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PITT COUNTY SCHOOLS

**BOARD  
AGENDA**

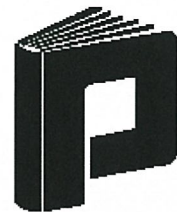
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PITT COUNTY BOARD OF EDUCATION  
1717 WEST FIFTH STREET · GREENVILLE, NC 27834

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**September 19, 2016**

Pitt County Board of Education  
Pitt County Office Building  
Third Floor Board Room  
September 19, 2016

**AGENDA**

The Pitt County Board of Education will meet in Regular Session on Monday, September 19, 2016, at 6:30 p.m. in the Third Floor Board Room, Pitt County Office Building. The following items have been placed on the Agenda:

		Page
1. <u>Start of Meeting</u>		
A. Call to Order	Chairman Forrest	
B. Pledge of Allegiance	Sean Kenny	
C. Moment of Silence	Worth Forbes	
2. <u>Routine Business</u>		
A. Adjustments to the Agenda	Chairman Forrest	
B. Spotlight on Teaching and Learning		1
1. NC Gilder Lehrman Award	Justyn Knox	
2. Clean School Award	Matt Johnson	
3. NCSBA Silver Bell Award	Chairman Forrest	
C. Public Expression	Chairman Forrest	
3. <u>Consent Items for Approval</u>		
A. Minutes from the Regular Board Meeting On August 1, 2016	Carol Rankin	2
B. Personnel Report for August 2016	Ve-Lecia Council	6
C. Items to be Declared Surplus	Matt Johnson	7

D.	NERSBA Parental Advisory Committee Members	Chairman Forrest	9
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#### 4. New Business

A.	PCC Board of Trustees	Dr. Dennis Massey	10
B.	EPS/HR Committee Report	Marc Whichard/ Cheryl Olmsted/ Ve-Lecia Council	11
C.	Finance/Operations Committee Report	Worth Forbes/ Debra Baggett/ Matt Johnson	12
	1. Consideration of Supplement Increase Proposal	Debra Baggett	13
	2. Consideration of Grifton Gym Funding Proposal	Matt Johnson	16
D.	First Reading of Amendments to Policy 9020 and Policy 9130	Cynthia Grady	18

#### 5. Closing Comments

A.	Comments by Superintendent	Ethan Lenker
B.	Comments by Board Members	
C.	Comments by Chairman	Chairman Forrest

6. <u>Adjourn</u>	Chairman Forrest
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## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Spotlight on Teaching and Learning

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### **BACKGROUND:**

The following Teaching and Learning Achievements will be shared with the Board:

1- Justyn Knox, DPI's K-12 Social Studies Education Consultant, will be present to recognize Jennifer Attardi, a Social Studies teacher from Chicod, who recently received the Gilder Lehrman Award. Ms. Attardi demonstrated her commitment to teaching American history (including state and local history) by having creativity and imagination in her classroom. Ms. Attardi's effective use of documents, artifacts, historic sites, oral histories, and other primary resources to engage her students in American history are just a few of the reasons why she was chosen for this prestigious award.

2- Matt Johnson, Executive Director of Operations, will be present to recognize the Custodian Staff from the Sadie Saulter Educational Center for receiving the Pitt County Schools Clean School Award for the 2015-2016 school year.

3- Chairman Forrest will recognize the Board for receiving the North Carolina School Board Association's "Silver Bell Award" for the timeframe of July 1 2015, through June 30, 2016. The Board received this award during the District 1 meeting held at Weldon Middle School on September 7, 2016. The Silver Bell Award recognizes Boards where every member has actively worked towards the 12 hours of training required.

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### **SUPERINTENDENT'S RECOMMENDATION:**

No Board action is required



## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Consideration of Minutes

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### **BACKGROUND:**

Please find attached for your review and consideration, the minutes from the Board of Education Meeting held August 1, 2016.

Should you have any questions or comments that would require an adjustment please ask the Chair to remove this item from the Consent Agenda.

