

Procurement of Construction: Construction Requirements

Pre-construction Requirements—

- 1) Before any District construction project begins, the District shall obtain a construction project number from the Utah State Office of Education and complete and submit construction project identification forms provided by the Utah State Office of Education for all projects which exceed \$99,999 in cost.
- 2) All District plans and specifications shall be approved by a certified plans examiner before any District construction project begins.
- 3) Prior to developing plans and specifications for a new public school, or the expansion of an existing public school, the District shall coordinate with affected local government land use authorities and utility providers to:
 - a) ensure that the siting or expansion of a school in the intended location will comply with applicable local general plans and land use laws and will not conflict with entitled land uses;
 - b) ensure that all local government services and utilities required by the school construction activities can be provided in a logical and cost-effective manner;
 - c) avoid or mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future roadways;
 - d) maximize school, student and site safety.
- 4) Prior to developing plans and specifications for a new public school, or the expansion of an existing school, the District shall coordinate with local health departments and the State Fire Marshal.
- 5) The District shall maintain documentation for audit purposes of coordination, meetings, and agreements.

*Utah Code § 10-9a-305(5) (2011), § 17-27a-305(5) (2011)
Utah Admin. Rules R277-471-3, -4 (July 8, 2008)*

School District Building Official—

The Board shall appoint a School District Building Official (SDBO) who has direct administrative and operational control of all construction, renovation, and inspection of the District's facilities and shall provide in writing the name of the SDBO to the Utah State Office of Education. The SDBO and other District personnel shall act consistent with the Utah State Office of Education Resource Manual on school building construction and inspections.

The SDBO shall:

- 1) Monitor school district building construction to ensure compliance with the applicable provisions of the Code, including all statutes and administrative rules which control the construction, renovation, and inspection of Utah public school buildings.
- 2) Render interpretations of the Code for the District. Such interpretations shall be in conformance with the intent and purpose of the Code.

For all District projects that exceed \$99,999, the SDBO shall:

- 1) submit inspection summary reports monthly to the Utah State Office of Education;
- 2) submit inspection summary reports monthly to the appropriate local government entity building official;
- 3) submit inspection certificates to the Utah State Office of Education and appropriate local government entity building official;
- 4) maintain all submitted documentation at a designated school district location for auditing or monitoring;
- 5) identify in the monthly summary reports and provide to the Utah State Office of Education and local government entity building official the total number of inspections with the name, state license number, and disciplines of each inspector performing the building inspections;
- 6) ensure that each inspector is adequately and appropriately credentialed;
- 7) sign the final certificate of inspection and verification form, certifying all inspections were completed in compliance with the law and this rule;
- 8) send the final inspection certification and inspection verification certifying that all inspections were completed in accordance with the Code to the Utah State Office of Education and to the appropriate local government entity building official upon completion of the project; and
- 9) provide, on a monthly basis during construction, a copy of each inspection certificate and a monthly inspection summary regarding the school building to the Superintendent and to the appropriate local governmental entity building official where the building is located.

Utah Code § 10-9a-305(7) (2011), § 17-27a-305(7) (2011)
Utah Admin. Rules R277-471-3, -6 (July 8, 2008)

Construction Inspection—

The District may employ one of three methods for school construction inspection:

- 1) an independent, properly licensed and certified building inspector;

- a) The independent building inspector shall:
 - i) not be an employee of the architect, contractor or any subcontractor on the project;
 - ii) be approved by the applicable local government or school district building inspector; and
 - iii) be properly licensed and certified to perform all of the inspections that the inspector is required to perform.
- 2) a properly licensed and certified building inspector, employed by the school district; or
- 3) a properly licensed and certified building inspector approved by the local jurisdiction in which the construction activity occurs.

Utah Code § 10-9a-305(7) (2011), § 17-27a-305(7) (2011)
Utah Admin. Rules R277-471-6 (July 8, 2008)

Permanent Occupancy Certificate—

The District shall seek a certificate authorizing permanent occupancy of the school building from the State Superintendent of Public Instruction. The District may issue its own certificate authorizing permanent occupancy of a school building if it used a building inspector employed by the public school district for inspection of the school building.

Upon the District's filing of the certificate of inspection verification and requesting the issuance of a certificate authorizing permanent occupancy of the school building with the Utah State Office of Education, the District shall be entitled to temporary occupancy of the school building for a period up to ninety (90) days, beginning on the date the request is filed, if the District has complied with all applicable fire and life safety code requirements.

A certificate authorizing permanent occupancy issued by the State Superintendent of Public Instruction shall be considered to satisfy any municipal or county requirement(s) for an inspection or a certification of occupancy.

Utah Code § 10-9a-305(8)(e) (2011), § 17-27a-305(8)(e) (2011)
Utah Admin. Rules R277-471-6 (July 8, 2008)

Municipality and County Requirements—

A municipality or county may, at its discretion, schedule a time with District officials to:

- 1) provide a walk-through of school construction at no cost and at a time convenient to the school district or charter school; and

- 2) provide recommendations based on the walk-through.

A municipality or county may **not**:

- 1) require the District to landscape, fence, make aesthetic improvements, use specific construction methods or materials, impose requirements for buildings used only for educational purposes, or place limitations prohibiting the use of temporary classroom facilities on school property. All temporary classroom facilities shall be properly inspected to meet the Code;
- 2) require the District to participate in the cost of any roadway or sidewalk, or a study of the impact of a school on a roadway or sidewalk, that is not reasonably necessary for the safety of school children and not located on or contiguous to school property, unless the roadway or sidewalk is required to connect an otherwise isolated public school or an existing roadway;
- 3) require the District to pay fees not authorized under 10-9a-305 or 17-27a-305;
- 4) require inspection of school construction or assess a fee or other charges for inspection, unless the District is unable to provide for inspection by properly licensed and certified inspectors, other than the project architect, contractor or subcontractors;
- 5) require the District to pay any impact fee for an improvement project unless the impact fee is imposed pursuant to the Impact Fees Act;
- 6) impose regulations upon the location of a public school project except as necessary to avoid unreasonable risks to health or safety of students; or
- 7) for a use or structure that is a support facility rather than an educational facility, impose a regulation that is not imposed on similar uses or structures in the same zone, or a regulation that uses the tax exempt status of the District as a criterion for regulating the use or the location of the structure.

*Utah Code § 10-9a-305(4), (6) (2011), § 17-27a-305(4), (6) (2011)
Utah Admin. Rules R277-471-6 (July 8, 2008)*