

Processes and Protocols for
**Community Funded
Facilities Projects**

Our mission: *Every Student Succeeds*

All information can also be found at <https://www.acps.k12.va.us/Page/1987>



Alexandria City Public Schools (ACPS) appreciates the willingness of businesses, groups, organizations and other entities and persons in our community to contribute some or all of the funding, goods, services, and the like to various capital projects. The basic process for every community funded project is the same, although each may have subtle differences. As a public entity, ACPS has significant public policy considerations including compliance with all requirements under Virginia Law and the Virginia Public Procurement Act (VPPA). Below is an outline of the process and a list of frequently asked questions to guide potential community partners through the process of initiating a community funded project for the benefit of ACPS and its students. Attached at the end of this document is the ACPS Board of Education Policy FB (Facilities Planning and Community Funded Facilities Projects) and FB-R (Regulations For Community Funded Capital Projects).

What constitutes a community funded facilities project?

A community funded facilities project is any project that is proposed to enhance school facilities and is at least partially funded by the community. This can be broken down into three types of projects:

- A project exceeding \$10,000 in costs that requires inclusion in the Capital Improvement Plan (CIP)
- A project with an estimated cost of less than \$10,000 that may require inclusion into an Operating Budget
- A project with an estimated cost of less than \$10,000 that is classified as a minor beautification project

Does my project need to be included in the Capital Improvement Plan?

A Capital Improvement Plan project (CIP), as defined by ACPS, is a new construction, expansion, renovation, or replacement project for an existing facility or facilities that adds \$10,000 or more to an existing asset or extends its life. Project costs can include the cost of land, construction, engineering, architectural planning and other services needed to complete the project. The CIP includes projects such as playground improvements, landscaping, the installation of elevators, roofing replacements and provisions for long term maintenance of these projects.

If the project has been previously recommended by ACPS staff, it may be already part of the ACPS 10-year plan. However, if it is a new idea, it will need to be assessed by ACPS staff before it is included in the CIP. A list of those approved CIP programs can be found on the ACPS website at: <https://www.acpsk12.vaus/cms/lib/VA01918616/Centricity/Domain/803/cip/cip2016.pdf>

The CIP prioritizes ACPS projects over a 10 year period and ensures that all projects are in line with the needs of the school division and have sufficient funding to both implement and maintain the project.

What happens if my project is less than \$10,000?

If the total cost of the project, including contract services, is less than \$10,000, then it is an item that does not need to be included in the CIP budget. However, the project is still subject to the approval of ACPS and the ACPS School Board and has to comply with requirements for proposing community funded facilities projects.

Are minor beautification projects required to comply with the process and protocols outlined here?

Minor beautification projects are exempt from the process outlined in these protocols. They only need the approval of the principal in order to be implemented at a school or on school grounds. Minor beautification projects include anything that does not alter the fabric of the building or constitute a major change to the building. Beautification projects are projects that present no liability to the school or ACPS. These include, but are not limited to:

- Plantings
- Creation of vegetable gardens
- Addition of interior furniture
- Cleaning or sorting out a specific area
- Mowing a courtyard that is not covered by the City/Schools mowing contract

Beautification projects DO NOT include painting. Painting projects need to be approved by both the principal and the ACPS Chief Operating Officer prior to execution.

How do I go about getting ACPS to support my project?

All community funded projects that are part of ACPS have to go through an assessment and procurement process. All projects over \$10,000 and projects that are only partially funded will have to go through the ACPS School Board before they can be implemented. Ultimately, the School Board can decide which projects it wishes to implement.

What are the criteria to get a project/idea considered?

Prior to consideration by the School Board, ACPS staff will review the suitability of the idea or project using the criteria below:

- Does the staff have the capacity to engage in the work required?
- Can the project be maintained in the future? Is there long-term commitment to the project?
- Is the project aligned with the ACPS Strategic Plan?
- Does the project fit capital commitments reflected in the ACPS CIP?
- Does the project follow Virginia State guidelines?
- Does the project comply with Alexandria City code?
- Is the project budget a realistic assessment of the actual costs that will be incurred?

Ready with an idea or offer of funding? Steps to begin the process.

1. Read completely through this document and the ACPS Facilities Planning and Community Funded Facilities Projects Policy and Regulations (FB and FB-R).
2. Discuss the suitability of the project idea with the principal of the school. If it is division wide, please discuss with the Director of School, Business and Community Partnerships.
3. Complete the proposal questionnaire found at the end of this document to the best of your ability.

