process may also be used for term contracting.
 - (1) The first step identifies a limited number of pre-qualified term contractors for identified multiple projects of a similar scope not to exceed \$500,000 per project.
 - (2) When the District has a project ready to bid, the second step invites the term contractors to bid on the project with award of the contract to the lowest bidder.
 - (3) The pre-selection process establishes a pool of qualified contractors for a period of two (2) years.

725.5.1.3.2 Design/Build Process

- (a) The Design/Build process may be used to obtain competitive contracts.
 - (1) The District develops design and budgetary criteria for the project.
 - (2) The District then contracts with a single entity to provide complete design services and perform construction of the project.
- (b) With the exception of the price consideration set forth in (c), selection criteria shall be qualifications based.
- (c) The specific evaluation criteria shall include a price component which shall be weighted at least fifty-one percent (51%) in the evaluation scoring.

725.5.1.3.3 General Contractor/Construction Manager (GC/CM) Process

- (a) 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, constructability reviews, and project scheduling in cooperation with the architect/engineer.

- (b) The specific evaluation criteria shall include a price component which shall be weighted at least fifty-one (51%) in the evaluation scoring.
- (c) After design, the GC/CM submits a Guaranteed Maximum Price (GMP) to the District for construction of the project.
- (d) 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.

725.5.1.3.4 Best Value Contracting Process

- (a) In the best value contracting process, projects shall be awarded to the contractor offering the best combination of price and qualification, instead of just the lowest bid price.
- (b) The specific evaluation criteria shall include a price component that is weighted at least fifty-one percent (51%) in the evaluation scoring.

725.5.1.3.5 Job Order Contracting Process

- (a) In the job order contracting process, an indefinite quantity contract is used for anticipated multiple construction projects, the cost of any individual job order not to exceed \$250,000.
- (b) Job order contracted work typically will include minor construction, repair, rehabilitation, and alteration services.
- (c) Pricing is based upon a coefficient multiplier applied to a unit price book (UPB).
- (d) The specific evaluation criteria shall include the coefficient multiplier weighted at least fifty-one percent (51%) in the evaluation scoring.
- (e) When a job order is issued, the district and the contractor agree on the scope of work and the cost is determined by applying the coefficient multiplier to the appropriate units in the UPB.
- (f) The duration of the indefinite quantity contract shall not exceed four (4) years, including extensions.

725.5.1.3.6 Other Methods

Other methods as approved by the Board.

725.5.2 Construction Projects and Design Services Valued less than \$100,000

- (a) 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 designee, be on the basis of informal procedures under which the requirement for a publicly advertised notice need not be observed.
- (b) Informal procedures shall include obtaining quotations, bids, or proposals, whenever possible, from at least three (3) firms, preferably in writing.
- (c) The Superintendent, or designee, shall pursue procedures to assure that where numerous potential and interested firms exist, the solicitation of quotations, bids, or proposals is made in a manner calculated to obtain the best price and performance for the District.
- (d) Contracts awarded pursuant to this policy shall be in the form of a purchase order or short form contract signed by the Superintendent, or designee.
- (e) Records shall be maintained of all quotations, bids, or proposals received, and such record shall be kept open to the public for inspection.
- (f) Such records will be maintained for at least one year from the conclusion of any contract.

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

The acquisition of architectural and/or engineering services pursuant to 725.5.2 will be evaluated on qualifications based factors.

725.5.4 Emergency Construction Projects and Design Services

- (a) When an emergency does not allow sufficient time to engage in normal procurement procedures, the Superintendent, or designee, may enter into any contract for construction and/or architectural/engineering design services without following the procedures required in Board Policies 725.5-725.5.3.

- (b) The Superintendent, or designee, 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.
- (c) For purposes of this section, “emergency” means a situation that presents an immediate threat of serious harm to persons or property.

725.5.5 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 Board Policy 725 and the written administrative procedures of the ASD Facilities Department shall apply.