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**SUPERINTENDENT'S RECOMMENDATION:**  
Board action is required

## **Regular Board Meeting Minutes**

**Date:** August 1, 2016

**Present:** Chairman Benjie Forrest, Vice Chair Mary Blount Williams, Mildred Council, Caroline Doherty, Walter Gaskins, Sean Kenny, Billy Peaden, Worth Forbes and Marc Whichard

**Absent:**

**Attorney:** Cynthia Grady

**Time:** 6:30 P.M.

**Place:** Pitt County Office Building, 3<sup>rd</sup> Floor Boardroom

1) Start of Meeting:

A) Chairman Forrest called the Board of Education meeting to order in Regular Session on August 1, 2016 at 6:30 P.M. in the Pitt County Third Floor Board Room.

B) Walter Gaskins led the Board members in the Pledge of Allegiance.

C) Worth Forbes followed with a Moment of Silence and concluded with prayer.

2) Routine Business:

A) Adjustments to the Agenda:

Marc Whichard made a motion to approve the agenda, with a second from Caroline Doherty. The motion to approve the agenda passed unanimously.

B) Public Expression:

Robin Dailey shared information concerning Parents for Public Schools' Parent Engagement Program and the Student Success Academy.

C) Special Recognition:

Chairman Forbes recognized Dr. Lenker for his support of FFA and presented him with an Honorary State FFA Degree.

3) Consent Items:

Marc Whichard made a motion to approve the consent items as listed; with a second from Worth Forbes. The consent items included: the June 27, 2016 Board meeting minutes, and the minutes from the Board Work Session held on June 27, 2016, the Personnel Report for August 2016, the new 4000B Policy Section and the August items to be Declared Surplus. With no discussion, the motion to approve consent items passed unanimously.

4) New Business:

A) 2016-2017 Federal Programs Plan:

Sandra Morris, Director of Federal Programs, shared a Title 1 Summary with the Board members. Ms. Morris stated the Title 1 Program serves students in grades Pre-Kindergarten through 12 in Readiness Skills, Reading, Language Arts, Mathematics, and Science. The proposed Title 1 Program for the 2016-2017 school year will serve twenty four schools and three priority schools and that approximately 9101 students are eligible for services in school year 2016-2017. All Title 1 Schools and programs continuously assess students' needs and utilize strategies that will improve student achievement to better prepare students to reach their academic goals. Ms. Morris requested approval of the 2016- 2017 Federal Programs Plan. Sean Kenny made a motion to approve the 2016-2017 Federal Programs Plan, with a second from Mildred Council. The motion for approval passed unanimously.

B) HR Update:

Dr. Ve-Lecia Council, Assistant Superintendent of Human Resources, gave the Board members a HR Update. The information included the current number of positions that PCS has vacant and the process in which PCS is working to fill those vacancies.

C) Finance Update:

Debra Baggett, Chief Finance Officer, gave the Board members a finance update. The information included: teacher salaries, benefit rates, merit based bonuses, bonuses for teachers, bonuses for 3<sup>rd</sup> grade reading teachers and a budget timeline.

D) Operations Update:

Matt Johnson, Executive Director of Operations gave the Board members an Operations update. The information included: PCS has received Capital funding from the County and will start construction projects at Chicod and Lakeforest soon. Ground Breaking for Chicod is scheduled to be held on August 11<sup>th</sup> and on August 25<sup>th</sup> for Lakeforest. Also, Mr. Johnson stated that the Bus Garage closing is expected to be in October or November.

5) Closing Comments:

Closing comments were made by Dr. Lenker, Board Members and Chairman Forrest.

6) Closed Session:

At 7:27 PM, Vice Chair Mary Blount Williams made a motion to go into Closed Session pursuant to G.S. 143-318.11 for the following purposes; under subsection (a)(1) to prevent the disclosure of privileged or confidential student information. (G.S. 115C-402; 20 U.S.C.§1232g (FERPA)) and under subsection (a)(3) to consult with our attorney: to preserve the attorney-client privilege, to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action and to consider and give instructions concerning a judicial action titled Billy Walls v. Pitt County Board of Education.

