

Board of Education Special Meeting
Tuesday, March 12, 2024 6:00 PM
District Office Board Room
401 South Pine Street
Valley, NE 68064-0378

1. **Call to Order**
2. **New Business**
 - 2.1. Discuss, Consider and Take All Necessary Action on Findings & Recommendations of the Selection Committee for the Construction Manager at Risk for Sports Complex 2
 - 2.2. Second Reading and Approval Revised Option Enrollment Policy 5006 6
3. **Adjournment**

DC West Community Schools
Construction Manager at Risk – Selection Committee
CM@R Evaluation – March 12, 2024
FINDINGS, RECOMMENDATIONS AND RANKINGS

1. IDENTIFICATION OF PROJECT. The school construction project that is the subject of this selection process for a Construction Manager at Risk for such project under the Nebraska Political Subdivisions Construction Alternatives Act, §§ 13-2901, generally consists of a proposed junior high school addition and senior high school renovation project (the “Project”).

2. SELECTION COMMITTEE PROCEEDINGS. The Selection Committee individually examined the proposals and supporting documentation submitted by the Proposers on February 20, 2024, for the position of CM@R, namely (alphabetical order), Boyd Jones Construction, Hausmann Construction, Mammoth Sports Construction, Meyers-Carlisle-Leapley Construction (MCL), Meco-Henne Contracting and Nemaha Sports Construction (individually referred to as “Proposer” or collectively referred to as “Proposers”).

The Selection Committee then met February 26, 2024, and collectively reviewed and discussed all Proposer firms based upon the qualifications criteria set forth in the Request for Proposals. The Selection Committee then decided to seek further information from the two (2) highest ranked Proposer firms to assist in ranking of those firms through interviews; the firms being: Hausmann Construction and MCL (hereinafter Finalist Proposers). The interviews were held on March 12, 2024, in the board meeting room of the administration office located at 401. S. Pine Street, Valley, Nebraska. Each of the Finalist Proposers were provided approximately fifty (50) minutes to make their presentation and allow for questions from the Selection Committee.

The Selection Committee met following the interviews to evaluate the Finalist Proposers and rank them in order of preference as required by statute and board policy and procedure. The Selection Committee deliberated regarding the evaluation of the Finalist Proposers and ranked the Finalist Proposers based on the criteria in the Request for Proposals. Generally, the Selection Committee finds that all Proposers did an excellent job in the preparation and presentation of the submittal materials, and that the Finalist Proposers interviewed provided varied and informative presentations and responded completely to questions presented by the Selection Committee members. It was the general consensus of Selection Committee that each of the Proposers has the ability to provide the construction management at risk services required in the Request for Proposals to provide the services required of the position; however, the Selection Committee is required to rank the Proposers in order of preference based upon the selection criteria set forth in the Request for Proposals. On that basis, the Selection Committee makes the following findings, recommendations and rankings under the specified selection criteria and overall rankings for the position as CM@R for the Project in order of preference based thereon.

3. SELECTION COMMITTEE FINDINGS.

a. Introductory Finding: The Selection Committee has given full and fair consideration to the information presented to the Selection Committee by each of the proposing firms. The following Selection Committee findings are based upon the submittals of the Proposers and investigation of references, listed prior projects provided by Proposers, and interviews of the

Finalist Proposers. The Selection Committee is exercising its good faith judgment, acts from honest convictions, based upon facts, and as it believes for the best interests of the School District and its patrons and without favoritism, ill will, fraud, or collusion but with honest motives and for the purpose of promoting the public good and protecting the public interest. The ratings and rankings set forth below reflect the application of the selection criteria to the Finalist Proposers in relation to the proposed Project with the submitting firms compared to one another. The ratings and rankings should not in any manner be construed to place any firm in an unfavorable light, as all Proposers are qualified to perform the services of construction manager at risk for the Project.

All Proposers have experience in construction projects with varying levels of prior and current projects involving the construction of school athletics/activities facilities. The Selection Committee noted that the Finalist Proposers all have experience with new athletic and activities complex construction of the scope and size of this Project. The Selection Committee has considered the selection criteria enumerated in the Request for Proposals with an emphasis on the recent school athletic/activities facility projects completed or in progress by each firm with a budget and complexity similar to the Project with added weight given to those projects involving the project team (Project Executive, Project Manager, and Site Superintendent(s)) proposed for the Project. Considering the volume of information provided, the Selection Committee has focused these findings and recommendations and rankings on the characteristics that distinguish a firm positively under each selection criteria with an emphasis on the firm that provides relevant advantage or special value to the Project and to the School District.