The proposal questionnaire covers the following items:

- A description of the purpose, nature, scope of work and relevant history of the project.
- Information about the entities involved and their respective roles.
- A description of reasonably foreseeable impacts on the community.
- Details of schedule durations and timing for performance and completion.
- Details of anticipated cost, funding requirements, contributions from providers and on expected contributions or costs to be borne by ACPS or any other person or entity.
- Technical details about the project, to the extent that they exist, including estimates, design, specifications, test results, assessments, plans, functionality, service/maintenance requirements, life expectancy and other information that ACPSA would need to make a fully informed technical decision.
- Details of factors most critical for success.
- Other information ACPS would reasonably be expected to want in deciding whether or not to authorize and proceed with the proposed community funded facilities project.

What happens next?

The ACPS Facilities Department will review all of the proposed projects. This review shall include:

- Eligibility of the project for funding from the State, City or other sources.
- Compliance with safety, security, school operations and regulatory policies and standards.
- Impact on risk management.
- An assessment as to whether there is enough information to allow for a preliminary review or permit submission with the Alexandria City Department of Code Administration.
- Consistency of compliance with expected standards followed for other ACPS projects of similar scope.
- Impact on the maintenance budget for preventive maintenance.
- Validation of cost estimates to confirm the budget authority required for ACPS to move forward with the project.
- Cost estimates must include a mandatory 10% contingency line item.
- Impact of the project on the implementation of city supported programs.
- Impact on students and the community.
- Impact on student enrollment capacity at the school.
- An assessment as to whether the project complies with all applicable codes, statutes, and regulations relating to the project scope, including building codes, health and safety codes, permit requirements, and licensing requirements for doing business in the Commonwealth and City of Alexandria.

The Chief Technology Officer will also review the proposal for:

- Compatibility with technology systems and may reject any project if the technology being supplied does not meet network protocols or instructional technology standards, or if there is limited personnel capacity to support the desired technology.

The Chief Financial Officer will also review the proposal to:

- Determine the availability of the proposed funding and may reject any project because of inadequate funding.
- Forward all agreements and documents to legal counsel for evaluation and review for legal sufficiency. The documentation shall include the scope of work, funding mechanism, contract (s), and assurance for indemnification of the School Board and any ACPS officers.

If I have the full funding for my project, will it definitely get accepted?

Funding in itself is not a guarantee that the project will be accepted for implementation. All projects have to be weighed against other on-going or prospective projects. ACPS also needs to consider maintenance costs going forward and the impact of the project on ACPS staff or the school.

How long will it take to get approval from the School Board for my project?

There is a window each year in which all projects that are required to be part of the CIP or Operating Budget get vetted against all other items/projects up for consideration. Projects submitted by the end of June may be evaluated for consideration in the next budget cycle. This is dependent on the scale and scope of the project. It could potentially be one to two years before a project is added to the ACPS Operating Budget for approval. It is the decision of the Alexandria City School Board to decide whether to approve projects included in the CIP or Operating Budget.

Am I responsible for additional costs if the nature of the project changes?

ACPS is entitled to make changes to the project. However, the community partner is not responsible for any increased costs or time associated with changes, provided that ACPS put forward the changes.

What are the requirements for the project to get School Board approval?

Usually, the project has two requirements before it can be submitted by the Superintendent to the School Board for approval:

- Completion of a comprehensive project plan
- A detailed budget plan

There may be further requirements set by ACPS staff before the project is submitted to the School Board. Submission to the School Board is not a guarantee of approval.

Do I need to be a business or organization in good standing?

All businesses and organizations that work with ACPS have to be in good standing and follow criteria set out by the ACPS Procurement Office and the State Corporate Commission.

ACPS has to be able to identify the source of funding and will require a list of the names of all donors and the amounts donated. ACPS also has to be able to account for how the money was raised.

Are individuals allowed to enter into agreements with ACPS?

ACPS strongly encourages individuals to partner with PTAs or other non-profit organizations in the school community. However, if they wish to donate funds as individuals, they must follow the ACPS Donations Policy and Regulations. Those policies and regulations can be found at the following links:

Public Donations To The Schools:

<https://www.acps.k12.va.us/cms/lib/VA01918616/Centricity/Shared/documents/school-board-policies/kh.pdf>

Regulations for Public Donations To The Schools:

<https://www.acps.k12.va.us/cms/lib/VA01918616/Centricity/Shared/documents/school-board-policies/KH-R.pdf>

Who manages the project once it has been approved?