After discussion, the motion to enter into Closed Session passed 5 to 4 with Vice Chair Mary Blount Williams, Mildred Council, Caroline Doherty, Sean Kenny and Billy Peaden voting in favor and Marc Whichard, Worth Forbes, Walter Gaskins and Chairman Benjie Forrest voting against.



6) Adjourn:

Billy Peaden made a motion to adjourn with a second by Vice Chair Blount Williams. The motion to adjourn passed 8 to 1 with Sean Kenny voting against. Time adjourned was 8:12 P.M.

Respectfully Submitted,

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Benjie Forrest, Chairman

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Dr. Ethan Lenker, Secretary

Minutes Recorded by Carol Rankin

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Consideration of Personnel Report

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### **BACKGROUND:**

The Personnel Report for August was sent via the Board Packet for your review and consideration.

Should you have questions or comments requiring an adjustment, please ask the Chair to remove this item from the Consent Agenda.

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**SUPERINTENDENT'S RECOMMENDATION:**  
Board action is required

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Consideration of Items to be Declared Surplus Property

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### **BACKGROUND:**

Please find attached for your review and consideration a list of items to be Declared Surplus Property.

Matt Johnson, Executive Director of Operations, will be present to respond to any questions you may have regarding this list.

Should you have questions or comments requiring an adjustment, please ask the Chair to remove this item from the Consent Agenda.

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**SUPERINTENDENT'S RECOMMENDATION:**  
Board action is required



## **ITEMS TO BE DECLARED SURPLUS**

**September 19, 2016**

- \* Lot of distance learning lab electronics.
- \* Groen Steam Kettle. (DHC)
- \* (2) Panasonic video cameras.
- \* Lot of (194) Dell workstations, (106) Dell flat panel monitors and (1) pallet of keyboards, mice, speakers and cords.
- \* Lot of (95) Dell workstations, (105) Dell flat panel monitors and (2) pallets of keyboards, mice, speakers and cords.
- \* Lot of (38) Dell laptop computers, (34) Dell notebook computers, (15) ASUS notebook computers, (2) 10" Ipads, and (12) HP laptop batteries.
- \* Lot of (5) 84" wide pull down movie screens.
- \* Grizzly G1066 Drum Sander. (JHR)
- \* Wallace 9-419 Mortiser. (JHR)
- \* Grizzly G9922 Oscillating Spindle Sander. (JHR)
- \* Lot of (7) 4-drawer and (1) 2-drawer metal file cabinets.
- \* Lot of (1) art table, and (2) AV carts.
- \* Lot of (20) metal frame with wood top tables.
- \* Lot of (12) miscellaneous chairs and (4) fold up student desks.
- \* Delta 28-350 20" band saw. (NPHS)
- \* 1984 Chevrolet Truck, VIN #1GBHC34MXEV127197, 154,661 miles.
- \* 9 ton equipment trailer, Serial #11RF25208R1012609

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** NERSBA Parental Advisory Committee Members

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### **BACKGROUND:**

Chairman Forrest requests approval for Mrs. Susie Abbott (representing the DH Conley attendance area) and Mrs. Evangelina Andrade (representing the North Pitt/Welcome attendance area) to serve on the Northeast Regional School of Biotechnology and Agriscience Parental Advisory Committee. (NERSBA)

Should you have questions or comments requiring an adjustment, please ask the Chair to remove this item from the Consent Agenda.

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### **SUPERINTENDENT'S RECOMMENDATION:**

Board action is required

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Pitt Community College Board of Trustees

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**BACKGROUND:**

All four Board of Education appointees, Charles Long, Don Mills, Peter Kragel and Patti Sanders-Smith along with President Dennis Massey will be present to give Board members an update on the collaborations between PCC and PCS.

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**SUPERINTENDENT'S RECOMMENDATION:**

No Board action is required.

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** EPS/Human Resources Committee Report

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### **BACKGROUND:**

Assistant Superintendent of Educational Programs and Services, Cheryl Olmsted, will be present to give the Board members an EPS Committee Report.

