



POLICY 1.093

4-C I recommend that the Board adopt the proposed revised Policy 1.093, entitled “Construction Oversight and Review Committee”

[Contact: Joseph Sanches, PX 47573.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on July 9, 2008.
- 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.
- The revision provides procedures for filling vacancies and the nomination of new voting members.
- This revision sets forth a process for members to appear by electronic media and processes for recording Committee votes, which includes the e-agenda program.
- CORC has reviewed and voted to approve the revisions although under paragraph 4(c), line 179, the phrase “extraordinary circumstances as required by law” was added to comply with current Florida law.
- This revision also updates statutory references

POLICY 1.093

CONSTRUCTION OVERSIGHT AND REVIEW COMMITTEE

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2
3 1. Advisory Authority

4 a. The Construction Oversight and Review Committee (CORC) exists ~~consistent~~
5 ~~with Board Policy 1.09, "Advisory Committees to the Board,"~~ to assist the
6 School Board by oversight and review of, and making recommendations
7 concerning, the work of Facilities Management to build quality schools on time
8 and within budget. This committee is advisory to the School Board and will
9 issue reports and recommendations to the School Board that may include
10 dissenting viewpoints. The reports should indicate whether a recommendation
11 is unanimous or what ratio of the CORC membership supports a
12 recommendation. Whenever the CORC makes a recommendation on a
13 substantive issue to the School Board and that recommendation is not
14 unanimous, the CORC should bring the basis for the majority and minority
15 positions to the School Board's attention at the same School Board meeting in
16 which the recommendation was made. The School Board makes all final
17 decisions.

18 b. The School Board will provide reasonable support for the The CORC will
19 ~~reasonably be given support by the School Board to enable this entity to~~
20 ~~discharge its responsibilities, consistent with Board Policy 1.09, although~~
21 ~~provisions within this Policy are intended to supersede and control over any~~
22 ~~contrary provisions within Board Policy 1.09.~~

23 c. Consistent with Policy 1.09(1)(f), the CORC charter as set forth herein in this
24 Board Policy shall remain in effect until repealed or amended by the School
25 Board. Following following appropriate procedures for revising or repealing
26 this Policy, the School Board may modify or terminate the CORC charter upon
27 recommendation of the Superintendent for stated cause. This Policy shall be
28 evaluated by the CORC on a biennial basis for possible revisions.

29 d. ~~The School Board may modify or terminate the CORC charter as set forth in~~
30 ~~this Policy, upon recommendation of the Superintendent for stated cause. This~~
31 ~~Policy shall be evaluated on an annual basis for possible revisions.~~The
32 Superintendent shall designate District Staff to provide administrative support
33 to the CORC. This support Staff will be responsible for scheduling meetings,
34 taking meeting minutes and maintaining the records of the CORC.

35 2. Responsibilities and Mission Responsibilities and Mission

36 a. The CORC will hold its regular meetings on a monthly basis. To facilitate
37 preparation for the meeting, the agenda and backup materials should be

38 available to CORC members a week in advance of each regular meeting. If a
39 special meeting of CORC is called, the agenda and backup materials should
40 be available upon calling and noticing of the meeting, at least 48 hours in
41 advance. Special meetings may be called by the CORC Chair.

42 b. ~~Primary responsibility for the District's facilities management is vested in the~~
43 ~~senior operating management, under the supervision of the Superintendent,~~
44 ~~as overseen by the School Board.~~ The CORC will provide oversight and
45 assistance and will report its advice and recommendations ~~in a high level~~
46 ~~executive summary~~ to the School Board in key areas as they relate to facilities
47 management including:

48 i. Administration and Management

- 49 A. Organizational structure of the facilities program
- 50 B. Goal setting
- 51 C. Staffing levels/expertise
- 52 D. Policies and internal procedures
- 53 E. Project programming, scheduling & information systems
- 54 F. Standard reporting to the CORC & the School Board
- 55 G. Compliance with applicable laws, codes, and requirements

56 ii. Application of the Planning Process

- 57 A. ~~Site selection and evaluation~~
- 58 B. Input from users/interested parties
- 59 C. ~~Translation of educational~~ Educational ~~specifications~~ Specifications
60 ~~to acceptable written building programs~~
- 61 D. Life cycle costs
- 62 E. Five year capital plan
- 63 F. Justification of Projects

