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For reading: September 11, 2007

*See As 2007-124(S)*

ANCHORAGE, ALASKA  
AO No. 2007-124

AN ORDINANCE REPEALING CHAPTER 25.25, ***SCHOOL SITE SELECTION AND ACQUISITION SCHOOL BUILDING CONSTRUCTION***, AND AMENDING SECTIONS 21.15.015 AND 25.40.015 TO PROVIDE A SITE SELECTION, SITE PLAN REVIEW AND ACQUISITION PROCESS FOR SCHOOL LANDS.

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Anchorage Municipal Code chapter 25.25, *School Site Selection and Acquisition School Building Construction*, is repealed in its entirety. A copy of chapter 25.25 is attached hereto as Exhibit A.

**Section 2.** Anchorage Municipal Code section 21.15.015A. is amended to read as follows:

21.15.015      Public facility site review.

A. Authority of planning and zoning commission. The planning and zoning commission shall review and make recommendations regarding the following under this section:

1. The selection of a site for a public facility, except where the location of the site is:

- a. Designated on a municipal plan adopted by the assembly;
- b. Determined by a dedication to the municipality on a final plat approved and recorded in accordance with this title; or
- c. Subject to approval of a conditional use under this title.

2. A recommendation of a site for a school facility shall be forwarded to the Anchorage school board for its review and separate recommendation. Both recommendations shall then forwarded as a package to the Assembly for approval.

3 [2]. The site plan for a public facility, including a site for a school facility, except for site plans subject to approval of a conditional use under this title.

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(AO No. 84-20; AO No. 85-160, 1-8-86)

**Section 3.** Anchorage Municipal Code section 25.40.015 is amended to add a new subsection to read as follows:

25.40.015      Heritage Lands - Designation for and withdrawal from, the Heritage Land Bank for public purposes.

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D. ***Acquisition of school lands.*** Until formally designated as school land, and compensation is paid according to this section, all land acquired by the municipality for a potential school site shall be held in inventory and managed by the Heritage Land Bank as school lands.

1. Lands held for potential school sites may be managed and used by the Heritage Land Bank for any purpose not inconsistent with their ultimate use as a school site.
2. Following a determination of need by the Anchorage school district, and approval by the Anchorage school board, the school district shall make a request in writing to the Heritage Land Bank to identify municipal lands available for use as potential school sites.
  - a. If land held in inventory meets the need of the Anchorage school district, it shall be formally designated by resolution as school lands.
  - b. If no land available in inventory meets the need of the school district, the municipality shall utilize chapter 25.20 to identify and acquire property. Upon acquisition and compensation as described in this section, the property shall be formally designated as school lands and management authority shall be delegated to the school district.
  - c. A formal designation of property as school land may be removed by memorandum submitted jointly by the administration and the school district, and compensation as described in this section. The removal of a designation does not prohibit later re-designation upon school district request.
3. **Compensation.** At the time of delegation of management authority, Heritage Land Bank shall provide the mayor and school district an accounting showing all costs and fees associated with the land acquisition, including whether the costs were paid by the school district or by the municipality. Notwithstanding the disposal provisions in section 25.40.025, the school district shall pay the Heritage Land Bank for all land acquisition costs incurred by the municipality, except:

- 1
- 2 a. In the event the actual land acquisition costs and fees
- 3 substantially exceed the market value, the assembly may, in
- 4 its discretion, waive some or all of the acquisition costs to
- 5 reduce the cost to market value.
- 6
- 7 b. Payment shall occur either by:
- 8
- 9 i. Appropriation of funds from the school district to
- 10 the Heritage Land Bank at the time of designation as
- 11 school land and delegation of management authority;
- 12 or
- 13 ii. By dedication of bond revenue approved by the
- 14 voters.
- 15

16 **Section 4.** On or before December 1, 2007:

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- 18 a. The municipality, in coordination with the Anchorage school district, shall
- 19 compile a list of municipal land available or potentially appropriate for
- 20 school lands or under the management authority of the school district. The
- 21 list shall identify each parcel by tax number and size, and indicate whether
- 22 improvements currently exist or are designed for the parcel.
- 23
- 24 b. The list shall be submitted to the Assembly under an Assembly
- 25 Informational Memorandum (AIM) within 30 days of completion.
- 26
- 27 c. Thereafter, municipality and school district shall annually review and
- 28 update the list of school lands; a copy shall be provided to the Assembly by
- 29 AIM in January of each year.
- 30

31 **Section 5.** This ordinance shall be effective immediately upon passage and approval by

32 the Assembly.

