

MEMORANDUM No. 3

TO: Kentucky School Architects

FROM: Timothy K. Lucas
Planning Branch Manager, Division of Facilities Management

DATE: March 9, 2009

RE: School Project Submission Procedures

In our administration of school projects, submissions are being sent from a variety of people from superintendents and Construction Managers to Architects. In addition, the experience of these individuals and their familiarity with our procedures vary widely. Herein we will outline the items to be submitted to our office and when they are to be submitted.

The following procedural steps should be followed by the local school district and their consultants in initiating and carrying out a school construction project. Each step completed will be acknowledged, in writing, by the Kentucky Department of Education and authorization given to proceed to the next step. Reference 702 KAR 4:160 for all required KDE contracts and forms.

GENERAL

- Districts and design professionals shall use the KDE approved versions of American Institute of Architects Documents as outlined in 702 KAR 4:160.
- Direct the architects to provide a written response to our review comments (some do and some don't). Also I suggest that we add a line under our comments in our review letters directing the superintendent to "Please have the architect write us promptly to confirm compliance with the above. "

SITE SELECTION

- For projects to be construction on a new site or if property is to be considered for purchase; submit a written request for site inspection, **accompanied by a board order**.
 - Submit documentation required by Site Selection Process.
 - Submit for approval a copy of the executed notarized Deed and a copy of the Title Insurance Certificate.

CONSTRUCTION PROJECT INTIATION

1. Submit for approval a BG-1, project application in accordance with the current facility plan, **accompanied by a board order**.
2. For projects with a construction budget greater than \$1,000,000, submit verification that the Architect/Engineer was selected in compliance with 702 KAR 4:160, **accompanied by a board order**.
3. Submit Design Professional Contract, **accompanied by a board order**
 - a. Proposed Contract (AIA) for approval
 - b. Executed Contract (AIA), **once KDE approval letter for Proposed Contract is received**
 - c. Professional Liability Insurance Certificate
4. For projects utilizing a Construction Manager with a construction budget greater than \$1,000,000, submit verification that the Construction Manager was selected in compliance with 702 KAR 4:160, **accompanied by a board order**.
5. Submit Construction Management Contract, **accompanied by a board order**
 - a. Proposed CM Contract (AIA) for approval
 - b. Executed CM Contract (AIA), **once KDE approval letter for Proposed Contract is received**
 - c. Performance Bond and Payment Bond (AIA)
 - d. Professional Liability Insurance Certificate

6. If Emergency Project, submit a copy of the Board Order with a BG-1 Application, May 1993, then proceed with normal submittal process, **accompanied by a board order.**
7. KDE will provide a written review of the BG-1, Contracts and other documents noted above. **Do not proceed with the subsequent phases of the project without an approval letter to proceed.**
 - a. Once the approval letter is received and a BG# is assigned, **reference the BG# clearly on all correspondence and documents (letters, transmittals, plans and specifications, etc.)**

SCHEMATIC DESIGN

1. When all items noted under CONSTRUCTION PROJECT INTIATION are approved **in writing from KDE**, submit the following:
2. Submit Program/Educational Specifications.
3. Submit for approval Schematic Plans. Schedule review meeting with Division of Facilities Management staff, **accompanied by a board order.**
 - a. Site Development Plan showing building placement, site features, access, parking etc.
 - b. Small-scale building plans showing room layout, room titles and sizes, windows and door openings.
 - c. Small-scale building elevations showing fenestration and materials.
4. KDE will provide a written review of the Schematic Design. **The design team shall provide a written response addressing each item noted in the Schematic Design review letter before proceeding with Design Development.**