Once approved as a CIP project, ACPS manages the process for the implementation of the project.

Who manages the money for a project once the project has been approved?

ACPS will manage the money for the project once the partnership agreement has been executed, under a Memorandum of Understanding. All funds raised for the project by the community partner have to be submitted to ACPS in full before the procurement process for a project can start. Contributions become the property of ACPS and will be considered the funding first used for the project. All funds contributed to ACPS for this project must be unrestricted, free and clear of any constraints. ACPS will retain any funds that remain if the project is completed under budget. All contributions should come in the form of a single check made payable to Alexandria City Public Schools.

How soon after approval can work start on the project?

ACPS requires that all funds for the entire scope of the project are received and a partnership agreement is executed prior to the initiation of the procurement process. The time frame for each project will vary depending on completion of the procurement process.

What happens if the cost of the project exceeds available funding?

It is possible to reduce the scope of the project prior to starting the procurement process. This reduced scope then becomes the project.

ACPS will not begin the procurement for a project until all funds are available for the entire project. Once the bid has been issued, no further changes to the scope or budget are permitted. ACPS will not fund part of a project in lieu of the funders eventually raising the rest of the required funds.

Can I accept offers from contractors to do the work at a discount?

ACPS is not permitted to use contractors without going through a competitive solicitation process. All awards for the work shall be done through the ACPS procurement process.

Can I accept grants?

Grant funding will not be accepted, unless the grantor awards all funds directly to ACPS. ACPS reserves the right to reject the offer of any grant funding.

When will the project be complete?

ACPS will work with the community partners to provide a timeline that will be a guideline for completion of the work. Timelines will vary depending on the scope and complexity of the project.

Who owns the project once it is complete?

ACPS.

Can the completed project be named for the vendor?

The naming of any project in recognition of a donor and/or in tribute to a person or organization has to be approved by the Alexandria City School Board, in accordance with School Board Policy FF. This also includes any recognition of donors for items such as plaques, dedication bricks, written programs, etc.

What kind of promotion will the project get in the media?

ACPS Office of Communications and Public Relations reserves the right to promote the project in local media, national media and on social media throughout the process and upon completion. ACPS has complete discretion as to how projects are promoted across all media outlets.

OUTLINE OF STEPS:

1. Potential community partner requests a Community Funded Projects Information Packet.
2. Potential community partner submits the proposal to the school principal or to the Office of School, Business and Community Partnerships.
3. ACPS staff reviews the project idea.
4. Staff designee contacts the community partner representative with a decision regarding sensibility of project and next steps if the project moves forward.
5. ACPS and community partner establishes requirements needed to proceed with School Board approval.
6. Potential community partner decides with ACPS facilities staff when to add the project to the CIP.
7. Superintendent presents his/her recommendation to the School Board.
8. Partner transfers all funding for the project into ACPS accounts.
9. Partner completes a partnership agreement with ACPS.
10. ACPS bids the project out.

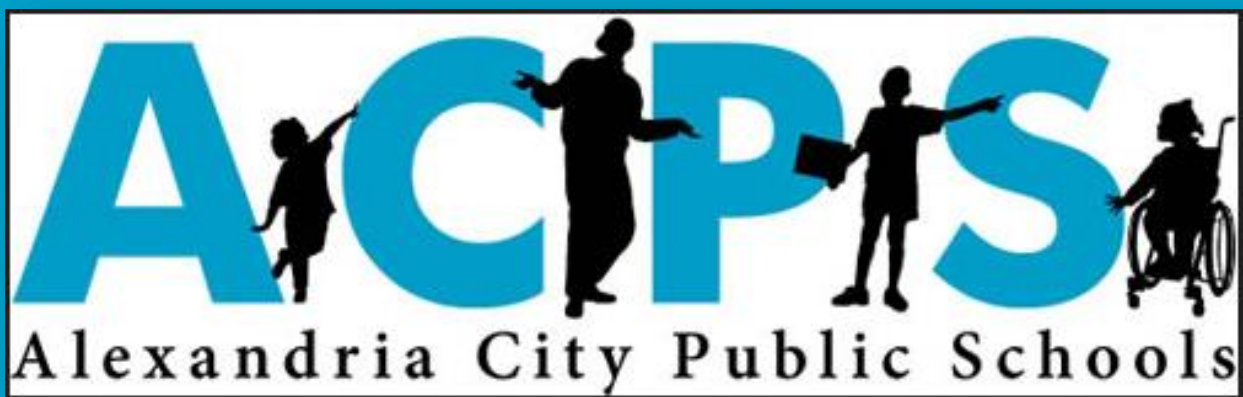
ACPS manages, leads and oversees the project through completion.