725.6 Legal and Contractual Remedies

725.6.1 Protest and Appeal Process for Aggrieved Bidders/Proposers

725.6.1.1 Protest

- (a) An interested party may protest a solicitation or a proposed award of a contract.
 - (1) A protest as to the specifications and/or terms and conditions of a solicitation must be received by the Purchasing Director at least five (5) calendar days prior to the due date of the bid or proposal; failure to protest as provided herein constitutes a waiver of any objection to the solicitation.
 - (2) For construction projects and architectural/engineering design services, the protest of a proposed award of a contract must be received by the Purchasing Director within ten (10) calendar days after issuance of the notice of intent to award.
 - (3) For goods or services, the protest of a proposed award of a contract must be received by the Purchasing Director within seven (7) calendar days after issuance of the notice of intent to award, except that for purchases under \$100,000, the protest must be received within three (3) business days.
 - (4) The protest must include the name of the person submitting the protest, the name of the bidder/proposer represented by that

person, the specific action or bid/request for proposal contract award which is being protested, a detailed explanation of the reasons for the protest, and the relief requested.

- (5) The aggrieved person must serve all other interested parties with its protest.
- (b) The Purchasing Director shall stay the intended award of a contract unless the Purchasing Director determines the award of the contract without further delay is necessary to protect the District's best interest.
- (c) The Purchasing Director may, in his/her sole discretion, hold a hearing.
- (d) The rights and remedies granted by this section are not available for informal small purchases with an actual or potential value of less than twenty-five thousand dollars (\$25,000).
- (e) Failure to protest as provided herein constitutes a waiver of any objection to the solicitation and contract award.

725.6.1.2 Appeal

- (a) A decision by the Purchasing Director may be appealed to the Anchorage School Board.
- (b) Any appeal shall be filed with the Superintendent within five (5) days after the decision is received by the protester and must include the name of the person submitting the appeal, the name of the bidder/proposer represented by that person, and a detailed explanation of the basis for the appeal.
- (c) The aggrieved bidder/proposer must serve all other interested parties with its appeal.
- (d) The Superintendent may obtain an independent review of the appeal issues if the Superintendent determines such review will assist consideration of the appeal.
- (e) The independent review shall be conducted by a not directly involved District employee or an experienced but disinterested third party from outside the District.

- (f) Failure to appeal to the Anchorage School Board as provided herein constitutes a waiver of any objections to the solicitation and the contract award.

725.6.1.3 Consideration of Appeal

- (a) The decision being appealed and the findings from the independent review, if any, will be reported to the Board.
- (b) Upon consideration of the appeal and allowing interested parties an opportunity to address the issues on appeal, the Board may:
 - (1) Award the contract as recommended, if applicable, indicating its reasons for rejecting the appeal;
 - (2) Grant the appeal, indicating its reasons for granting the appeal, and determine an appropriate remedy consistent with 725.6.3. 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;
 - (3) 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;
 - (4) Reject all bids/proposals.
 - (5) Take such other action as appears appropriate and in the best interest of the District under the circumstances.

725.6.1.4 Frivolous Protests

725.6.1.4.1 Signature on Protest Constitutes Certificate

The signature of an attorney or party on a request for review, protest, motion, or other document constitutes a certificate by the signer that the signer has read the document, to the best of his/her knowledge, information, and belief formed after reasonable inquiry it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for an improper purpose, such as to harass, limit competition, or to cause unnecessary delay or needless increase in the cost of the procurement or of the litigation.

725.6.1.4.2 Sanctions for Violation

If a request for review, protest, pleading, motion, or other document is filed with the Purchasing Director is signed in violation of 725.6.1.4.1, the Board, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, that may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the protest, pleading, motion, or other paper, including a reasonable attorney's fee.

725.6.2 Appeals of Emergency Contract Awards

Emergency contract awards are not appealable.

725.6.3 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, or if a protest is sustained in whole or part, 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.

725.6.4 Debarment and Suspension

- (a) The District shall solicit or accept bids from and shall award contracts to or consent to subcontracting only with responsible bidders.
- (b) Bidders, contractors, or affiliates may be disqualified, suspended or debarred as not responsible to protect the District's and the public's interest in accordance with the standards and procedures adopted by the District and any other applicable law.
- (c) The Superintendent, or designee, is responsible to implement and enforce this policy and may designate hearing officers or employees to perform any functions provided for in this policy.