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34 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of

35 \_\_\_\_\_, 2007.

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39 Chair of the Assembly

40 ATTEST:

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43 \_\_\_\_\_

44 Municipal Clerk

45 G:\mat\open matters\Title 25.25 - Repeal School Site Selection\AO - final repeal 25.25.DOC

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## Chapter 25.25

### **SCHOOL SITE SELECTION AND ACQUISITION SCHOOL BUILDING CONSTRUCTION**

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EXHIBIT A

## PART I. SCHOOL SITE SELECTION AND ACQUISITION GENERAL PROVISIONS

### 25.25.010 Purpose, applicability and agency functions.

A. *Purpose.* The identification of potential school sites, the investigation of their suitability, appropriateness and cost effectiveness and their evaluation and acquisition shall be in accordance with this chapter. The purpose of this chapter is to provide flexible yet standardized processes for school site selections which are open, reliable and predictable. Site selection should be consistent with affordable education needs and due consideration shall be given to school board recommendations.

B. *Applicability.* Except as this chapter may otherwise provide, this chapter shall prevail over all other contrary and conflicting provisions of the Code, provided, however that this section shall not operate to preclude the application of other code sections not in conflict with or contradictory to this chapter.

C. *Agency functions.* The functions of the government bodies and agencies involved in school site selection is as follows:

1. The function of the municipal assembly is to determine the location of school buildings with due consideration to the school board's recommendations.
2. The function of the school board is to recommend school building location in consideration of its education needs.
3. The planning and zoning commission's function is to review proposed and alternative school building sites in accordance with section 21.15.015 for consistency with the goals, policies and land use designations of the comprehensive plan, conformity to land use regulations and requirements of title 21 and the effects of proposed school buildings on the surrounding area.
4. The function of the department of community planning and development, in cooperation with the school district, is to provide the land use planning and regulation expertise and staff support for the evaluation

of proposed school building sites and to assist the school district in developing its proposals and recommendations.

5. The function of the site selection working group and the joint site selection committee is to promote and facilitate cooperative efforts in school building site selection and evaluation, understanding of the needs and recommendations of the school district and recommendations of the planning and zoning commission and the development and transmission of pertinent information and considerations in site selection between the school district, the planning and zoning commission and the assembly.

(AO No. 97-89, § 2, 7-22-97)

### 25.25.020 Availability of municipal land.

Regardless of the site selection process utilized, the district shall first comply with section 25.25.220. After the school district identifies a need for a school site and its geographical area of attendance, but prior to proceeding further with any site selection process, the municipality shall identify all municipal land which could be made available to fulfill the identified school site need.

(AO No. 97-89, § 2, 7-22-97)

### 25.25.030 Assembly site approval.

A. *Public hearings.* The assembly shall hold public hearings on the school site recommended by the planning and zoning commission as well as all other proposed and evaluated sites. The assembly shall give due consideration to the recommendations of the school board and education needs.

B. Subject to the provisions of section 25.25.040, the assembly shall either approve a specific proposed site, reject some or all proposals or, remand the evaluated and recommended sites to the planning and zoning commission for further investigation, review and evaluation with due consideration to the recommendations of the school board.

(AO No. 97-89, § 2, 7-22-97)

### **25.25.040 Conditions of assembly site approval.**

A. No resolution selecting, approving or designating particular real property as a site for location of a school shall be adopted by the Assembly unless the resolution:

1. Grants authority and approval to acquire the property within the meaning of section 25.20.020; and
2. Is accompanied by either a certification in compliance with section 6.30.050 that funds are available for the acquisition, or the number and title of action by the school board requesting approval and ratification of an ordinance authorizing the issuance and sale of bonds for the acquisition. The amount set forth in the certification or action of the school board shall be a reasonable estimate of the actual acquisition costs.