Dr. Ve-Lecia Council, Assistant Superintendent of Human Resources, will be present to give the Board members a Human Resources Committee Report.

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**SUPERINTENDENT'S RECOMMENDATION:**  
No Board action is required

## PITT COUNTY BOARD OF EDUCATION

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**DATE:** September 19, 2016

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**TOPIC:** Finance/ Operations Committee Report

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**BACKGROUND:**

Chief Finance Officer, Debra Baggett, will be present to give the Board members a Finance Committee Report.

Matt Johnson, Executive Director of Operations, will be present to give the Board members an Operations Committee Report.

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**SUPERINTENDENT'S RECOMMENDATION:**

No Board action is required

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Consideration of Supplement Increase Proposal

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**BACKGROUND:**

Chief Finance Officer, Debra Baggett, will request approval from the Board members of the 2016-2017 Supplement Increase Proposal.

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**SUPERINTENDENT'S RECOMMENDATION:**

Board action is required



**Pitt County Schools**  
**Proposed Supplement Increase**  
**2016-17**

**Cost of Funding Increase**

Beginning Teachers	2% to 3%	\$ 127,699.40
Teachers	5% to 5.25%	\$ 222,404.93
Principals/Asst Principals	Increase .25%	\$ 14,278.78
		<u>\$ 364,383.11</u>

**Schedule of Funding Supplement Increases** (Based on availability of funding)

	2015-16	2016-17	2017-18	2018-19	2019-20
Beginning Teachers	2.00%	3.00%	4.00%	5.00%	6.00%
Teachers	5.00%	5.25%	5.50%	5.75%	6.00%

Teacher salary	Supplement for Beginning Teacher				
	2.00%	3.00%	4.00%	5.00%	6.00%
35,000.00	\$ 700.00	\$ 1,050.00	\$ 1,400.00	\$ 1,750.00	\$ 2,100.00

40,000.00	Supplement for Teachers				
	5.00%	5.25%	5.50%	5.75%	6.00%
	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00

Projected Cost of Supplement Increase  
2016-17

Beginning Teachers	2015-16 2% Supplements	With 3.0% Increase	Difference	2.25%		2.50%		2.75%		3.00%		3.25%		3.50%	
				Cost of 1/4% Increase	Cost of 1/4% Increase	Cost of 1/2% Increase	Cost of 1/2% Increase	Cost of 3/4% Increase	Cost of 3/4% Increase	Cost of 1% Increase	Cost of 1% Increase	Cost of 1 1/4% Increase	Cost of 1 1/4% Increase	Cost of 1 1/2% Increase	Cost of 1 1/2% Increase
Supplement	\$ 200,000.00	\$ 206,000.00	\$ 6,000.00	\$ 25,750.00	\$ 25,750.00	\$ 51,500.00	\$ 51,500.00	\$ 77,250.00	\$ 77,250.00	\$ 103,000.00	\$ 103,000.00	\$ 128,750.00	\$ 128,750.00	\$ 154,500.00	\$ 154,500.00
FICA	\$ 15,300.00	\$ 15,759.00	\$ 459.00	\$ 1,969.88	\$ 1,969.88	\$ 3,939.75	\$ 3,939.75	\$ 5,909.63	\$ 5,909.63	\$ 7,879.50	\$ 7,879.50	\$ 9,849.38	\$ 9,849.38	\$ 11,819.25	\$ 11,819.25
Retirement	\$ 30,640.00	\$ 33,639.80	\$ 2,999.80	\$ 4,204.98	\$ 4,204.98	\$ 8,409.95	\$ 8,409.95	\$ 12,614.93	\$ 12,614.93	\$ 16,819.90	\$ 16,819.90	\$ 21,024.88	\$ 21,024.88	\$ 25,229.85	\$ 25,229.85
	\$ 245,940.00	\$ 255,398.80	\$ 9,458.80	\$ 31,924.86	\$ 31,924.86	\$ 63,849.70	\$ 63,849.70	\$ 95,774.56	\$ 95,774.56	\$ 127,699.40	\$ 127,699.40	\$ 159,624.26	\$ 159,624.26	\$ 191,549.10	\$ 191,549.10