725.6.4.1 Debarment

725.6.4.1.1 Cause for Debarment

The Superintendent, or designee, may debar a bidder or contractor or affiliate for any one or more of the following causes:

- (a) Conviction of or civil judgment for:
 - (1) Fraud or crime in connection with obtaining, attempting to obtain or performing a public contract or subcontract;
 - (2) Violation of any law showing a lack of business or personal integrity or honesty, including but not limited to bribery, embezzlement, extortion, forgery, falsification or destruction of records, false statements, theft or receiving stolen property;
 - (3) Violation of any federal or state antitrust laws;
 - (4) Violation of any laws governing labor or employment, including wages and hours, child labor, or discrimination; or
 - (5) Violation of any election or campaign finance laws.
- (b) Unsatisfactory performance or failure to perform in accordance with the terms of one or more contracts with any person, provided that such acts or failures to act occurred within a reasonable period of time before or during the District's decision.
- (c) Providing false or misleading information as part of any prequalification statement, bid or contract, including but not limited to financial statements, fair employment forms, or product descriptions.
- (d) Unauthorized payments, gifts or other valuable consideration to any person having any official duties, direct or indirect, in connection with bidding, awarding or performing District contracts.
- (e) Debarment from contracting by any other federal or state governmental body.
- (f) The use by employment, subcontract or other formal association of former District employees who have resigned or have been dismissed in accordance with administrative due process procedures for reasons of moral turpitude or breach of fiduciary duty, where the former employee holds a position which brings him/her into contact with students or has fiduciary responsibilities.
- (g) Any other lawful reason.

725.6.4.1.2 Period of Debarment

- (a) Debarment shall be imposed for a specified time not to exceed three years unless reasons for a longer period are stated in the notice of debarment.
- (b) The Superintendent, or designee, may extend debarment for an additional specified period at any time before a debarment expires upon adequate evidence in addition to that which supported the original debarment in accordance with the procedure for debarment.
- (c) The Superintendent, or designee, may reduce the period of debarment upon the bidder's or contractor's written request supported by adequate evidence of good cause, such as:
 - (1) Reversal of the conviction or judgment upon which the debarment was based without a new trial within a reasonable time;
 - (2) Bona fide change in ownership or management of the bidder or contractor; or
 - (3) Elimination of other causes for which debarment was opposed.

725.6.4.1.3 Debarment Procedure

- (a) The Superintendent, or designee, shall begin debarment proceedings by giving notice of intent to debar to the bidder or contractor and any specified affiliates by certified mail, return receipt requested, stating:
 - (1) The intent to debar for a specified period;
 - (2) The causes for debarment with a summary of the information on which the findings of causes are based; and
 - (3) The debarment is effective immediately and the decision will become final within twenty (20) days unless the bidder or contractor or affiliate submits a written response within that time opposing the debarment, including information raising a genuine dispute as to the facts on which it is based or to the application of this policy.
- (b) The Superintendent, or designee, shall make a copy of this policy available to bidders, contractors, and affiliates with notice of debarment.
- (c) If a bidder or contractor timely opposes debarment, the Superintendent, or designee, shall appoint a Hearing Officer and

shall promptly refer the notice of debarment and the bidder, contractor's or affiliate's response to the Hearing Officer, who shall:

- (1) Schedule an informal hearing within fifteen (15) days, with written notice to the parties, at which the District and the bidder, contractor or affiliate may present evidence on issues raised by the notice of debarment and the response thereto;
- (2) Issue a written decision within fifteen (15) days of the hearing, either sustaining or over-ruling the debarment, and stating (i) a summary of the evidence presented, (ii) conclusions applying this policy to the facts, serving this decision on the bidder, contractor or affiliate by certified mail, return receipted requested.
- (3) The Hearing Officer's decision shall be final.

725.6.4.2 Suspension

725.6.4.2.1 Cause for Suspension

The Superintendent, or designee, may suspend a bidder, contractor or affiliate for any one or more of the following causes:

- (a) Indictment for any crimes covered in 725.6.4.1.1 or
- (b) Committing irregularities:
 - (1) Of a serious nature in business dealings with the District; or
 - (2) Seriously reflecting on the propriety of further business dealings with the District.

725.6.4.2.2 Period of Suspension

Suspension shall be imposed for a period pending the outcome of criminal proceedings or the completion of an investigation and such legal proceedings as may ensue.

