



College Station Independent School District

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MEMORANDUM

To: Mike Martindale, Superintendent *mm*

From: Amy Drozd, Chief Financial Officer *AD*

Date: December 8, 2021

Subject: Delegation of the authority to designate the construction project delivery/contract award method for 2021 Bond Construction Projects

Agenda Item: K – 2

BACKGROUND

Policy CV(LEGAL) requires the adherence to Government Code Chapter 2269 for contracting and delivery procedures for construction projects. In addition to the requirement of a designated architect or engineer, the policy and code requires a Board that considers a construction contract using a method of procurement other than competitive bidding must, before advertising, determine which method of procurement provides the best value for the district. The policy further states the Board may delegate its authority under Government Code Chapter 2269 regarding an action authorized Chapter 2269 to a designated representative, committee, or other person.

The bond that was passed by voters on November 2, 2021, includes construction projects of various size and scope. Although there may be some exceptions, both Carmella Shafer, Director of Purchasing and Jon Hall, Executive Director of Facilities recommend either of the following procurement methods as having historically provided the best value:

- Competitive Sealed Proposal (CSP) – the district shall follow procedures provided by Government Code 2269.151 and request proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the project.
 - Examples for CSP include renovations and upgrades to Southwood Valley Elementary, Pebble Creek Elementary and Cypress Grove Intermediate School
- Job Order Contract (JOC) – the district shall follow procedures provided by Government Code 2269.405 and may be used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature, but delivery times, type, and quantities of work required are indefinite.
 - Examples for JOC include fencing, concrete work for small slabs and sidewalks, awnings, and flooring installation.

By delegating the authority for the designation of either CSP or JOC as the delivery/contract award method to the Superintendent, the district will be able to expedite the advertisements for proposals as the timeline is developed for the projects.

Amy Drozd
Chief Financial Officer

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Mike Martindale
Superintendent of Schools



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Should a project procurement method other than CSP or JOC be determined to provide the best value, a recommendation will be brought to the Board of Trustees for approval prior to any advertising.

This delegation is for only construction projects and the procurement method only. Equipment that is part of the 2021 Bond Program may utilize other procurement methods allowed under policy CH(LOCAL). Further, any contract for a project that exceeds \$50,000 will be brought to the Board of Trustees as required by policy CV(LOCAL) and CH(LOCAL) along with information on the proposals submitted and the recommendation for award and funding.

Upon review of the 6 available project deliver/contract award methods for construction projects, CSP or JOC is the recommended procurement method for most if not all the construction projects and it is recommended the Board delegate the authority to designate by project either of these methods to the Superintendent.

RECOMMENDATION

It is recommended that the College Station Independent School District Board of Trustees delegate its authority under Government Code Chapter 2269 to the Superintendent to designate the construction contract project delivery/award method for construction projects included in the 2021 Bond Program as either competitive sealed proposal or job order contracting.