Alexandria City Public Schools

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Processes and Protocols for

Community Funded Facilities Projects Proposal Questionnaire



Our mission: *Every Student Succeeds*

Alexandria City Public Schools (ACPS) appreciates the willingness of businesses, groups, organizations and other entities and persons in our community to contribute some or all of the funding, goods, services, and the like to various capital projects. The basic process for every community funded project is the same, although each project may have subtle differences. As a public entity, ACPS has significant public policy considerations including compliance with all requirements under Virginia Law and the Virginia Public Procurement Act (VPPA). This proposal questionnaire is an important piece of the process. Fill in as much information as possible and submit to the principal of the school or to the Office of School, Business and Community Partnerships. Please feel free to attach answers on a separate sheet if more space is needed.

Date:

Name:

Business Name/Organization Name (If Applicable):

Address:

City:

State:

Zipcode:

Email Address:

Phone Number:

-
1. Please describe the purpose and nature of the project.

2. Please describe the scope of work and relevant history of the project.

3. Please provide any information about the entities involved and their respective roles.

4. Please describe any reasonable foreseeable impacts on the community.

5. Please provide details of schedule durations and timing for performance and completion.

6. Please provide details of anticipated cost, funding requirements, contributions from providers and on expected contributions or costs to be borne by ACPS or other person or entity.

7. Technical details about the project, to the extent in which they exist. This could include estimates, design, specification, test results, assessments, plans, functionality, service/maintenance requirements, life expectancy and other information.

8. Details of factors you feel are most critical for success.

9. Other information that ACPS would reasonably be expected to want in deciding whether or not to authorize and proceed with the project.

**FACILITIES PLANNING AND COMMUNITY FUNDED
FACILITIES PROJECTS**

The School Board is responsible for the regular operation and orderly development of all school facilities. The Board will oversee short and long-range facilities planning.

The Superintendent shall present to the School Board annually a ten-year Capital Improvement Program (CIP) which will include recommendations regarding timing, location, costs, and savings associated with:

- (1) New building requirements;
- (2) Modernization of existing school facilities; and
- (3) Implementation of community funded capital projects

The school staff and the community, including school PTA(s) and PTSA(s), shall have the opportunity to participate in a broad public engagement process, including public hearings, during the development of the CIP.

In the development of buildings that are new or undergoing modernization, the school division shall use approved Educational Specifications. The input and viewpoints of teachers, students, and the community shall also be considered. The committee will present to the Superintendent its recommendations for facilities utilization, development and closure.

ACPS appreciates the willingness of businesses, groups, organizations, and other entities and community members to contribute some or all of the funding, goods, services, etc. to various capital projects. Regulation FB-R has been developed to effectuate ACPS's public policy considerations for community funded facilities projects, whether funded wholly or partially. It establishes the procedures for processing requests by individuals, parents, community groups, private organizations, and private businesses.

Recommendations to the School Board will be supported by data that supports the feasibility and need for construction, modernization, or a community funded capital project.

The Board shall hold a public hearing prior to the adoption of the proposed Capital Improvement Program. Notice of the time and place for public hearings on the CIP must be published at least ten days in advance, in a newspaper having general circulation within the school division.

Ten-year enrollment projections will be prepared under the direction of the Superintendent and will be reviewed by the School Board annually.