725.6.4.2.3 Procedure for Suspension

- (a) The Superintendent, or designee, shall begin suspension proceedings by giving notice of intent to suspend to the bidder or contractor and any specified affiliates by certified mail, return receipt requested, stating:
 - (1) The intent to suspend and the period;

- (2) The causes for suspension with a summary of the information on which the findings of causes are based; and
 - (3) The suspension is effective immediately and the decision will become final within twenty (20) days unless the bidder, contractor or affiliate submits a written response within that time opposing the suspension, including information raising a genuine dispute as to the facts on which it is based or to the application of this policy.
- (b) The Superintendent, or designee, shall make a copy of this policy available to bidders, contractors or affiliates with notice of suspension.
 - (c) If a bidder, contractor or affiliate timely opposes suspension, the Superintendent, or designee, shall appoint a Hearing Officer and shall promptly refer the notice of suspension and the bidder, contractor's or affiliate's response to the Hearing Officer, who shall:
 - (1) Schedule an informal hearing within fifteen days, with written notice to the parties, at which the District and the bidder, contractor or affiliate may present evidence on issues raised by the notice of suspension and the response thereto;
 - (2) Issue a written decision within fifteen (15) days of the hearing, either sustaining or over-ruling the suspension, and stating (i) a summary of the evidence presented, (ii) finding of fact based on adequate evidence and (iii) conclusions applying this policy to the facts, serving this decision on the bidder or contractor by certified mail, return receipt requested.
 - (3) The Hearing Officer's decision shall be final.

725.7 Intergovernmental Relations

725.7.1 Cooperative Purchasing Authorized

- (a) The Superintendent, or designee, may use, participate in, sponsor, conduct, or administer a cooperative purchasing program for the procurement of goods, services or construction with one or more public procurement units in accordance with an agreement entered into between the participants for the purpose of combining requirements to increase efficiency or reduce administrative expenses in the acquisition of goods and services.

- (b) Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between public procurement units, including use of local, state, or federal contracts.
- (c) Except for contracts for architectural and engineering services, the Superintendent, or designee, may purchase from another public procurement unit's contract.

725.7.2 Joint Use or Lease of Facilities and Equipment

The Superintendent, or designee, may enter into agreements for the common use or lease of warehousing facilities, capital equipment, and other facilities with another public procurement unit or an external procurement activity under the terms agreed upon between the parties.

725.8 Ethics and Conflicts of Interest

725.8.1 Inapplicability to Collective Bargaining Agreements

As used in Policy 725.8, the word "contract" does not include a collective bargaining agreement.

725.8.2 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 any matter in which he or she has a substantial financial or private interest.
- (b) A Board member shall disclose any financial or private interest in any decision before the Board before comment, debate, or vote on the matter.
- (c) The Board member may not participate in the debate or vote until a determination is made that a financial or private interest is or is not substantial as defined by Anchorage Municipal Code (AMC).
- (d) The Board shall follow the procedures of the AMC in acting upon and resolving a member's disclosure of financial or private interest.
- (e) No Board member or employee shall testify before the Board, any legislative body or any municipal board or commission without first disclosing their financial or private interest in the subject of the testimony.

- (f) No Board member or employee may disclose confidential information obtained in the performance of his or her official duties 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 or private interest or the financial or private interests of others.
- (g) 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 is incompatible or in conflict with the Board member or employee's duties, or will impair availability, productivity, or independence of judgment in performing his or her duties.

725.8.3 Disclosure and Waiver of Conflict of Interest

- (a) No Board member or employee shall knowingly engage in any act in conflict with the performance of the Board member or employee's official duties.
- (b) No Board member, employee, or a member of their household, shall acquire, directly or indirectly, an economic interest in a District or municipal contract, or engage in business with the District or the municipality, unless the contract is competitively solicited and other requirements of Section 725 of Board Policy and section 1.15 of the AMC are met.
- (c) 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 725.8.4 or requests and obtains a waiver pursuant to Board Policy 725.8.5:
 - (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 District or attempts to enter or enters into a contract with the District;
 - (2) Such person has any significant financial interest in any sale, lease or rental to the District of any service or property and such person has knowledge that the District intends to purchase, lease or rent the property or service;

- (3) Such person wishes to sell or receive royalties on books or materials sold to the District for use in the school system for which the employee is the author;
- (4) Such person is an employee who has been providing private services to a child who transfers to a new school or class or advances to a higher grade and the child becomes a student in the class being taught/aided by his/her service provider.