5.25%

Teachers at 5%	2015-16 5% Supplements	With 4.7% Increase	Difference	Cost of 1/4% Increase	
				Cost of 1/4% Increase	Cost of 1/4% Increase
Supplement	\$ 3,426,700.00	\$ 3,587,754.90	\$ 161,054.90	\$ 179,387.75	\$ 179,387.75
FICA	\$ 262,142.55	\$ 274,463.25	\$ 12,320.70	\$ 13,723.16	\$ 13,723.16
Retirement	\$ 482,972.80	\$ 585,880.38	\$ 102,907.58	\$ 29,294.02	\$ 29,294.02
	\$ 4,171,815.35	\$ 4,448,098.53	\$ 276,283.18	\$ 222,404.93	\$ 222,404.93

Principals and Assistant Principals	2015-16 Principal / AP Base	With 4.7% Increase	Difference	Cost of 1/4% Increase	
				Cost of 1/4% Increase	Cost of 1/4% Increase
Supplement	\$ 220,000.00	\$ 230,340.00	\$ 10,340.00	\$ 11,517.00	\$ 11,517.00
FICA	\$ 16,830.00	\$ 17,621.01	\$ 791.01	\$ 881.05	\$ 881.05
Retirement	\$ 33,704.00	\$ 37,614.52	\$ 1,688.52	\$ 1,880.73	\$ 1,880.73
	\$ 270,534.00	\$ 285,575.53	\$ 12,819.53	\$ 14,278.78	\$ 14,278.78

<b>Projected Total Cost</b>	\$ 268,608.57	\$ 300,533.41	\$ 332,458.27	\$ 364,383.11	\$ 396,307.97	\$ 428,232.81
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## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** Consideration of Grifton Gym Funding Proposal

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**BACKGROUND:**

Executive Director of Operations, Matt Johnson, will request approval from the Board members for the Grifton Gym Funding Proposal.

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**SUPERINTENDENT'S RECOMMENDATION:**  
Board action is required

## Grifton Gym Funding Proposal

### Estimated Repair Cost:

#### **Cost Analysis for Repair Estimate**

Grout Injection under walls and floor slab	\$ 225,000
Testing/Monitoring/Structural Repair	\$ 175,000
Gym Floor Repair	\$ 20,000
Helical Piers (if needed)	<u>\$ 80,000</u>
<b>Total Estimated Cost</b>	<b>\$ 500,000</b>

### Finance/Operations Committee Recommendations:

1. Repair the existing gym as directed by Queen Engineering and Design (QED)
2. Fund the repair project using the following funds allocated by the County Commissioners;
  - A. **\$200,000** Carryover funds from fiscal year 2015/2016 Regular Capital Outlay Projects
  - B. **\$250,000** Additional Funding Designated for "Special Projects" allocated in fiscal year 2016/2017 Capital Expenditures Category I, II, III Projects.
  - C. **\$50,000** Capital Fund Balance

Combine total of **\$500,000** available funding

## **PITT COUNTY BOARD OF EDUCATION**

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**DATE:** September 19, 2016

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**TOPIC:** First Reading of Amendments to Policy 9030 and Policy 9120

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**BACKGROUND:**

In-House Counsel, Cynthia Grady, will share the First Reading, of legal amendments, to Policy 9030, 'Facility Construction' and Policy 9120, 'Bidding for Construction Work' to the Board members.

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**SUPERINTENDENT'S RECOMMENDATION:**  
No Board action is required



Facility construction will be undertaken in accordance with the long-range plan adopted by the board and the facility design approved by the board. Any repairs or renovations of school facilities should be undertaken in such a way as to minimize disruption of instructional time and the educational environment.

**A. QUALITY OF CONSTRUCTION**

Buildings should be constructed with durable materials that, when possible, permit space to be adapted to various purposes and to be adjusted to changes in technology or the educational program.

The board will not accept substandard construction. In the event of insufficient funding for a project, the board will defer implementing parts of the long-range plan.