The Selection Committee members individually ranked each Finalist Proposer firm based upon the total of the eight selection criteria. After discussion with regard to each criterion, each member provided the total points awarded by such member. The points for each firm from each Selection Committee member were then totaled and averaged among the Selection Committee members to give composite point scores for each Finalist Proposer firm. Based on the composite point scores, each Finalist Proposer firm was given a rank, with the highest point total given the highest rank and the lowest point total given the lowest rank. Additionally, for each member, the total points given for each firm were converted to a rank, with the highest point total given the highest rank and the lowest point total given the lowest rank. The rankings for each Finalist Proposer firm from each Selection Committee member were then totaled and averaged among the Selection Committee members to give a composite rank for each Finalist Proposer firm. The ranking of Finalist Proposers was made based on the ranking methodology; the point total scores were compared to the rank total scores for statistical comparison purposes only.

b. Ranking Summary: Upon application of the above process, the Selection Committee determined the ranking of the interviewed Finalist Proposer firms in order of preference are as follows:

Name of Firm	Ranking
MCL	1
Hausmann	2




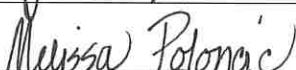
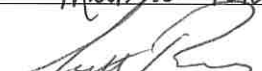
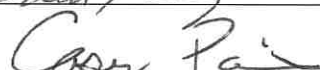
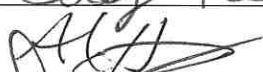

4. SELECTION COMMITTEE RECOMMENDATION.

Based on its objective evaluation, the Selection Committee recommends to the Board of Education for DC West Community Schools the foregoing ranking of the firms submitting proposals for the position of CM@R for the Project and further recommends that the following be the highest ranked submitting firm for negotiations:

MCL

Dated this 12th day of March, 2024.

**CONSTRUCTION MANAGER AT RISK
SELECTION COMMITTEE, APPOINTED
BY THE BOARD OF EDUCATION FOR DC
WEST COMMUNITY SCHOOLS**

Name	Signature
Jamie Jorgensen	
Luke Janke	
Jim Tomanek	
Melissa Polonic	
Scott Perrigo	
Casey Painter	
Alex Henery	
Dan Trost	

Deborah A. O'Leary

Recording Secretary on behalf of the Selection Committee

RESOLUTION

BE IT RESOLVED by Douglas County School District 28-0015, a/k/a DC West Community Schools, a Class III School District under the laws and statutes of the State of Nebraska, at this meeting of its Board of Education, (School District), that the Findings and Recommendation of the Selection Committee of the Board of Education with regard to the ranking and recommendation of the construction manager at risk for a new multi-sport activities/athletics complex project (Project), as presented at this meeting, should be and is hereby received, adopted and approved;

BE IT FURTHER RESOLVED that, based upon the Findings and Recommendation of the Selection Committee, the Board of Education of this School District should and does hereby rank the finalist firms submitting proposals in order of preference for the position of the construction manager at risk for the Project as follows:

1st: MCL

2nd: Hausmann

BE IT FURTHER RESOLVED that the Board of Education of this School District should and hereby does authorize, direct, and delegate to the President of the Board of Education, Superintendent of Schools, or other designee, and project legal counsel to negotiate a contract with the highest ranked firm identified above for the Project according to Board of Education policy, on terms and conditions deemed in the best interest of the School District, and then, upon completion of such negotiation and all other terms, conditions, and requirements of law, policy, and practice or the invitation for proposals requisite to entering into a contract, present all appropriate contract documents for contract adoption and approval by the Board of Education.

StudentsOption EnrollmentA. Process and Time Lines to Option In

For a student to attend DC West Community Schools as an option enrollment student, the student's parent or legal guardian must submit an application to the Board of Education of the DC West Community School District between September 1 and March 15 for enrollment during the following and subsequent school years (the "application period").

B. Standards for Acceptance or Rejection of Option Students

Numeric Capacity: The Board of Education may set the numeric capacity of programs, classes, grade levels, or school buildings by operation of this policy or through freestanding action by the Board. Numeric Capacity will generally be determined based upon available staff, facilities, projected enrollment of resident students, projected number of students with which the option school district will contract based on existing contractual arrangements, and other factors the Board deems relevant to the school's operations and education provided to students. Such determinations may be made in the form of an Appendix "1" to this Policy. The Board's adoption of a resolution does not preclude the Board from adopting a subsequent resolution with specific capacity standards partially or wholly different from its previous resolution(s). Individuals seeking information about the numeric capacity set by the Board may contact the superintendent for a copy of that resolution.

Programmatic Capacity: In addition to the numeric capacity standards referred to above, the board may, by resolution, prior to October 15 of each school year, declare a program, a class, or a school unavailable for the next school year to option students due to lack of capacity. Individuals seeking information about the numeric capacity set by the board may contact the superintendent for a copy of that resolution.

Special Education Capacity: The Director of Special Education shall review on a case-by-case basis all option applications for students that would receive or could be eligible to receive special education or related services. If the Director or designee determines that the District does not have the capacity to provide the student with the appropriate services and accommodations, then the Director or designee shall send a denial notice to the parent(s) or guardian(s) and include a description of services and accommodations that the District does not have the capacity to provide.

Other Standards for Acceptance or Rejection of Option Enrollment Applications: In addition to the numeric and programmatic capacity standards outlined above, the school district shall not be required to accept an option student when acceptance of the student:

1. Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
2. Would require the procurement of new equipment, technology, or furnishings;
3. Would cause or require the rearrangement of caseloads for staff and contracted professionals;

4. Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
5. May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

Prohibited Standards. The school district shall not base the decision to accept or reject an option student on the student's previous academic achievement, athletic or other extracurricular ability, disabling condition(s), proficiency in the English language, or previous disciplinary proceedings.