725.8.4 Disclosure

- (a) A Board member or District employee is required to comply with Board Policies and the Anchorage Municipal Ethics Code by disclosing conflicts of interest.
- (b) At the earliest opportunity after having acquired knowledge that the board member, employee, or an immediate family member intends to do business with the District or the Municipality of Anchorage, the Board member or employee must do the following:
 - (1) Disclose the conflict of interest in writing to the Superintendent or his/her designee and the Anchorage Municipal Ethics Board prior to award of a contract to the business entity;
 - (2) Disqualify himself/herself from participating in any decision by the District to recommend award of or to award a contract to the business entity; and
 - (3) Renew the disclosure for the next fiscal year, if work of any kind is intended to be performed.

725.8.5 Waiver for Board Members and Employees

725.8.5.1 Board Members

- (a) A Board member must submit the request for waiver in a notarized statement to the Superintendent or his/her designee on the prescribed form.
- (b) The statement must fully disclose the conflict of interest, and include the nature, type, and extent of the Board member's financial or private interest in the intended transactions.

- (c) A Board member's waiver must be granted by the Board in compliance with the procedures of Section 1.15 of the Anchorage Municipal Ethics Code.
- (d) Granted waives 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.
- (e) A Board member or a member of his or her household may not acquire an economic interest in a District or municipal contract unless the contract is competitively solicited and the requirements of the Anchorage Municipal Ethics Code are followed.
- (f) A board member desiring to submit a bid or proposal for such a contract must submit a request for waiver to the Superintendent and file a notice of intent to respond to a public solicitation with the municipal clerk.
- (g) The Board member may not influence the award and may take no action with respect to the development of the solicitation, award, or administration of the contract.
- (h) No waiver may be granted unless the following conditions exist:
 - (1) The Superintendent or designee confirms in writing that no conflict exists or the potential for conflict has been managed; and
 - (2) The person or Board, as applicable, responsible for awarding the contract determines the integrity of the public solicitation process is not adversely affected by the award.

725.8.5.2 Employees

- (a) Waivers may be granted in certain situations; however, no waiver may be granted for an employee, or his or her household member, to acquire an economic interest in a District or municipal contract unless that contract is competitively solicited and all other requirements of Board Policy and the Anchorage Municipal Ethics Code are met.
- (b) The following District employees may request a waiver from the acts identified in Board Policy 725.8.3 and 930.3:
 - (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 District for use in the school system for which the employee is the author.
- (c) The employee must submit the request for waiver in a notarized statement to the Superintendent, or designee, on the form prescribed; the statement must fully disclose the conflict of interest and include the nature, type and extent of the employee's financial or private interest in the intended transactions.
 - (d) If the employee wishes to submit a bid or proposal where the employee would acquire an economic interest in a competitively solicited District or municipal contract, the requirements of Section 1.15 of the Municipal Ethics Code must be followed.
 - (e) The employee must submit a request for waiver to the Superintendent, or designee, and file a notice of intent to respond to a public solicitation with the municipal clerk.
 - (f) A waiver may not be granted, and a contract award may not be made, if any of the following conditions exist:
 - (1) The employee or a member of his or her immediate family works for the department awarding or administering the contract;
 - (2) The employee or a member of his or her immediate family would, in the performance of official duties, take any action with respect to the solicitation, award, or administration of the contract;
 - (3) The employee in fact or appearance attempts to influence the award.
 - (g) Absent (1) - (3) immediately above, a waiver may be granted if:

- (1) The employee's administrative supervisor and the designated ethics officer each confirm in writing that no conflict exists or the potential for conflict has been managed; and
 - (2) The Purchasing Director confirms in writing that the integrity of the public solicitation process is not adversely affected.
- (h) The waiver must be granted by the Board (Board Policy 540 - Publications) or by the Superintendent, or designee, before the employee may submit a bid, proposal or quotation for any District or municipal contract for which the waiver is requested. Granted waivers expire on the last day of the fiscal year in which they are granted.
 - (i) If the employee wishes to submit a bid, proposal or quotation on a District or municipal 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.

725.8.6 Contract Voidable

Any contract awarded by the District shall be voidable at the option of the District if any Board member or employee had any conflict of interest described in Board Policy 725.8.2 at the time of the award of the contract.