~~Any repairs or renovations of school facilities should be undertaken in such a way as to minimize disruption of instructional time and the educational environment.~~

**B. CHANGE ORDERS FOR CONSTRUCTION OR REPAIR WORK CONTRACTS****1. All Contracts for Construction or Repair Work****a. Use of Change Orders**

After a contract for construction or repair work has been awarded, the need may arise to amend the terms, conditions, or specifications of the contract by a change order. Change orders may not be used or divided to evade bidding requirements or the requirements of this policy.

**b. Change Orders That Must be Reported to the Board**

Unless otherwise prohibited by statute or regulation, the superintendent or designee is authorized to approve change orders involving additive or deductive sums up to \$90,000 so long as funding for the change order is available within the established project budget.

The superintendent or designee shall report to the board all change orders that were approved by the superintendent or designee, including those that do not impact the contract amount. The report will be provided to board members in writing on a monthly basis or at the next board meeting and will include the following information: (1) the contractor's name; (2) the project name; (3) a brief description of the change; (4) the contract amount, including amount(s) of any prior changes; and (5) the change order amount. The superintendent or designee is not required to report



any proposed change order that was denied by the superintendent or designee.

c. Change Orders Requiring Board Approval

Change orders that (1) involve amounts over \$90,000, (2) or are in excess of the remaining funds in the project budget, or (3) cause the total cost of a contract that has not been previously approved by the board to exceed \$90,000 require board approval. The superintendent or designee shall present all such proposed change orders that are recommended for approval to the board at a board meeting. The superintendent or designee is not required to present to the board any change order not recommended for approval.

If, in the superintendent's opinion, a change order requires expedited review, the superintendent shall notify the board chair, who will decide whether a special meeting must be called to address the proposed change order before the next board meeting.

2. Additional Requirements for Contracts in Excess of \$300,000

When contracts in excess of \$300,000 need amending, the contractor shall submit a proposed change order in writing to the project architect/engineer for review. If the project does not have an architect/engineer, the change order must be submitted to the superintendent or designee. Any request for expedited review must also be in writing and accompany the proposed change order. The contract for construction projects in excess of \$300,000 must specify the manner in which change orders will be submitted on those projects.

Legal References: G.S. 115C-521, -524

Cross References: Planning to Address Facility Needs (policy 9000), Facility Design (policy 9020)

Adopted: May 2, 2016

Revised: October 3, 2016

The board strives to obtain high quality services at a reasonable price through the bidding process employed by the school system.

**A. STANDARDS FOR PARTICIPATION IN CONSTRUCTION CONTRACTS**

All contracts formally or informally bid will be awarded to the lowest responsible bidder, taking into consideration quality, performance, reliability, and the time specified in the bids for performance of the contract. Contracts will contain a provision stating that the contractor and contractor's subcontractors, if any, must comply with the requirements of G.S. Chapter 64, Article 2. Prior to bidding, contractors may be required to prequalify if the board has elected to use this process. For all contracts valued at \$1,000 or more, the board will require each bidder or vendor to certify that it is not listed on the state treasurer's Final Divestment List or Iran Parent and Subsidiary Guidance list, as required by G.S. 147, Article 6E, and that it will not engage subcontractors who are on either list.

The board prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, disability, or religion. In addition, in accordance with G.S. 143-133.5, the board prohibits discrimination against a bidder or contractor for being party to, refusing to be party to, adhering to, or refusing to adhere to an agreement with a labor organization. The superintendent or designee is required to conduct contracting and purchasing programs so as to prevent such discrimination.

The superintendent or designee on behalf of the board must certify that good faith efforts have been made to increase the participation in construction contracts by minority-owned and female-owned businesses, as required by policy 9125, Participation by Women- and Minority-Owned Businesses.

The board will grant a North Carolina resident firm providing architectural, engineering, surveying, construction management at-risk service, design-build services, or public-private construction services a preference over a nonresident firm, if the home state of the nonresident firm has a practice of granting a preference to its resident firms over North Carolina resident firms. Any preference granted to a resident firm will be in the same manner, on the same basis, and to the same extent as the preference granted by the nonresident firm's home state. The school system's bid documents will require that nonresident firms disclose and describe any construction contract preferences granted by the firm's home state.