DESIGN DEVELOPMENT

1. When all items noted under SCHEMATIC DESIGN are approved **in writing from KDE**, submit the following:
2. Submit for approval Design Development Plans. Schedule review meeting with Division of Facilities Management staff, **accompanied by a board order.**
 - a. Site Development Plan showing building placement, site features, access, parking developed in greater detail than in Schematic Design.
 - b. 1/8"-scale building plans showing room layout, room titles and sizes, windows, door openings, casework.
 - c. Building sections showing materials, structure bearing, etc.
 - d. 1/8"-scale building elevations showing fenestration and materials.
 - e. 1/4" enlarged plans for special areas such as; Media Center, Kitchen, Toilets, Special Ed. Self-Contained, Science Rooms and Labs, Technology and Vocational Spaces.
3. BG-2, May 1993 (Outline Specifications) , **accompanied by a board order**
4. BG-3, May 1993 (Estimate of Probable Construction Cost) , **accompanied by a board order**
5. Obtain approval of KETS Building & Wiring Checklist.
6. KDE will provide a written review of the Design Development. **The design team shall provide a written response addressing each item noted in the Design Development review letter before proceeding with Contract Documents.**

CONTRACT DOCUMENTS

1. When all items noted under DESIGN DEVELOPMENT are approved **in writing from KDE**, submit the following:
2. Submit the Completed Plans and performance or bid Specifications (Construction Documents) for approval prior to advertising for bids, **accompanied by a board order.**
 - a. Submit the actual Contract Documents to be reviewed by the Contractors and place KDE Facilities Management on the bid list to allow this office to receive project correspondence and amendments in the same timely manner as the Contractors.
 - b. Do not submit drawings developed for review only.
3. Submit a BG-3, May 1993 (Estimate of Probable Construction Cost), **accompanied by a board order.**
4. Submit copy of the letter transmitting final plans and specifications to the Department of Housing, Building & Construction or local building code authority having jurisdiction over the project.
5. Submit copy of review and approval letters from other regulatory agencies having jurisdiction over the project, i.e., Department of Highways, Department of Natural Resources, etc.

6. Submit for approval all addenda to the completed plans & specifications.
7. KDE will provide a written review of the Contract Documents. **Do not advertise for bids without written approval from KDE.**
8. Advertise for bids.
9. **The design team shall provide a written response addressing each item noted in the Contract Document review letter and outlining how each item has been addressed before proceeding with bid opening.**

BIDDING AND NEGOTIATIONS

1. After receipt of bids, submit the following:
 - a. Tabulation of Bids
 - b. Proposed Construction Contract (AIA Owner-Contractor Agreement) with the successful bidder.
 - c. Revised BG-1, May 1993, (Page 3), conforming to the bond sale and construction contract amount.
 - d. Form of Proposal and Bid Security of the low bidder.
 - e. Purchase Order Authorization Forms and Proposed Purchase Orders
 - f. Documents (14a, b, c, d) must be received 10 working days prior to the sale of bonds.
2. When above are approved **in writing from KDE**, submit the following:
 - a. Executed AIA Owner-Contractor Agreement with the successful bidder, **accompanied by a board order**
 - b. Contractor's Performance and Payment Bonds (AIA)
 - c. Contractor's Certificate of Insurance
 - d. Copy of all Purchase Orders (Construction Management or GC Direct Purchase Projects)
 - e. Executed letters of Authorization from Material Suppliers (Construction Management or GC Direct Purchase Projects)
 - f. Submit invoice(s) for direct purchase of services and/or materials.
3. KDE will provide a written review of the bid submittals. **Do not proceed with the bond sale until all items noted in the KDE review letter have been resolved.**

CONTRACT ADMINISTRATION

1. Submit for approval all change orders for changes in construction contracts.
 - a. Proposed change orders increasing or decreasing the contract by a minimum of \$5,000 shall be approved by the Division of Facilities Management prior to execution.
 - b. KDE Change Order Supplemental Information Form, Board Order, and contractor's itemized quotation shall accompany all change orders, **accompanied by a board order.**

PROJECT CLOSE-OUT

1. Request the Division of Facilities Management to schedule a final inspection when the local board receives the completed BG-4, May 1993, from the Architect/Engineer.
2. Submit completed Inventory Forms A and B.
3. Submit for approval the BG-4, May 1993, signed by a representative of the local Board of Education upon completion of the punchlist items and/or contract with Board Order confirming acceptance of project for final payment, **accompanied by a board order.**

If you have any questions, please do not hesitate to contact me at 502-564-4326.