725.8.7 Complaints Regarding Conduct

- (a) Written complaint regarding alleged violations of any provision of Board Policy 725.8 shall be filed with the Superintendent, or designee, who shall forward such complaints to the Board or to the Anchorage Municipal Ethics Board.
- (b) If the complaint is filed with the Superintendent, or designee, 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 Board may refer the complaint to the Anchorage Municipal Ethics Board if the complaint appears to involve a violation of the Anchorage Municipal Ethics Code.
- (c) If the complaint is to be investigated by a committee appointed by the Board, this committee shall be composed of one Board member, one member of the District, and three members of the public.

- (d) 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.
- (e) Any person who appears before the committee and gives evidence shall have the right to be represented by counsel.
- (f) Any person against whom a complaint has been made may demand and shall be entitled to a hearing which is open to the public.
- (g) If the complaint is investigated by the Anchorage Municipal Ethics Board, the procedures followed shall be those procedures adopted and followed by the Anchorage Municipal Ethics Board.

725.8.8 Sanctions

- (a) If the committee appointed under Board Policy 725.8.7, 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.
- (b) A violation of this section shall be grounds for suspension, discharge or such other disciplinary action as the Superintendent shall determine.
- (c) 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.
- (d) If a complaint is investigated by the Anchorage Municipal Ethics Board, the Ethics Board, upon completion of its investigation, shall make recommendations to the Board pursuant to AMC Section 1.15.150.

Definitions:

The following definitions are those that apply to this Policy:

Brand name or equal specification means a specification which uses one or more manufacturer's names or catalog numbers to describe the standard of quality, performance, and other characteristics needed

to meet District requirements, and which provide for the submission of equivalent products.

Brand name specification means a specification limited to one or more items by the manufacturer's name or catalog number.

Open Market Procedures are used for those purchases having an estimated value under the formal competitive solicitation threshold.

Procurement card (p-card) is a payment method whereby District internal customers (requisitioners) are empowered to deal directly with suppliers for purchases using a credit card issued by a bank or major credit card provider. Generally a pre-established credit limit is established for each card issued. The cards enable eProcurement and facilitate on-line ordering, frequently from pre-approved suppliers under blanket contracts or for small dollar purchases.

Responsible bidder or offeror means a person or entity that has the capability in all respects to perform fully the contract requirements, and the integrity and reliability, which will assure good faith performance, which may be substantiated by past performance.

Responsive bidder or offeror means a person or entity who has submitted a bid or offer which conforms in all material respects to the solicitation.

Standard is a level of quality accepted as norm; a level of quality or excellence that is accepted as the norm or by which actual attainments are judged. An established and fixed measure used in assessing quality or performance.

Standard specification is a specification that is to be used for all or most purchases of an item; describes all required physical and functional characteristics of goods, services or construction.

Standardization is the adoption of a single product or group of products to be used by different District organizations or all parts of the District.

Standardization of specifications is the process of establishing a single specification for an item, or range of items.

(Section 725 - Revised May 1, 2011)

726 Special Fund Expenditures

726.1 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.

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 a 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 the District for the review of accounting, financial and other District operations.

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 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 Board Audit Subcommittee.

728 Student Funds

728.1 Restriction on Sales to Students

- a. Sale of supplies, materials and equipment to pupils through 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.
- 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.
- 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.

- 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.

728.2 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.

728.3 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.

729 Risk Management

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 establish 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.

729.4 Liability Protection

a. Board/Employee Liability Protection

- (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.
- (2) No protection shall be provided under this section unless the person seeking protection was a member of the Board, the Superintendent, 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.
- (3) 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.
- (4) The District may maintain liability insurance or provide such other protection as appears sufficient to accomplish the purposes set out in Board Policy 729.4.a(1).
- (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.

- (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.
- b. Volunteer Workers' Liability/Medical Protection
- (1) The District shall provide liability protection for duly authorized volunteer workers as written in Board Policy 729.4. Such protection shall be excess to any insurance coverage which a volunteer or volunteer organization might otherwise possess.
 - (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.
 - (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.

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. Risk analysis reports shall be prepared by appropriate District counsel, at the direction of the Superintendent, before settlement recommendations are presented to the Board.

(Section 729.5 - Revised June 25, 2001)

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.

730.1 Definition of School Property

- a. All real and personal property, including buildings, grounds and equipment, 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.

731 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.

731.1 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.

731.2 Inspections

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

731.3 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.

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.

732 Equipment and Real Property

732.1 Disposition or Exchange of Property

- a. Sale or exchange of real property approved for disposition shall be referred to 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.
- 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. 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 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.