Order of Acceptance. Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to students of staff members, (3) third to those with a sibling in attendance at DC West Community Schools, with priority within this group being given to those who had earliest filed applications, and (3) fourth to those without an option student sibling in attendance at DC West Community Schools, with priority within this group to those who had earliest filed applications. Filing date determinations are made by the Superintendent, or the Superintendent's designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

C. False or Misleading Option Applications.

If prior to the student's attendance as an option student, the school district discovers that a previously accepted option application contained false or substantively misleading information, the option application will be rejected.

D. Releases for Options Out

A request for release of a resident student of the DC West Community School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted unless the release shall not be granted if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

The Superintendent or the Superintendent's designee is hereby authorized to execute such releases on behalf of the School District and the School District, subject to subsequent ratification by the School District.

E. Notification of Acceptance or Rejection

The Superintendent or the Superintendent's designee is hereby authorized to apply this Policy and determine, on behalf of the Board, whether an option application will be accepted or rejected. The Superintendent or designee shall notify, in writing, the parent or legal guardian of the student-applicant and the student-applicant's resident school district whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

If an option enrollment application or a request for release is rejected by the DC West

Community School District, the Superintendent or the Superintendent's designee shall provide written notification to the parent or guardian stating the reasons for the rejection and the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

F. Applications Subsequent to Relocations

An option enrollment application does not require a release and shall be accepted or rejected within forty-five days after filing in the following circumstances:

1. the student relocated to a different resident school district after February 1, or
2. the resident student relocates in a different school district but wants to continue attending his or her original resident school district and has been enrolled in the original school district for the immediately preceding two years shall be automatically accepted and the deadlines for application are not applicable.

G. Wait Lists and Application Process for Newly Available Option Enrollment Slots After April 1

The district will follow the following procedures when any option enrollment slots open or become newly available after June 1 and up through the day prior to the start of the next upcoming school year. Such option enrollment slots which become newly available shall first be filled from the wait list in order.

1. The District will communicate with the parent or legal guardian of the first student on the wait list about the newly available option enrollment slot and whether the parent or legal guardian desires to accept it. If the parent or legal guardian does not accept it, then the district shall similarly communicate with the parents or legal guardians of the next students on the wait list in order, until the newly available option enrollment slot is filled or the wait list is exhausted.
2. When a parent or legal guardian accepts the available option enrollment slot, they have four business days to obtain and provide to the district. Release approval from the resident school district on the application form. When the release approval is provided to the district, the district shall immediately notify in writing that the application is accepted.
3. All wait lists shall become null and void once the school year begins.

H. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be

enrolled on a full-time basis, and shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

An option student shall not be entitled to transportation except as required by law. Transportation or transportation reimbursement will be provided in the following circumstances:

1. The DC West Community School District may, upon mutual agreement with the parent or legal guardian of an option student, provide transportation to the option student on the same basis as provided for resident students. The school district may charge the parents of each option student transported a fee sufficient to recover the additional costs of such transportation.
2. Option students who qualify for free lunches are eligible for either free transportation or transportation reimbursement from the option school district. The District's policy is that the District selects which service (transportation or reimbursement) is to be provided to students.
3. For option students receiving special education services, the transportation services required in the student's Individualized Education Plan shall be provided by the resident school district.

I. Information Regarding Schools, Programs, Policies and Procedures.

As part of the option enrollment program, the administration shall make information about the DC West Community Schools and its school, programs, policies and procedures available to all interested persons and shall have a copy of the option enrollment policy and regulations available at each school building.

J. Late Applications and Requests for Release

The Board of Education may refuse a request of a student seeking to option out of the school district when the option application is submitted after March 15th under the following conditions:

1. When the district has already entered into contracts with teaching staff for the following school year;
2. When the district has already contracted for the performance of specific services for the student;
3. When the release of the student would have a negative financial impact or loss of revenue for the district.

The Board of Education may approve late applications to option into the district under the following conditions:

1. When the resident district has released a student;
2. When the student's late enrollment into the district meets the standards for acceptance or rejection of option students contained elsewhere in this policy.

K. Cancellation of Option

Students who option either into or out of the school district shall:

1. Attend the option school district until graduation or relocation/re-option in a different resident school district unless the student chooses to return to the resident school district, in which case the student's parent or legal guardian shall timely submit a cancellation form to the school board or board of education of the option school district and the resident school district for approval for the following year.
2. Attend an option school district for not less than one school year unless the student relocates to a different resident school district, completes requirements for graduation prior to the end of the school year, transfers to a parochial or private school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district.

L. Authority of Superintendent

The Board of Education authorizes the superintendent of schools to make decisions on its behalf pursuant to and to apply the criteria articulated by this policy in determining whether to grant or deny option enrollment applications.

Legal Reference: Neb. Rev. Stat. Sections 79-232 to 79-246

Date of Adoption: March 12, 2024