**B. BIDDING METHODS**

The board may request bids for contracts for building projects using single prime, multi-prime (separate prime), construction management at-risk, dual bidding, design-build, design-build bridging, and public-private partnership methods, as permitted by law. The superintendent or designee shall make a recommendation to the board as to the method(s)



that should be used for a particular project.

If the superintendent or designee believes the project cannot be reasonably completed under the methods authorized by G.S. 143-128, the superintendent or designee shall so inform the board and make the recommendation to the board that it approve the use of alternative methods. Upon board approval, the superintendent or designee shall submit to the State Building Commission a request to use an alternative contracting method along with supporting documentation.

#### **C. FORMAL BIDDING**

Construction and repair work requiring the estimated expenditure of \$500,000 or more will be advertised for bid and will be awarded through formal bidding procedures. Dividing contracts to lower the expenditure amounts so as to evade these requirements is prohibited. The board authorizes the use of newspaper advertisement, electronic advertisement, or both for formal bids; however, the superintendent or designee has the authority to determine which method will be used for a specific purchase or categories of purchases. The superintendent or designee shall establish formal bidding procedures consistent with this policy and applicable law and make the procedures available to all bidders or potential bidders.

#### **D. INFORMAL BIDDING**

Informal bids will be obtained for construction and repair contracts between \$30,000 and \$500,000. Quotations from contractors may be solicited by telephone or in writing. Informal bids are recommended, but not required, for construction and repair work costing less than \$30,000.

Dividing contracts to lower the expenditure amounts so as to evade the informal bidding requirements is prohibited. The superintendent or designee shall develop informal bidding procedures consistent with this policy and applicable law and make the procedures available to all bidders and potential bidders.

#### **E. APPROVAL**

All formally bid construction contracts must be reviewed by the board attorney, ~~and submitted by the superintendent or designee to the board for approval.~~

The superintendent shall consult with the board attorney in developing standard form contracts for informally bid construction projects. ~~Board approval of informally bid projects is not required, unless otherwise directed by the board on specific projects.~~

Any construction or repair contract involving expenditures in excess of \$90,000 must be reviewed by the board attorney and approved in advance by the board unless provided otherwise in board policy. Unless otherwise prohibited by statute or regulation, the superintendent or designee is authorized to enter into construction or repair contracts

involving amounts up to \$90,000. Change orders for construction and repair contracts will be subject to the requirements of policy 9030, Facility Construction, not this provision.

#### **F. RECORDS AND REPORTING REQUIREMENTS**

Records of all informal or formal bids received will be maintained and will be available for public inspection. Such records should include the date the bid is received, from whom it is received, and what project it is for. The records will document why the selected contractor was the lowest responsive, responsible bidder if the contractor was not the low bidder.

The superintendent or designee must submit required reports to the State and provide reports to the board on the progress being made towards reaching the board's goals.

#### **G. DISPUTE RESOLUTION PROCESS**

The board establishes the following dispute resolution process to resolve issues arising out of construction and repair projects or contracts related to such projects. The dispute resolution process may be used by any party involved in the construction project for those disputes in which the amount in controversy is at least \$15,000.

Prior to initiating litigation concerning a dispute, parties to the dispute must do the following: (1) submit the dispute for review by the superintendent or other designated school official and the project architect, as appropriate, and (2) participate in mediation, if the matter cannot be resolved by school officials and the architect. The cost of the dispute resolution process will be divided between the parties to the dispute. If the board is a party to the dispute, the board will pay at least one-third of the cost.

Legal References: G.S. 64, art. 2; 115C-521, -522; 143-64.31 and art. 8; 147, art. 6E

Cross References: Contracts with the Board (policy 6420), Facility Construction (policy 9030), Prequalification of Bidders for Construction Projects (policy 9115), Participation by Women- and Minority-Owned Businesses (policy 9125)

Adopted: May 2, 2016

Revised: October 3, 2016