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.

732.3 Care of District Property, 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.

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.

740 Capital Improvement Programs

741 Long-Range Planning

The long-range capital improvement program is 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 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 District facility needs and to confer with the Municipality of Anchorage demographer for future growth predictions.

741.12 Updating 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 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 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 funding, federal funding, surplus funds, insurance proceeds, and other sources such as 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 Community/Staff Participation

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 District facilities.

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

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.

742 Project Development

742.1 Securing Architectural and Engineering Services

The Board, through the Superintendent, is responsible for the design criteria of school buildings and sites. 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.

742.2 Site Selection Procedure

- a. 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.
- b. Funds for review and acquisition may be obtained from various sources as described in Board Policy 741.13. The Municipality may offer excess lands for District use.
- c. 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. 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. The recommendations are forwarded to the Municipal Assembly for its approval. The Municipal Assembly approves the site selection.
- f. 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.

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.
- c. Educational specifications, including a program statement, are prepared by the Administration in accordance with 741.2. Board approval is required for all major projects.
- 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 for design contracts of one hundred thousand dollars (\$100,000) and above. The 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.
- e. Design is accomplished by the architectural/engineering 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.
- 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 and code upgrades.
- 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. 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.

743 Construction Contracts

The Board shall approve all major rehabilitation, construction and major repair of school buildings.

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.

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.

743.2 Security

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. Terms and conditions used in this policy for contracts under one hundred thousand dollars (\$100,000), as well as those at

one hundred thousand dollars (\$100,000) and above, shall be consistent with Alaska Statute 36.25.010(a).

743.22 Working Conditions at Project

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

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 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.

743.3 Construction Administration

Expert oversight and inspection shall be provided by the District during the time the building is under construction.

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.

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.

744 Acceptance of the Completed Project

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.

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, school personnel, community councils, and community members-at-large may submit names for consideration by the committee. The Superintendent will make the final recommendation to the 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.

- b. Fields and/or other specific areas on a school campus or within a school building may be named by the 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 will submit the suggestions to the Board with a recommendation for action.

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. In determining which facility is to be retired or use redirected for District 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. Disposal of real property shall be handled as outlined in Board Policy 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.

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 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.

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 School Buses

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.

753.2 Maintenance, Inspections, and Safety

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

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.

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 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 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 Human Services outlined in the Anchorage Municipal Code.

762 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 Superintendent or his/her designee.

763 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.

764 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 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.

765 Vending Machine and Other Food Sales

- a. All snacks and beverages sold in vending machines will be healthy choices in all schools and administrative facilities throughout the District. This requirement will extend to teacher lounges as well as office lounges and break rooms. Healthy choices will be those foods that may be available under policy 351.
- b. All food and beverage sales at school will be healthy choices during the school day starting at 6 a.m. and ending one-half hour after the school day. This requirement will include related

activities of parent teacher association groups, booster clubs, school stores, as well as any other fund raising.

- c. Special events, such as cultural celebrations or other events tied to the curriculum, may be conducted as an exception if approved by the building principal.
- d. 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), except for water, during the breakfast and lunch food service times is prohibited in the food service area, except by the Student Nutrition Program.
 - (2) Vending machines dispensing healthy choices are permitted for use subject to the above restriction and the approval of the building principal, in middle school and high school buildings. Vending machines of any type shall not be available to students at elementary schools.
 - (3) The building principal has the discretion to determine, subject to this policy, what, when, and where any other food or beverage items may be sold.

Section 765 – Revised 09-25-06

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 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.

- 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.

780 Records Management

- a. Records management is important to the overall function of the school district.
- b. Appropriate records management does the following:
 - (1) facilitates identification and retrieval,
 - (2) reduces the volume stored,
 - (3) improves storage and retrieval systems,
 - (4) increases the efficiency of operations,
 - (5) reduces costs,
 - (6) protects essential records,
 - (7) improves accountability and customer service,
 - (8) reduces liability,
 - (9) protects confidential and personally identifiable information, and
 - (10) insures compliance with applicable laws and regulations
- c. District records shall be developed, maintained, and disposed of according to the requirements of federal and state laws and regulations.
- d. The School Board adopts as a component of its records management system the Model Records Retention Schedule for Alaska School Districts.