Adopted: October 24, 1996
Amended: April 20, 2006
Amended: July 2, 2012
Amended: March 10, 2016
Amended: June 23, 2016

Legal Ref.: Code of Virginia, 1950, as amended, §§ [22.1-78](#), [22.1-79\(3\)](#), and [22.1-92](#)

Cross Refs.: BBA School Board Powers and Duties
DB Annual Budget
FB-R Regulations for Community Funded Capital Projects
FEA Educational Facilities Specifications
KQ Commercial, Promotional, and Corporate Sponsorships and Community Partnerships

REGULATIONS FOR COMMUNITY FUNDED CAPITAL PROJECTS

1. **Scope of These Regulations:** ACPS appreciates the willingness of businesses, groups, organizations, and other entities and persons (“Providers”) in our community to contribute some or all of the funding, goods, services, and the like to various capital projects (“Community-Funded Capital Projects”). These Regulations for Community-Funded Capital Projects (“Regulations”) have been implemented to effectuate ACPS’s public policy considerations as described generally herein and pertain only to Community-Funded Capital Projects, whether funded wholly or partially. These guidelines shall be the established procedure for processing requests by individuals, parents, community groups, private organizations, or private businesses. For purposes of these Regulations, a “capital project” (“Project”) is defined as the construction, replacement, or improvement of physical infrastructure, buildings, land, or other assets. The Project cost must be at least \$10,000 and must increase the value and/or expected useful life of the underlying asset. Other costs associated with a Project include, but are not limited to, project management, architectural and engineering fees, and site testing and development.

2. **ACPS Public Policy Considerations:** Providers must recognize that ACPS is a public entity, having significant public policy considerations with regard to Community-Funded Capital Projects, including, without limitation: compliance with all requirements under Virginia law; the general objectives and requirements underlying the Virginia Public Procurement Act (“VPPA”); other applicable procurement regulations; and the overarching objectives to fulfill its mission to educate the students of this school division.

3. **ACPS-Provider Agreement:** ACPS and Provider shall enter into a written agreement for any Community-Funded Capital Projects. ACPS and Provider shall enter into a Memorandum of Understanding/Agreement (MOU/MOA), which will delineate the scope of the project, responsibilities of each party, data sharing authority, timeline, and length of agreement. The ACPS-Provider Agreement shall incorporate and be consistent with these Regulations. In the event of any conflict, these Regulations shall control.

4. **Compliance with Applicable Laws and Codes:** Provider shall comply with all applicable codes, statutes, and regulations relating to the Project scope, including, without limitation, building codes, health and safety codes, permit requirements, and licensing requirements for doing business in the Commonwealth and the City of Alexandria.

5. **Provider Shall Submit to the School Principal a Fully Proposed Project:** Provider shall take all reasonable measures to describe fully the proposed Community-Funded Capital Project and otherwise fully inform ACPS about the Project. The description of and information about the proposed Project shall include, without limitation, (a) the purpose, nature, scope, relevant history; (b) entities or persons involved and their respective roles; (c) reasonably foreseeable or reasonably possible impacts on the community; (d) schedule durations and timing for performance and completion; (e) means and methods for ensuring timely and proper performance and completion; (f) anticipated cost, funding requirements, details on contributions from Providers, details on expected contributions or costs to be borne by ACPS or any other person or entity, (g) technical details about the Project including, without limitation and to the

extent they exist, design, specifications, test results, assessments, plans, functionality, service and maintenance requirements, life expectancy, and other information that ACPS would need to make a fully informed technical decision, and allow for a preliminary review or permit submission with the Alexandria City Department of Code Administration; (h) factors most critical for success; (i) other information ACPS would reasonably be expected to want in deciding whether or not to authorize and proceed with the proposed Community-Funded Capital Project; and (j) any information ACPS may independently request of the Provider.

Community-Funded Capital Projects must be submitted and reviewed through the CIP budget process for consideration in the next capital projects planning year. Funding by the Provider is not the sole determining factor for approval. Any funds submitted by the Provider for a Project shall be considered the first used funding for the approved Project, and surplus funds shall not be reimbursed to the Provider.

6. **ACPS Responsibilities:** It shall be the responsibility of the School Principal to ensure the interests of the school community are considered throughout the review and approval process. The Chief Operating Officer or designee shall review all proposed projects. The review shall include (a) eligibility of the project for funding from the State, City, or other sources; (b) compliance with safety, security, school operations, and regulatory policies and standards; (c) impact on risk management; (d) Performance of a preliminary code review with the Alexandria City Department of Code Administration; (e) consistency of compliance with expected standards followed for other ACPS projects of similar scope; (f) the impact on the maintenance budget for preventive maintenance; (g) validation of cost estimates to confirm the budget authority required for ACPS to move forward with the project; (h) impact of the project on the implementation of city-supported programs; (i) impact on students and the community; (j) impact on student enrollment capacity at the school; and (k) may result in project rejection if the above criteria are not met. The Chief Technology Officer or designee shall review the proposal for (a) compatibility with technology systems and (b) may reject any project if the technology being supplied does not meet network protocols or instructional technology standards, or if there is limited personnel capacity to support the desired technology. The Chief Financial Officer or designee will (a) determine the availability of the proposed funding; (b) may reject any project because of inadequate funding; and (c) will forward all agreements and documents to legal counsel for evaluation and review for legal sufficiency. The documentation shall include the scope of work, funding mechanism, contract(s), and assurance for indemnification of the School Board and the Superintendent. If the project is rejected for failure to meet the above criteria, it will subsequently be presented to the School Board with the Superintendent's recommendation to reject the proposal, in accordance with subsection 13 of this Regulation.

