

R277. Education, Administration.

R277-454. Construction Management of School Building Projects.

R277-454-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Article X, Section 3 of the Utah Constitution, which vests general control and supervision of public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53E-3-705, which requires the Board to prepare an annual school plant capital outlay report for all LEAs, which includes the number and size of building projects completed and under construction.

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

R277-454-2. Definitions.

(1)(a) "CM" means an individual designated as a construction manager, which acts as the agent of the owner of a construction project and may include:

(i) an architect;

(ii) an engineer;

(iii) a general contractor;

(iv) a professional consultant; or

(v) a construction management firm.

(b) A "CM" may, at the discretion of the project owner, assist in the development and implementation of predesign, design, bidding, construction, and occupancy stages of the construction project.

(c) A "CM" is responsible for the effective, orderly, and acceptable completion of a construction project.

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

R277-454-3. Standards.

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

(2) An LEA shall bid each component part of the building project in accordance with statutory:

- (a) advertising requirements;
- (b) public opening requirements;
- (c) performance bond requirements; and
- (d) payment bond requirements.

KEY: educational facilities, education finance

Date of Last Change: November 7, 2022

Notice of Continuation: September 15, 2022

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