



POLICY 1.095

4-B I recommend that the Board adopt the proposed revised Policy 1.095, entitled “Construction Oversight and Review Committee.”

[Contact: Joseph Sanches, PX 47573 and Elizabeth McBride, PX 47673.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on July 27, 2011.
- This revision sets forth, and clarifies practices, structure, function, membership and protocols of the Committee, and modifies the scope of key areas of CORC’s recommendations.
- This policy also clarifies the member appointment procedure and clarifies the role of staff supporting the various committees.
- The proposed policy has been re-drafted to include the governing provisions for all advisory committees as outlined in Board Policy 1.09 (Advisory Committees to the Board); thus, eliminating the provisions from this policy.

POLICY 1.093

CONSTRUCTION OVERSIGHT AND REVIEW COMMITTEE

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3 1. Purpose. The Construction Oversight and Review Committee exists to assist the
4 School Board by oversight and review of, and making recommendations
5 concerning, the work of Facilities Management to build quality schools on time and
6 within budget.

7 2. Advisory Authority; Responsibilities

8 a. Advisory Function. ~~The Construction Oversight and Review Committee~~
9 ~~(CORG) exists to assist the School Board by oversight and review of, and~~
10 ~~making recommendations concerning, the work of Facilities Management to~~
11 ~~build quality schools on time and within budget.~~ The Construction Oversight
12 and Review Committee ~~This committee (CORG) is advisory to the School~~
13 ~~Board and its members shall serve in a voluntary capacity, and will issue~~
14 ~~reports and recommendations to the School Board that may include dissenting~~
15 ~~viewpoints. The reports should indicate whether a recommendation is~~
16 ~~unanimous or what ratio of the CORC membership supports a~~
17 ~~recommendation. Whenever the CORC makes a recommendation on a~~
18 ~~substantive issue to the School Board and that recommendation is not~~
19 ~~unanimous, the CORC should bring the basis for the majority and minority~~
20 ~~positions to the School Board's attention at the same School Board meeting in~~
21 ~~which the recommendation was made. The School Board makes all final~~
22 ~~decisions.~~

23 b. Reporting to Board. In carrying out its advisory role to the Board, CORC will
24 report to the Board as provided for in Board Policy 1.09. Such reporting shall
25 include recommendations to the School Board and may include dissenting
26 viewpoints. The reports should indicate whether a recommendation is
27 unanimous or what ratio of the CORC membership supports a
28 recommendation, and the basis for the majority and minority positions of the
29 committee. ~~The School Board will provide reasonable support for the CORC~~
30 ~~to enable this entity to discharge its responsibilities consistent with School~~
31 ~~Board Policy 1.09, although provisions within this Policy are intended to~~
32 ~~supersede and control over any contrary provisions within Board Policy 1.09.~~

33 c. ~~Consistent with Policy 1.09(1) (f), the CORC charter as set forth herein in this~~
34 ~~Board Policy shall remain in effect until repealed or amended by the School~~
35 ~~Board. Following appropriate procedures for revising or repealing this Policy,~~
36 ~~the School Board may modify or terminate the CORC charter upon~~
37 ~~recommendation of the Superintendent for stated cause. This Policy shall be~~
38 ~~evaluated by the CORC on a biennial basis for possible revisions.~~

39 d. ~~The Superintendent shall designate District Staff to provide administrative~~
40 ~~support to the CORC. This support Staff will be responsible for scheduling~~
41 ~~meetings, taking meeting minutes and maintaining the records of the CORC.~~

42 e. Responsibilities and Mission

43 i. ~~The CORC will hold its regular meetings on a monthly basis. To facilitate~~
44 ~~preparation for the meeting, the agenda and backup materials should be~~
45 ~~available to CORC members a week in advance of each regular meeting.~~
46 ~~If a special meeting of CORC is called, the agenda and backup materials~~
47 ~~should be available upon calling and noticing of the meeting, at least 48~~
48 ~~hours in advance. Special meetings may be called by the CORC Chair.~~

49 3. ~~2.~~ Responsibilities and Mission. The CORC will provide oversight and assistance
50 to the School Board in the continuous, systematic review of facilities management
51 issues and will report its advice and recommendations to the School Board in key
52 areas as they relate to facilities management including:

53 a. Administration and Management

- 54 i. Organizational structure of the facilities program
- 55 ii. Goal setting
- 56 iii. Staffing levels/expertise
- 57 iv. Policies and internal procedures
- 58 v. Project programming, scheduling & information systems
- 59 vi. Standard reporting to the CORC & the School Board
- 60 vii. Compliance with applicable laws, codes, and requirements

61 b. Application of the Planning Process

- 62 i. Site evaluation
- 63 ii. Input from users/interested parties
- 64 iii. Educational Specifications
- 65 iv. Life cycle costs
- 66 v. Five year capital plan
- 67 vi. Justification of Projects