7. **Legal Protections for ACPS:** Provider recognizes that ACPS shall be entitled to all legal protections associated with the full and faithful performance of all aspects of Community-Funded Capital Projects. This includes without limitation ACPS's ability to ensure that the work is performed and completed in accordance with the Project requirements, express and implied, including without limitation, requirements relating to schedule, timely completion, insurance and bonding/security.

8. **Progress Reporting and ACPS's Right to Project Management:** ACPS shall have the right to manage, oversee, lead, and be kept apprised of the Project status (including the

incidence of any problems or delays), and otherwise be entitled to ensure the full and faithful performance of all aspects of Community-Funded Capital Projects. Unless expressly stated otherwise in the ACPS-Provider Agreement, ACPS shall give Provider a written progress report that will: (a) state work performed in the past reporting period and the percentage of work completed; (b) identify any problems, changes, or delays, (c) update anticipated milestone and completion dates, and (d) report anything else that the Provider reasonably requests or that would reasonably be deemed necessary.

9. **Right to Inspection, Approve, and Accept the Work:** ACPS shall have the right, at any time, to inspect and approve any aspects of the Project including without limitation the scope of work, work in place, compliance with specifications, design, submittals, plans, and schedule. ACPS shall also have the right to accept the work.

10. **Changes:** ACPS shall be entitled to make changes to the Project, including without limitation, to the Project scope of work, means and methods, and/or schedule (“Changes”). In the event of a Change, ACPS and Provider shall confer and mutually decide how to proceed, and determine if there is any cost, schedule or other impact. If there is any impact, ACPS and Provider shall determine how any costs or other responsibilities associated with the impact will be borne.

11. **Responsibility and Ownership of the Project:** Unless expressly stated otherwise in the ACPS-Provider Agreement, ACPS shall be fully responsible for the full and faithful performance and completion of the Project. All improvements are the property of the Alexandria City Public Schools

12. **Allocation of Funding for Project:** Any monies or funding contributed by Provider for the “Community-Funded Capital Project” (“Provider Funds”) shall be specifically allocated to and be used for expenditures associated with the Project, including, without limitation, maintenance, training, promotion or other purposes as determined by ACPS. Provider Funds shall be the first funds allocated to finance the Project. Any funds or monies to be provided for the “Community-Funded Capital Project” by ACPS or other public bodies or other entities or persons shall be considered secondary funding. The project shall not be subject to an ACPS solicitation until all funding is available for the project. Any surplus of funds or monies shall be retained by ACPS and allocated by ACPS for future use on projects with similar objectives to the Project at issue.

13. **Final Approval:** The Superintendent will present to the School Board in an open meeting his/her recommendation to accept or reject a proposal for a Community-Funded Capital Project. Approval of any proposal which requires additional funding support from ACPS or any other entity rests with the School Board. The Board shall take final action at a regularly scheduled or special called meeting of the School Board. Following Board approval or rejection, the Chief Operating Officer will be responsible for notifying the Provider of the outcome. Provider shall understand that the approval process may take up to 36 months from the initial submission of the Provider’s proposal to the School Board’s approval.

14. **Written Record:** A written record shall be maintained to memorialize compliance with these regulations, including without limitation, the requirements for informing ACPS about the proposed Community-Funded Capital Project as described above.

Established: June 23, 2016

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3), and 22.1-92

Cross Refs.: BBA School Board Powers and Duties
DB Annual Budget
FB Facilities Planning and Community Funded Facilities Projects
FEA Educational Facilities Specifications
KGA Public Sales on School Property
KQ Commercial, Promotional, and Corporate Sponsorships and Community Partnerships