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## **HAY SPRINGS BOARD POLICY MANUAL**

### **Section 900 Buildings and Sites**

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## CONSTRUCTION PLANS AND SPECIFICATIONS

The board may engage the services of consultants or other personnel to study the needs of the school district's buildings and sites in providing the education program. The results of these services will be considered in planning the education program and in making decisions about the improvement and acquisition of additional buildings and sites.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need for such services and who should perform such services for the board.

Buildings considered for purchase or construction by the board or currently owned by the school district and used for the education program must meet, or upon improvement be able to meet, the specifications set by the board. The board shall make this determination.

Prior to construction or renovation of buildings and sites the board shall make a determination of the method by which it will obtain construction services. If the board elects by a seventy-five percent affirmative vote to use the Construction Management at Risk or Design-Build methods rather than the traditional Design-Bid-Build method, policies for that respective method must be established prior to selecting the construction services provider.

Prior to remodeling or other construction of buildings and sites, the board may appoint a committee of consultants, employees, citizens, or others to assist the board in developing the specifications for the new or improved buildings and sites. These specifications shall be consistent with the education program, and they shall provide the architect with the information necessary to determine what is expected from the facility. It shall be within the discretion of the board to determine whether a committee shall be appointed.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

Cross Reference: 104 Educational and Operational Planning

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## BIDS AND AWARDS FOR CONSTRUCTION CONTRACTS

Public, competitive sealed bids are required for construction projects, including renovation and repair, with a cost exceeding \$40,000. This does not apply to the acquisition of existing buildings, purchase of new sites or site expansions by the district. The sealed bids shall be opened in public on the date and hour as advertised.

The award of construction contracts will, generally, be made to the lowest responsible bidder. The board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the board, may choose a bid other than the lowest bid. Resident bidders of the state of Nebraska may be given preference over nonresident bidders in some instances according to state statutes. The board shall have the right to reject any or all bids, or any part of the bids, to waive informalities, and to enter into the contract or contracts deemed to be in the best interests of the school district.

It shall be the responsibility of the superintendent to make a recommendation accompanied by supportive reasoning to the board for construction contract bids.

Legal Reference:      Neb. Statute 73-101 et seq.

Cross Reference:      706      Expenditures

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## BIDDING PROCEDURES

The bidding procedures shall comply with the requirements of state law and shall include the following:

1. **Notice to Bidders:** The Administration shall prepare a notice to bidders containing a general description of the scope of the project being bid; the location of the project; the means of obtaining project documents, including plans and specifications; the date and hour bids will close; and the date, hour and place bids are to be returned, received and opened, and a provision that such bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
2. **Regular Manner of Advertisement for Bids:** The notice to bidders shall be published one time in a newspaper of general circulation in the School District. The notice shall be published at least seven (7) days prior to the date designated for the opening of such bids. The Board of Education or Administration may, in its sole discretion, elect to utilize further advertisement for bids as it may determine appropriate to secure a sufficient number of qualified bidders for the scope of the project.
3. **Bid Opening:** Bids will be opened at the time and place designated in the bid advertisement immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
4. **Contract Award:** The contract shall be awarded to the lowest responsive, responsible bidder as and to the extent required by law. When not so required, the award shall be made on the basis of consideration of the contract award criteria set forth in this Policy for purchase of equipment, materials, and supplies.
5. **Performance and Payment Bonds:** Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and materials payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of \$10,000 or less unless the School Board or Administration includes a bond requirement in the specifications for the project. The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all labors and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in form prescribed and required by the district.
6. **Retention of an Architect or Engineer:** The School District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been

observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed eighty-six thousand dollars (\$86,000), or the dollar amount set forth in Neb. Rev. Stat. 81-3445, as amended from time to time.

7. **Additional Procedures:** Each bid for which a labor and material bond is required shall be accompanied by a bid bond or certified check in the amount of five percent (5%) of such bid unless the School Board waives such requirement. The Board of Education or Administration may provide for additional procedures for the procurement, opening and acceptance of bids as deemed appropriate for a particular project.

## CONSTRUCTION BONDS

### Performance, Labor and Material Payment Bonds

Whenever any contract is entered into the erecting, modifying, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor, and material payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of \$10,000 or less unless the School Board includes a bond requirement in the specifications for the project.

The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.

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## SECURITY

The Board encourages cooperation with local law enforcement and fire authorities and insurance company personnel in planning and carrying out proper security measures to preserve and protect the district's investment in its physical plant.

Buildings constitute one of the greatest capital investments of the district and should be protected. Security includes minimizing fire or other safety hazards, reducing the probability of faulty equipment, and keeping records and funds in a safe place. Security also includes having available floor plans of buildings and site plans showing campus boundaries and access points.

A key control system shall be established and maintained limiting building access to district personnel thus safeguarding against potential entry by unauthorized persons.

Protective devices designed as safeguards against illegal entry and vandalism shall be installed where appropriate.