- 68 c. Design Process
- 69 i. Quality assurance for plans and specifications
- 70 ii. Design and Construction Trends
- 71 d. Construction Services
- 72 i. Performance evaluations
- 73 ii. Selection process for architects, engineers, and contractors
- 74 iii. Contract and specification language
- 75 iv. Real Estate transactions
- 76 v. M/WBE and/or SBE policy as it relates to construction
- 77 e. Construction Administration
- 78 i. Construction monitoring/inspection process
- 79 ii. Quality assurance
- 80 iii. Project turnover process
- 81 iv. Post-occupancy facility evaluation
- 82 f. Project Control Services
- 83 i. Project budget/cost monitoring system
- 84 ii. Change order review
- 85 iii. Change order tracking system
- 86 iv. Schedule impact on project cost
- 87 4. ~~3.~~ Committee Membership; Qualifications; Appointments Membership
- 88 Requirements and Procedures
- 89 a. Composition; Qualifications. The CORC membership shall consist of: ~~i.~~
- 90 ~~fourteen (14) voting CORC members (appointed by the School Board, two~~
- 91 ~~appointees per Board member), who are residents of Palm Beach county,~~
- 92 ~~serve in a voluntary capacity, and are not employed by the School District; and~~
- 93 ~~ii. four (4) non-voting, ex-officio members to include two (2) School Board~~
- 94 ~~members, the Superintendent (or designee); and the School Board's Chief~~

95 ~~Counsel (or designee) (solely to provide legal advice).~~

96 The CORC members shall consist of persons who preferably have engaged in
97 (or retired from) commercial or school construction and have (or had) the
98 following credentials:

- 99 i. One (1) Florida Registered Architect (Active or inactive license)
100 ii. One (1) Florida Registered Engineer (Active or inactive license)
101 iii. One (1) Florida Certified General or Building Contractor (Active or inactive
102 license)
103 iv. One (1) Land or Community Planner
104 v. One (1) Florida licensed Real Estate Broker or Construction Manager
105 vi. One (1) Attorney (construction and/or Real Estate law specialist)
106 vii. One (1) Management Information Systems Professional or Construction
107 Project Manager
108 viii. One (1) Cost Accountant, familiar with construction accounting,
109 construction estimator or construction accounting specialist
110 ix. One (1) Construction industry trades person
111 x. One (1) MWBE Representative
112 xi. Four (4) Community Representatives at Large

113 Each committee member, upon appointment, shall be provided this policy and
114 Board Policy 1.09(Advisory Committees to the Board).

115 b. Terms of Appointments. The terms of the 14 voting CORC members shall be
116 as provided in Board Policy 1.09 (Advisory Committees to the Board).
117 ~~consistent with the terms of their respective appointing School Board member,~~
118 ~~or as long as the nominating School Board Member serves, unless the~~
119 ~~nominating School Board member exercises his/her discretion to remove the~~
120 ~~CORC member at any time, as stated in Board Policy 1.09. If a vacancy exists~~
121 ~~as to the position of an appointing School Board member for a particular~~
122 ~~district, the CORC members appointed by that Board member may continue to~~
123 ~~serve as voting members on the CORC until and unless the new School Board~~
124 ~~member for that district decides to remove that CORC member at any time.~~
125 ~~The appointment mechanism shall be consistent with Board Policy 1.09 and~~
126 ~~this Policy.~~

- 127 c. As to appointing ~~nominating~~ new ~~CORC~~ voting members to CORC, the CORC
128 may provide input to the School Board and constitute an appropriate source
129 for the names of potential nominees for membership with the preferred
130 experienced, as set forth in Board Policy 1.09(7).
- 131 ~~b. The terms of ex officio members shall be consistent with their term of service~~
132 ~~in the position which qualified them to serve ex officio on the CORC. The~~
133 ~~School Board, at its Annual Reorganization Meeting or thereafter, will decide~~
134 ~~which two Board members will serve as ex officio committee members.~~
- 135 ~~c. When submitting names of potential appointees to serve on the CORC, School~~
136 ~~Board members are encouraged to take into consideration representation from~~
137 ~~the diverse makeup of the District.~~
- 138 ~~d. The structure of the CORC's voting membership shall consist of persons who~~
139 ~~preferably have engaged in (or retired from) commercial or school construction~~
140 ~~and have (or had) the following credentials:~~
- 141 i. ~~One (1) Florida Registered Architect (Active or inactive license)~~
- 142 ii. ~~One (1) Florida Registered Engineer (Active or inactive license)~~
- 143 iii. ~~One (1) Florida Certified General or Building Contractor (Active or inactive~~
144 ~~license)~~
- 145 iv. ~~One (1) Land or Community Planner~~
- 146 v. ~~One (1) Florida licensed Real Estate Broker or Construction Manager~~
- 147 vi. ~~One (1) Attorney (construction and/or Real Estate law specialist)~~
- 148 vii. ~~One (1) Management Information Systems Professional or Construction~~
149 ~~Project Manager~~
- 150 viii. ~~One (1) Cost Accountant, familiar with construction accounting,~~
151 ~~construction estimator or construction accounting specialist~~
- 152 ix. ~~One (1) Construction industry trades person~~
- 153 x. ~~One (1) M/WBE Representative~~
- 154 xi. ~~Four (4) Community Representatives at Large~~
- 155 e. ~~A quorum shall consist of 40% (rounded to the nearest whole number) of the~~
156 ~~existing voting CORC members.~~
- 157 f. ~~CORC voting members, except ex officio, may be removed should they miss~~