B. The designation of a school site and the authority to acquire such site shall expire:

1. For those acquisitions for which funds are available, if a written agreement for purchase of the site has not been executed by the municipality and the landowner nor a declaration of taking filed within 12 months from the date of approval of the resolution designating the site and authorizing its acquisition.
2. For those acquisitions the cost of which is to be funded by subsequently issued bonds, if a written agreement for purchase of the site has not been executed by the municipality and the landowner nor a declaration of taking filed within 90 days after the first regular municipal election at which the issuance of bonds may be approved.

If a declaration of taking filed pursuant to subsection 1 or 2 of this subsection is dismissed by a court, the authority to acquire shall expire only if a new declaration of taking is not filed within three months of the date of dismissal.

C. Acquisition of a school site by the exercise of the power of eminent domain shall comply with section 25.20.025.

D. Property taxes and assessments on real property selected as a school site in accordance with this section are the obligation of the landowner unless other arrangements are included in the acquisition agreement or as otherwise provided by section 21.80.110, until closing of a purchase or filing of a declaration of taking.

E. Real property which has been selected as a school site in accordance with this section may not be rezoned pursuant to chapter 21.20 prior to the expiration of the designation and authority to acquire without the written consent of the landowner.

F. Real property which has been the subject of a resolution adopted in compliance with this section and which was not acquired may not be made subject to a resolution under this section for six years from the date the original resolution expired, unless otherwise agreed to by the property owner in writing.

G. The owner of real property selected as a school site in accordance with this section may, in writing, agree to waive the designated time periods in subsection B. of this section.

H. Nothing in this section or in any waiver by the property owner shall have the effect of (1) permitting the property owner to unilaterally extend the time periods provided in subsection B of this section or (2) obligating the municipality or the school district to purchase selected property. (AO No. 87-46(S-1); AO No. 92-49; AO No. 93-166, § 1, 11-16-93; AO No. 97-89, § 2, 7-22-97)

**Editor's note**—AO No. 97-89, § 2, effective July 22, 1997, section 25.20.055 was renumbered as this new section 25.25.040. History note was carried over from old section 25.20.055.

### **25.25.050 School site selection procedures in general.**

A. The initiation, identification, solicitation, evaluation and selection of school sites shall be conducted as provided in this chapter. The school site selection process shall be conducted in a cooperative effort by the Anchorage School District ("school district"), the department of commu-

nity planning and development on behalf of the general government ("planning") and the joint school site selection committee, a joint subcommittee of the assembly, school board and planning and zoning commission authorized and established by Assembly Resolution 95-181 or any resolution in amendment or substitution thereof ("JSSSC").

1. The school district and planning shall consult with and shall keep each other and other affected departments and agencies, including the JSSSC, fully informed as appropriate during the site selection process.
2. General government staff and department internal operating costs and expenses incurred in the site selection process shall be paid for by the Anchorage School District.

B. The heads of the appropriate school district departments and the director of planning shall identify their designees to act as members of a joint school district, general government school site working group ("SSWG") which shall be responsible for the utilization and coordination of the site selection process. The SSWG membership may be expanded or reduced by the school district and planning as the need arises.

(AO No. 97-89, § 2, 7-22-97)

#### **25.25.070 Annual enrollment and program capacities and land development patterns and population estimates.**

A. The school district shall annually prepare or make current and report to planning its annual, six-year projections of public, private and charter school student enrollment. The school district shall simultaneously amend its then existing program capacities and shall include therein such program capacities which may become available within the periods of time included in its annual, six-year projections.

B. Planning shall annually prepare or make current and report to the school district, existing and projected land development patterns and population estimates, generally identifying the various areas of the municipality likely to experience material development or declines therein

and/or material increases or declines in population generally and school aged children specifically.

C. Annually, the school district shall combine the findings, factors and statistics required by subsections A. and B. of this section into a useable "Enrollment, Capacity, Development and Population Report" ("ECDPR") for the purposes of selecting and evaluating specific site selection considerations, standards and criteria.

1. The criteria and standards required by the ECDPR and section 25.25.080 shall be included as a part of the school district's six-year program for capital improvements and fiscal policies ("CIP").

(AO No. 97-89, § 2, 7-22-97)

#### **25.25.080 General school site selection criteria.**

A. The school district and planning, with the concurrence of the JSSSC, shall jointly review and recommend additions, deletions and amendments, if any, to the general site selection criteria established by this section. These general site selection criteria are applicable to all school site selections regardless of the nature or purpose of the school facility to be located on any specific school site.