The superintendent is directed to establish regulations as may be needed to provide for security of buildings and grounds.

Incidents of illegal entry, theft of school property, vandalism or damage to school property from any cause shall be reported by phone to the office of the superintendent and to the appropriate law enforcement agency as soon as discovered. A written report of the incident shall be made within one business day of discovery and forwarded to the superintendent's office.

Cross Reference: 404.03 Employees' Personal Security and Safety

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## LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT PROPERTY

Decisions regarding the lease, sale, or disposal of school district property shall be made by a two-thirds vote of the board in consultation with the Superintendent. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

Disposition of district property may occur by any method chosen by the board such as auction, private or public sale, trade, or bid process with care to provide financial accountability for the district's resources. Such dispositions shall be publicized by newspaper advertisement, website or newsletter announcement, posting on bulletin boards or other means of notifying district residents. Real estate shall be sold by a formal bid process.

If public sales fail to produce any interested buyers or bidders, remaining unsold materials may then, at the superintendent's discretion, be disposed of as scrap or junk or be donated to appropriate charitable or educational agencies. Discarded items shall not be claimed by employees except by prior approval of the administration.

If needed, one or more qualified individuals may be employed to prepare an appraisal of the property.

In the case of the razing of a school district facility the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent shall be responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district property. It shall also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Cross Reference:     705     Revenue  
                          706.01 Bidding Procedures

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## FACILITIES INSPECTIONS

A program for annual inspection, in addition to those conducted by authorized agencies, of the equipment, facilities, and grounds shall be conducted as part of the maintenance schedule for school district buildings and sites. The results of this inspection shall be reported to the board annually. Further, the board may conduct its own inspection of the school district buildings and sites annually.

Legal Reference:                   NDE Rule 10-011.01

Cross Reference:     903   Maintenance, Operation and Management

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## ANNUAL EMERGENCY SAFETY PLAN

All employees have the responsibility for maintaining safe, healthful and sanitary conditions within the buildings and on the grounds of the school district. The Superintendent shall designate staff and develop procedures to insure that all facilities meet fire, safety and health codes.

The Superintendent shall appoint a school safety and security committee represented by faculty, parents and community members that will prepare and review the school's safety plan. This plan will be updated annually by the committee and approved by the School Board. The plan will address safety procedures and security plans for students, staff and visitors, including during emergency events.

Typical elements of this plan will include:

- The assignment of specific employees to safety tasks and responsibilities.
- Instructions relating to the use of alarm systems and signals.
- Information concerning methods of fire containment and equipment use.
- Systems for notification of appropriate authorities.
- Specification of evacuation routes and procedures.
- Posting of plans and procedures at suitable locations.
- Procedures and frequency of emergency evacuation drills.
- An evaluation of each evacuation drill.

The plan shall be reviewed annually by one or more persons not on the committee and not an employee of the school district. This review includes a visit to each school building to analyze plans, policies, procedures and practices. Recommendations shall be made to the Superintendent and the committee for use in revising the plan.

Legal Reference: NDE Rule 10-011.01

Cross Reference: 404 Employee Health and Well-Being  
508 Student Health and Well-Being  
805 Risk Management  
903 Maintenance, Operation and Management  
905 Safety Program  
1004.04 Crisis Management Communications

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## ACCIDENT REPORTS

Accidents will be reported immediately to a supervisor.

Written reports will be submitted within one business day to the building principal on all accidents occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business. Reports will cover property damage as well as personal injury.

All accidents/incidents will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Cross Reference:                   404.02 Employee Injury on the Job

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## SAFETY DRILLS

All schools are required to instruct and drill students on emergency procedures so that students may respond to an emergency without confusion and panic. Each building administrator will conduct emergency drills in accordance with state statute and the district's Emergency Safety Plan.

Drills and instruction on fire emergencies shall include routes and methods of exiting the school building. The district will conduct fire drills as required by state regulations.

Instruction on tornado dangers and natural disasters shall be conducted annually.

Legal Reference: 79-705 and 706

Cross Reference: 508.05 Emergency Plans and Drills

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## SCHOOL CLOSINGS AND CANCELLATIONS

In case of hazardous or emergency conditions, the superintendent may alter district and transportation schedules as are appropriate to the particular condition. Such alterations include closure of all schools, closure of selected schools or grade levels, delayed openings of schools and early dismissal of students.

The superintendent will develop and maintain such plans and procedures as are necessary to carry out alternate school and bus schedules.

At the beginning of each school year students, parents and staff will be informed of the procedures used to notify them in case of an emergency closure.

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## EYE PROTECTIVE DEVICES

The district shall supply eye protective devices for teachers, students and visitors to all shops and laboratories meeting the standard of the American National Standard Practice for Occupational and Educational Eye and Face Protection as approved by the American National Standards Institute (ANSI).