- e. The Superintendent or designee will implement a records retention program consistent with this Schedule and may make adjustments to the Schedule as necessary to effectively manage District records. Changes to the Schedule, if any, shall be in writing.
- f. The School Board authorizes the destruction of records having no legal or administrative value or historical interest, following retention for those periods prescribed in the records retention schedule.
- g. The Superintendent or designee shall undertake the preservation and retention of records and data, including electronically stored information, when there becomes a likelihood of litigation.

(Policy Section 780 - Added April 27, 2009)

Information Technology

It is the function of the Information Technology Department (IT) to provide and assist staff and students in creating innovative solutions to meet instructional and administrative requirements. IT takes a leadership role in providing a strategic IT direction, assessing and acquiring appropriate technology, and looking for opportunities to use technology to provide improved levels of service. IT is responsible for supporting the primary technology resources and architecture needed to provide access to these solutions.

- a. All documents, data, and information stored, transmitted and processed on the district network and/or technology resources are the property of the District and subject to the Board's policies, standards and guidelines on usage. Users shall ensure that all access and use of such documents, data and information complies with applicable laws and board policies including those related to the confidentiality of records and e-mail retention. When a user is no longer employed or under contract with the district, all information stored by that user on district technology resources remains the property of the district.

This policy shall not be interpreted to take or limit any copyright to which a person may otherwise be lawfully entitled in the person's own work created, stored or transmitted on District technology, nor does this provision limit the right of the District regarding works made for hire or the fair use of copyrighted work for non-commercial educational purposes.

- b. The Superintendent shall issue administrative procedures to govern access to, and use of the network and technology resources by students, staff, and community users. At a minimum, such procedures must provide that all use will be conducted in accordance with applicable School Board Policies, federal, state, and local statues and regulations regarding copyright and technology use, and that the use of District network and technology resources is a privilege that carries with it many responsibilities.

- c. Because network and technology resources are essential tools in accomplishing the mission of the District, parents/guardians, students, staff and community users will be expected to sign a Use Agreement indicating awareness of proper conduct. Anyone abusing their access to the District network and/or technology resources will be subject to appropriate disciplinary and possible legal action. Disciplinary procedures and due process rights for students and staff will be governed by School Board Policy and appropriate negotiated agreements.

Related Documents:

- Internet and Electronic Communication Guidelines
- Staff and Community Internet User Agreement
- Student Internet User Agreement

(Policy Section 790 – Added April 05, 2010)

790.1 Educational and Productivity Software and Hardware Evaluation and Selection

- (a) The Superintendent shall develop procedures for planning, implementing and evaluating both educational and productivity software as well as computer hardware.
- (b) The District’s software and computer hardware evaluation and selection process will be designed to enhance student achievement and support administrative initiatives.
- (c) The board shall be notified of a significant review at the beginning of the process and given an opportunity to provide comments and direction.

790.11 Software Evaluation Committee

- (a) The Superintendent shall establish an educational and productivity software evaluation committee composed of principals, teachers, technology coordinators, and staff members from Business Management, Special Ed,

Curriculum, Educational Technology and Information Technology.

(b) The functions of the Software Evaluation Committee shall include the following:

1. Develop recommendations for content and performance criteria for both productivity and educational software.
2. Assist staff in review, evaluation, and recommendations for educational and productivity software for administration, teacher, and student computers.
3. Develop procedures for the acquisition and support of standard education and productivity software in order to achieve District and instructional goals.
4. Develop recommendations to address training needs.

790.12 Hardware Specifications Committee

(a) The Superintendent shall establish a hardware specifications committee composed of technology coordinators and staff members from Business Management, Educational Technology, Information Technology, and Purchasing.

(b) The functions of the Hardware Specifications Committee shall include the following:

1. Determine the need, and develop recommendations for specifications for servers, computers, printers, multimedia projectors, network equipment and all other peripherals.
2. Define minimum hardware configuration specifications for the efficient and productive acquisition and use of computing hardware.
3. Determine minimum configurations to include but not be limited to: total lifecycle cost, long-term support, interoperability, compatibility, scalability, availability, accessibility, functionality, performance, and security.

(c) Software and hardware committees shall be scheduled to meet at least quarterly and may meet more frequently if necessary.

Related Documents:

Hardware Specifications Committee
Software Evaluation Committee

(Section 790.1 - Approved April 18, 2011)

(Policy Section 700 - Revised June 5, 2000)