1. School site selection criteria and standards shall be established in accordance with AS 14.14.060(d) including its requirement that, to the maximum extent possible, a school building shall provide for multiple community-purpose uses thereof consistent with education needs. Such multiple purpose use requirement is an independent requirement of this section.

B. Applicability and use of criteria. At each stage of any site selection process specified by this chapter and except as otherwise expressly specified by this chapter:

1. The general site selection criteria specified in this section shall constitute guides to goals and standards sought to be achieved as ideal optimums against which sites are to be evaluated during the various stages of site selections; and

2. The general site selection criteria specified in this section shall not be considered as mandatory standards which must be



met for all sites identified, proposed, evaluated or selected, but shall constitute criteria which shall guide site selection and which shall be considered and applied in evaluations, reports and selections.

C. General site selection criteria. Subject to subsections A. and B. of this section, the following shall be the primary, but not exclusive, general school site selection criteria:

1. *Education needs.* To the maximum extent reasonably practical and affordable, school sites should be selected which are consistent with education needs.
2. *Physical characteristics.* The site must be physically capable of supporting cost-effective school development.
  - a. General considerations shall include but not be limited to consideration of topography, drainage, soils and foundation conditions shall be considered.
  - b. Natural and inherent as well as introduced hazards should be minimized whenever possible.
  - c. Amenities, such as proximity to parks and other open space, pleasant views, good solar orientation and established vegetation should be maximized whenever reasonable and practical.
3. *Size.* The optimum standards for school sites are 15 acres for an elementary school, 30 acres for a junior high or middle school and 50 acres for a senior high school in order to provide a standard school building with required parking, recreational and sports area and other appurtenances while allowing some flexibility in site and school building design.
4. *Surrounding land use.* Schools should be located in close proximity to existing and anticipated residential development and away from conflicting land uses such as industrial or commercial development as well busy and moderate to high speed streets whenever feasible. Schools should also be centrally located within a school's anticipated geographic attendance area.
5. *Access.* Access to schools should be safe, convenient and efficient for both vehicular and pedestrian traffic while minimizing adverse traffic impacts on the surrounding neighborhoods through appropriate and a sufficient number of access points and prudent site design which avoid local residential streets wherever possible.
6. *Infrastructure and utilities.* Public utilities and infrastructure should be readily available to the school site rather than the more costly extension of off-site utility systems or self-contained, on-site systems.
7. *Related plans and policies.* Current and likely future municipal plans, policies and demographic developments shall be reviewed and considered for compliance in the site selection process and future development phase of the proposed school and school site.
8. *Site acquisition and development costs.* Acquisition and development costs shall be low as reasonably attainable provided they are consistent with education and long-term school building needs, demographic developments and reasonable cost-benefit ratios for both on-site and off-site development.

(AO No. 97-89, § 2, 7-22-97)

#### **25.25.090 Specific school site acquisition and management.**

A. Upon assembly approval of a specific school site in accordance with this chapter and solely upon the request and at the expense of the school district, the municipality shall take action to acquire such site in the name of the municipality and shall enter into a management agreement with the school district for the school district's use and management of such land until, in the reasonable judgment of the school district, such land

is no longer needed for school purposes. Said management agreement shall be upon such other terms as may be reasonable and necessary.

1. In the exercise of the land management functions delegated by this section and notwithstanding other provisions of this title to the contrary, the Municipality shall not hold any further public hearings or submit the site acquisition and management agreement to further advisory or regulatory review. No provision in chapter 25.40 shall operate to impose any further or additional requirements or approvals for the acquisition of the school site or approval of the site management agreement, provided, however, such agreement shall be subject to the joint approval of the mayor and the superintendent of the school district.

## **PART II. STANDARD SCHOOL SITE SELECTION PROCESS**

### **25.25.210 Standard school site selection process and general site criteria.**

*Procedures.* Subject to the general provisions of Part I of this chapter (sections 25.25.001 through 25.25.099) and sections 21.15.015 and 21.15.025 and except for school site selections utilizing the RFP site selection process in part III of this chapter (sections 25.25.300 through 25.25.399) or the turnkey (also referred to as design-build) process in Part IV of this chapter (sections 25.25.400 through 25.25.499), all school site selections shall utilize the procedures set forth in this part II. The site selection process shall follow the sequence of steps set out in the numerical order of sections in this part II.