Every teacher and student shall be required to wear eye protective devices at all times while participating in or observing the following courses of instruction:

1. Vocational, technical, industrial arts, chemical, or chemical-physical, involving exposure to:
  - A. Hot molten metals or other molten materials;
  - B. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;
  - C. Heat treatment, tempering, or kiln firing of any metal or other materials;
  - D. Gas or electric arc welding or other forms of welding processes;
  - E. Repair or servicing of any vehicle; or
  - F. Caustic or explosive materials; and
2. Chemical, physical, or combined chemical-physical laboratories involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other hazards not enumerated.

Legal Reference: Neb. Statute 79-715

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## ASBESTOS CONTROL

It is the policy of district to follow the Asbestos Hazard Emergency Response Act (AHERA) regulations concerning the inventory and management of asbestos containing material within its buildings.

The district will implement the rules of AHERA and will provide the necessary funding to undertake the required response actions. The district will appoint and train, as necessary, a designated person as required by regulation and this person will be responsible for the management of all asbestos related activities.

Notification will be submitted to all employees, parents and guardians and make known to the public in general that there is an asbestos management plan for each building under the governance of the district and this plan may be reviewed upon request or copied and provided to interested parties at the cost of reproduction. Record of this notification shall be maintained by the district.

### Administrative Guidelines

A designated person will be designated by the Board each year at the August meeting and as such shall have responsibility and authority in these departments and areas of district programming necessary to assure that the covenants of AHERA are followed and appropriate public health and hygiene is observed in all areas that may relate to asbestos and safeguarding the health of building occupants.

Although the designated person is authorized to execute the program related to asbestos according to federal regulations; the district shall indemnify the designated person against any criminal or civil actions, administrative or investigative and against all attorney fees, judgment, fines and amounts paid in settlement actually and reasonably incurred by such individual provided he/she acted in good faith and in a manner reasonably believed to be in the best interest of the district and had no reasonable cause to believe that any of his/her actions was unlawful in the event of any criminal complaint and provide all further indemnity as provided in Section 79 4 R. R. S. NEB. subject to all conditions thereof.

### Remodeling and Renovation

Friable and nonfriable asbestos containing material will be maintained in good condition and appropriate precautions will be followed when the material is disturbed for any reason. If there is a reason to replace asbestos it will be replaced with nonasbestos bearing material following approved procedures and using certified personnel.

Any project within the district designated for renovation/remodeling will be referred for review and signed approval to the office of the asbestos designated person. It will be the designated person's responsibility to review construction specifications and plans and

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establish guidelines wherein, should these activities potentially cause or promote contamination, appropriate procedures can be readily followed to preclude contamination.

#### Shut Down and Immediate Rest

The asbestos designated person will have the authority to immediately shut down a building area at any time and initiate engineering controls to safeguard health and safety of building occupants, should emergency asbestos exposure episodes require such response in the opinion of the asbestos program manager.

#### Staff Training

All new buildings and grounds employees will participate in a two hour training to orient them to the existence of asbestos in the buildings to which they are attached and to address appropriate concerns relative to direct contact with asbestos. This training must occur within 60 days; however, it would be preferable to conduct the training within 30 days. These individuals will not be authorized to touch, amend or in any other pattern directly respond to asbestos bearing building products.

Any employee who is required to repair or work with asbestos containing material will be fully trained (16 hour or 24 hour) prior to work assignment.

#### Priority and Maintenance of Records

Based upon regulatory concerns and potential civil litigation, there shall be a priority for rapid and thorough clerical response toward development and maintenance of records relating to the following activities:

- all asbestos related training
- all renovation, remodeling or demolition that may involve asbestos
- all asbestos abatement activities, including operations and maintenance, encapsulation, encasement and removal
- all disposal manifests and records of disposed asbestos evolving from building material controlled by the district
- all notifications to parents/guardians, employees, and students regarding the presence of asbestos
- all art procedures which may involve asbestos contact

The asbestos designated person will review all activities that may involve direct contact with asbestos bearing materials.

#### Response Action Schedule

All activities and dates suggested within the ongoing asbestos management plan will be complied with unless a formal determination is made in writing that sections of the plan should be changed. Major changes will be communicated to parents/guardians and employees for review and will be made available to the public.

#### Ongoing Inspections

There shall be a visual inspection every six months of all asbestos bearing or assumed to be asbestos bearing materials in each building. In addition, federally certified inspectors will inspect the building in their entirety on a three year basis, completing appropriate forms and reports as required under AHERA. Following episodic water damage, those areas denoted in the plan as susceptible to water damage will be inspected.

#### Response to Damaged Materials

If during a periodic surveillance check or in any other situations a building employee finds damaged asbestos bearing material, the incident will be reported to the asbestos designated person who will:

- consider emergency response activities (isolate area, etc.)
- repair the damaged area.
- remove the damaged material if, due to technological factors, it is not feasible to repair the damage.
- maintain all asbestos bearing material in an intact state and undamaged condition
- record all activities relating to asbestos exposure