64 iii. Design Process

- 65 A. Quality assurance for plans and specifications

- 66 B. ~~Technical review process including standardization~~ Design and
67 Construction Trends
- 68 iv. ~~Contract Services~~ Construction Services
- 69 A. Performance evaluations
- 70 B. Selection process for architects, engineers, and contractors
- 71 C. Contract and specification language
- 72 D. Real Estate transactions
- 73 E. M/WBE and/ or SBE policy as it relates to construction
- 74 v. Construction Administration
- 75 A. Construction monitoring/inspection process
- 76 B. Quality assurance
- 77 C. Project turnover process
- 78 D. Post-occupancy facility evaluation
- 79 vi. Project Control Services
- 80 A. Project budget/cost monitoring system
- 81 B. Change order review
- 82 C. Change order tracking system
- 83 D. Schedule impact on project cost
- 84 E. ~~Best in-class cost benchmarks~~
- 85 3. Membership Requirements and Procedures
- 86 a. The CORC membership shall consist of:
- 87 i. fourteen (14) voting CORC members (appointed by the School Board,
88 two appointees per Board member), who are residents of Palm Beach
89 county, serve in a voluntary capacity, and are not employed by the School
90 District; and
- 91 ii. four (4) non-voting, ex-officio members to include two (2) School Board

92 Mmembers, the Superintendent (or designee); and the School Board's
93 Chief Counsel (or designee) (solely to provide legal advice).

94 b. The terms of the 14 voting CORC members shall be consistent with the terms
95 of their respective appointing School Board M members, ~~up to a maximum of~~
96 ~~eight continuous years per CORC term, or as long as the nominating School~~
97 ~~Board Member serves,~~ unless the nominating School Board member
98 exercises his/her discretion to remove the ~~Committee~~ CORC member at any
99 time, as stated in Board Policy 1.09. If a vacancy exists as to the position of an
100 appointing School Board member for a particular district, the CORC members
101 appointed by that Board member may continue to serve as voting members
102 on the CORC until and unless the new School Board member for that district
103 decides to remove that CORC member at any time. The appointment
104 mechanism shall be consistent with ~~Board Policies and protocol~~ Board Policy
105 1.09 and this Policy.

106 c. The terms of ex-officio members shall be consistent with their term of service
107 in the position which qualified them to serve ex-officio on the CORC. The
108 School Board, at its Annual Reorganization Meeting or thereafter, will decide
109 which two Board members will serve as ex-officio committee members.

110 d. When submitting names of potential appointees to serve on the CORC, School
111 Board members are encouraged to take into consideration representation from
112 the diverse makeup of the District.

113 e. The structure of the CORC's voting membership shall consist of persons who
114 preferably have engaged in (or retired from) commercial or school construction
115 and have (or had) the following credentials:

116 i. One (1) Florida Registered Architect (Active or inactive license)

117 ii. One (1) Florida Registered Engineer (Active or inactive license)

118 iii. One (1) Florida Certified General or Building Contractor (Active or inactive
119 license)

120 iv. One (1) Land or Community Planner

121 v. One (1) Florida licensed Real Estate Broker or Construction Manager

122 vi. One (1) Attorney (construction and/or Real Estate law specialist)

123 vii. One (1) Management Information Systems Professional or Construction
124 Project Manager

125 viii. One (1) Cost Accountant, familiar with construction accounting.