(AO No. 97-89, § 2, 7-22-97)

### **25.25.220 Need identification.**

Utilizing current information compiled under section 25.25.070, the school district shall determine the geographical area of attendance in which a new school is needed and advise planning.

(AO No. 97-89, § 2, 7-22-97)

### **25.25.230 Initial school site search.**

A. Upon receipt of the information provided pursuant to section 25.25.220, planning shall identify potential school sites in the geographical area of attendance identified by the school district. In the identification of potential sites, planning shall make a preliminary investigation utilizing the general school site criteria specified in section 25.25.080.

1. The SSWG may hold a public meeting with interested persons to explain this selection process and discuss potential sites. Reasonable notice of not less than seven days of these public meetings shall be given to community councils, PTAs and other interested citizens, including members of the JSSSC.

(AO No. 97-89, § 2, 7-22-97)

### **25.25.240 Selection of alternative sites.**

A. Subject to and applying the general site criteria guidelines in section 25.25.080, the SSWG shall consider the results of planning's investigation and the public comments received pursuant to section 25.25.230 and shall identify all sites warranting further evaluation.

B. In cooperation and coordination with the SSWG, the school district shall obtain engineering evaluations and estimates of value on all sites identified pursuant to subsection A. of this section if such current information is not available.

(AO No. 97-89, § 2, 7-22-97)

### **25.25.260 Planning site selection report and recommendation.**

A. Planning shall prepare or cause to be prepared a site evaluation report which shall consider all relevant information, factors and criteria and shall recommend a site to be selected. The school district may append to the report a statement of its position with respect to planning's evaluation or recommendation and shall append to the report a statement as to those portions of the report with which it concurs.

1. The report shall be made public and provided to the JSSSC after the school district appends its statement.

2. The SSWG may hold a public meeting with interested persons to explain and discuss the planning site selection report. Notice of the public meeting shall be given to community councils, PTAs, surrounding landowners and other interested persons, including members of the JSSSC.

(AO No. 97-89, § 2, 7-22-97)

#### **25.25.270 Planning and zoning commission and school board public hearing and recommendation.**

A. The planning and zoning commission shall hold a public hearing and shall review and consider planning's site selection report in accordance with section 21.15.015.

1. The public hearing required by section 21.15.015 may be a joint public hearing before the Planning and Zoning Commission and the School Board, provided, however, the Planning and Zoning Commission and the School Board shall separately consider and make independent recommendations to the Assembly.

(AO No. 97-89, § 2, 7-22-97)

### **PART III. SCHOOL SITE SELECTION BY REQUESTS FOR PROPOSALS**

#### **25.25.310 Procedure in general.**

A. Subject to the general provisions and requirements of Part I of this chapter (sections 25.25.001 through 25.25.199), the initiation, identification, solicitation, evaluation and selection of school sites by a request-for-proposals ("RFP") process shall be conducted as provided in Part III of this chapter (sections 25.25.300 through 25.25.399).

B. The school district may reject all proposals when it determines such rejection to be in the best interest of the school district.

(AO No. 97-89, § 2, 7-22-97)

#### **25.25.320 Requests for proposals.**

A. Competitive sealed proposals may be utilized for the acquisition of school sites, provided that only one self-contained, contiguous site shall be the subject of a request for proposal.

B. The request for proposals shall state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposer must respond, and shall state the factors to be considered in evaluating proposals and the relative importance of those factors. Requests for proposals shall include a requirement that proposals shall specifically address all on-site and off-site factors, requirements and infrastructure needs and changes affecting the usability of the site for the specific purpose.

1. Public notice of a request for proposals shall be given in accordance with section 25.25.400.

C. The School District may hold one or more pre-proposal conferences with the SSWG in attendance not less than seven days before the last day for submitting proposals. The terms of a request for proposal may be modified or interpreted only by written addenda. Addenda to requests for proposals shall be sent to each recipient of the original request for proposal documents. Only a proposal acknowledging receipt of all addenda may be considered responsive. If an addendum is issued less than five working days before the last day on which proposals are to be accepted, the time for accepting proposals shall be extended to at least five working days after the date on which the addendum was sent.