158 ~~three (3) consecutive regular meetings or more than 25% of the meetings~~
159 ~~during the previous 12 months, unless, otherwise determined by the CORC~~
160 ~~Chair to be excused absences for good cause. A periodic report will be made~~
161 ~~to the School Board regarding the attendance of appointed CORC members.~~

162 g. ~~School Board members are encouraged to reappoint existing CORC members~~
163 ~~in order to provide continuity.~~

164 h. ~~The CORC shall annually elect a Chair and Vice Chair from among voting~~
165 ~~CORC members. The elections shall be the last item of business at the~~
166 ~~January meeting, if held, or at the next meeting.~~

167 5. Committee Meetings, Operations, Procedures and Administrative Matters

168 a. Meetings. ~~The CORC will hold its regular meetings on a monthly basis, or as~~
169 ~~otherwise needed, and consistent with the provisions of Board Policy 1.09.~~

170 b. Operations and Procedures. ~~CORC shall conduct its meetings consistent the~~
171 ~~provisions of Board Policy 1.09.~~

172 6. e. **Duration of Charter.** - The CORC's Charter shall remain in effect until repealed
173 or amended by the Board. ~~Following appropriate procedures for revising or~~
174 ~~repealing this Policy, the Board may modify or terminate the Charter upon~~
175 ~~recommendation of the Superintendent with stated cause.~~

176 4. Sunshine and Ethics Guidelines

177 a. ~~Unless contrary to this Policy, all meetings shall be conducted under uniform~~
178 ~~rules of parliamentary procedures within *Robert's Rules of Order Newly*~~
179 ~~*Revised*. All CORC committee and subcommittee meetings are governed by~~
180 ~~the open meetings provisions of Fla. Stat. § 286.011, the Sunshine Law. All~~
181 ~~documents maintained as public records by persons in their capacity as~~
182 ~~CORC members are subject to public disclosure unless exempt under Fla.~~
183 ~~Stat. § 119.071 or other statutes.~~

184 b. ~~CORC voting members and/or their company(ies) in which they may have a~~
185 ~~direct financial interest, shall not do business with or perform work for the~~
186 ~~School Board during the time the person is a CORC member, in accordance~~
187 ~~with Fla. Stat. § 112.313 and pertinent Opinions of the Florida Commission on~~
188 ~~Ethics, as well as School Board Policy 1.09.~~

189 c. ~~Under the following circumstances, committee members may attend meetings~~
190 ~~and participate at meetings through the use of an interactive video and/or~~
191 ~~telephone systems, as long as a quorum of voting committee members are~~
192 ~~present at the meeting. Voting members of the committee may participate and~~
193 ~~vote by the use of electronic media technology to allow an absent member of~~

194 ~~the CORC to attend the meeting, in those instances where the CORC member~~
195 ~~is confined to home or hospital due to illness or accident or in those situations~~
196 ~~where the CORC member's absence is due to a death or serious illness of an~~
197 ~~immediate family member. Any other situations which cause a CORC member~~
198 ~~to be absent from a meeting will require a vote by majority of the CORC,~~
199 ~~based only on extraordinary circumstances as required by law, to allow the~~
200 ~~CORC member to participate by the above referenced technology.~~

201 d. ~~A unanimous vote will be considered if all CORC members voting (not~~
202 ~~abstaining due to potential conflict of interest) audibly vote "yes," show by~~
203 ~~hands a "yes," or all those who are voting and present have indicated a "yes"~~
204 ~~vote on the e-agenda system, or if they remain silent it will also mean consent~~
205 ~~(unless they abstained due to a potential conflict of interest.) However, if a~~
206 ~~CORC member votes "no" on the e-agenda, audibly, or by a show of hands, it~~
207 ~~will then be considered a split vote. If a vote is evenly tied for and against a~~
208 ~~measure, such tie vote shall defeat the measure. For each vote, the CORC~~
209 ~~Chair or acting chair shall announce the vote, and the names of any CORC~~
210 ~~member in dissent, after it is tabulated.~~

211 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(2); 1001.42(25) (23);
212 1001.43(2), (4) & (10)
213 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.32(2); 1001.41(1); 1001.42(9); 1001.43(4) &
214 (10); 119.071; 286.011; 112.313
215 HISTORY: 11/11/02; 8/27/08; ___/___2011

Legal Signoff:

The Legal Department has reviewed proposed Policy 1.093 and finds it legally sufficient for adoption by the Board.

Attorney

Date