- 126 construction estimator or construction accounting specialist
- 127 ix. One (1) Construction industry trades person
- 128 x. One (1) M/WBE Representative
- 129 xi. Four (4) Community Representatives at Large
- 130 f. As to nominating new CORC voting members, the CORC may provide input to
131 the School Board and constitute an appropriate source for the names of
132 potential nominees for membership with the preferred experienced, as set
133 forth in Board Policy 1.09(7).
- 134 g. A quorum shall consist of 40% (rounded to the nearest whole number) of the
135 existing voting CORC members.
- 136 h. CORC Mmembers, except ex-officio, may be removed should they miss three
137 (3) consecutive regular meetings or more than 25% of the meetings during the
138 previous 12 months, unless, otherwise determined by the CORC Chair to be
139 excused absences for good cause by request of the member, the Chair shall
140 ~~grant compassionate leave owing to persona, business, or familial reasons. A~~
141 ~~quarterly~~ periodic report will be made to the School Board regarding the
142 attendance of appointed CORC members. ~~A quorum shall consist of 40% of~~
143 ~~the existing voting members.~~
- 144 i. ~~CORC voting members existing on the date of this Policy is adopted in 2002~~
145 ~~shall remain as members until reappointed or replaced following the effective~~
146 ~~date of the 2002 School Board elections, when each board member will make~~
147 ~~appointments. Consistent with the term limits stated in Section (3)(b), above,~~
148 ~~Board members are encouraged to reappoint existing CORC members in~~
149 ~~order to provide for continuity. School Board members are encouraged to~~
150 reappoint existing CORC members in order to provide continuity.
- 151 j. The CORC shall annually elect a Chair and Vice Chair from among the
152 ~~fourteen~~ voting CORC members, ~~by January, 2003, and annually thereafter as~~
153 ~~needed. The elections shall be the last item of business at the January~~
154 meeting, if held, or at the next meeting.
- 155 4. Sunshine and Ethics Guidelines
- 156 a. Unless contrary to this Policy, all All meetings shall be conducted under
157 uniform rules of parliamentary procedures ~~such as~~ within *Robert's Rules of*
158 *Order Newly Revised*. All CORC committee and subcommittee meetings are
159 governed by the open-meetings provisions of Fla. Stat. § 286.011, the
160 Sunshine Law. All documents maintained as public records by persons in
161 their capacity as CORC members are subject to public disclosure unless

- 162 exempt under Fla. Stat. Chapter §119.071 or related other statutes.
- 163 b. Committee CORC voting members and/or their company(ies) in which they
164 may have a direct financial interest, shall not do business with or perform work
165 for the School Board during the time the person is a CORC member members'
166 term, in accordance with Fla. Stat. §112.313 and pertinent Opinions of the
167 Florida Commission on Ethics, as well as School Board Policy 1.09.
- 168 c. Under the following circumstances, committee members may attend meetings
169 and participate at meetings through the use of an interactive video and/or
170 telephone systems, as long as a quorum of voting committee members are
171 present at the meeting. Voting members of the committee may participate
172 and vote by the use of electronic media technology to allow an absent member
173 of the CORC to attend the meeting, in those instances where the CORC
174 member is confined to home or hospital due to illness or accident or in those
175 situations where the CORC member's absence is due to a death or serious
176 illness of an immediate family member. Any other situations which cause a
177 CORC member to be absent from a meeting will require a vote by majority of
178 the CORC, based only on extraordinary circumstances as required by law, to
179 allow the CORC member to participate by the above referenced technology.
- 180 d. A unanimous vote will be considered if all CORC members voting (not
181 abstaining due to potential conflict of interest) audibly vote "yes," show by
182 hands a "yes," or all those who are voting and present have indicated a "yes"
183 vote on the e-agenda system, or if they remain silent it will also mean consent
184 (unless they abstained due to a potential conflict of interest.) However, if a
185 CORC member votes "no" on the e-agenda, audibly, or by a show of hands, it
186 will then be considered a split vote. If a vote is evenly tied for and against a
187 measure, such tie vote shall defeat the measure. For each vote, the CORC
188 Chair or acting chair shall announce the vote, and the names of any CORC
189 member in dissent, after it is tabulated.

190 STATUTORY AUTHORITY: Fla. Stat. §§ ~~230.22(2); 230.22; 230.23005(2), (4)~~
191 1001.32(2); 1001.41(2); 1001.42(23); 1001.43(2), (4) & (10)
192 LAWS IMPLEMENTED: Fla. Stat. §§ ~~230.22(1); 230.23(9); 230.23005(4), (10);~~
193 1001.32(2); 1001.41(1); 1001.42(9); 1001.43(4) & (10); 119.071; 286.011; 112.313
194 HISTORY: 11/11/02; / /08

Legal Signoff:

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

Attorney

Date