

R277. Education, Administration.

R277-454. Construction Management of School Building Projects.

R277-454-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "CM" means an individual designated as a construction manager. The CM may be an architect, engineer, general contractor, or other professional consultant. It may also be an entity which is referred to as a construction management firm. The CM works as the agent of the owner of the construction project. The CM, at the discretion of the owner, may assist in the development and implementation of any or all of the predesign, design, bidding, construction, and occupancy stages of the construction project. The CM is responsible for the effective, orderly, and acceptable completion of the construction project.

C. "Construction management" means a contractual and professional working relationship between the owner of a construction project and a CM.

D. "LEA" means a local education agency, including local school boards/public school districts and charter schools.

R277-454-2. Authority and Purpose.

A. This rule is authorized by Article X, Section 3 of the Utah Constitution which vests general control and supervision of public education in the Board, Subsection 53E-3-401(4) which allows the Board to adopt rules in accordance with its responsibilities and Section 53E-3-705 which requires the Board to prepare an annual school plant capital outlay report of all LEAs, which includes information on the number and size of building projects completed and under construction.

B. The purpose of this rule is to specify the standards local boards of education shall follow in using construction management for school construction projects.

R277-454-3. Standards.

A. A construction management contract shall clearly specify the duties of the CM with respect to the building project.

B. An LEA shall bid each component part of the building project in accordance with

advertising, public opening, performance bond, payment bond, and other statutory requirements.

KEY: educational facilities, education finance

Date of Enactment or Last Substantive Amendment: November 8, 2012

Notice of Continuation: September 13, 2017

**Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4);
53E-3-705**