D. Sealed proposals shall be designated as such on an outer envelope and shall be submitted by mail or in person at the place and no later than the time specified in the request for proposals. All proposals shall be submitted in such a manner that the identity of the proposer remains unknown to all persons involved in the evaluation process in accordance with this Part III. Proposals not submitted at the place or within the time so specified shall not be opened or considered.

E. Proposals shall be received at the time and place designated in the request for proposals, and shall be opened so as to avoid disclosing their contents to competing proponents, during the process of evaluation. Notwithstanding chapter 3.90, proposals, tabulations and evaluations thereof shall be open to public inspection only after completion and publication of the planning's comparative proposal report and recommendation as

specified in section 25.25.330 H. Nothing in this subsection shall prevent inclusion of non-proprietary information in planning's comparative proposal report and recommendation.

F. Any person adversely affected by actions under this section or subsections 25.25.330F.1. through 25.25.330F.2. and 25.25.330G. only may appeal the award of a proposal in accordance with procedures of the Anchorage School District. (AO No. 97-89, § 2, 7-22-97)

### **25.25.330 RFP for site selection process.**

A. *School district need identification.* The Anchorage School District shall initiate the RFP site selection process by advising the director of planning or his/her designee, in writing of the need for a new school site and requesting the site selection process be commenced.

1. Together with its request, the school district shall amend and provide planning with a current and updated ECDPR required by section 25.25.070.

B. *Site study area boundaries and criteria.* Based on the current ECDPR required by subsection 25.25.070C.2., the school district and planning shall:

1. Preliminarily establish the boundaries of the area best served and the areas affected by the proposed school;
2. Determine the most efficient and effective means to meet the school district needs consistent with its request and the ECDPR and the public, multi-use community facility requirements of AS 14.14.060(d);
3. Establish the preliminary, project-specific site criteria.

C. *Specific project scope, site and site evaluation criteria.* The SSWG shall establish the preliminary, project-specific scope, the project-specific site criteria and the proposal evaluation criteria. The SSWG shall forward the project-specific scope, the project specific site criteria and the proposal evaluation criteria to the JSSSC for its review and recommendations.

D. *Preliminary RFP.* The SSWG, in consultation other school district and general government

departments as may be necessary and appropriate, shall develop and prepare a preliminary request for proposal outline for project-specific site selection which incorporates the determinations made by SSWG reported to the JSSSC in accordance with subsection C. of this section.

E. *Initial public meetings and comments.* The SSWG may hold a public meeting to disseminate project-specific information to interested persons. Notice of these public meetings shall be given in a manner that is most likely to inform community councils, PTAs, potential proposers and interested citizens.

F. *Final RFP.* The SSWG, the school district and general government departmental staff as may be necessary and appropriate, shall prepare a final request for proposal. The final proposal shall be prepared after consideration of SSWG's report and recommendations under subsection C. of this section, the comments and recommendations of the JSSSC and public comments.

1. In consultation with planning, the school district shall print, advertise and issue the final RFP. All RFPs shall be issued with directions for proposals to be submitted in three, separately sealed parts as follows:
  - a. Part I of each proposal shall exclude all references to any costs, including but not limited to both on-site and off-site development and infrastructure costs, all sales prices and terms of sale and all references to cost, price, financing and similar monetary considerations relevant to the proposal.
  - b. Part II of each proposal shall present the costs, prices and other monetary proposals relating thereto excluded in Part I in accordance with subsection F.1.a. of this section.
  - c. Part III of each proposal shall contain the proprietary information which the proposer requests be kept confidential and not released to the general public or other proposers.

2. Information contained in Part III. of any proposal, the knowledge of which is material to the comparative evaluation of the proposal shall be subject to public disclosure only after notice to the proposer and an opportunity for the proposer to either consent to disclosure, request a modification of what information may be disclosed without changing the proposal, or withdraw the proposal from further consideration. Proprietary information not reasonably necessary to a fair comparative evaluation of the proposal shall remain confidential and not subject to disclosure to the general public or other proposers at any time. The SSWG shall determine what information is material to the comparative evaluation of the proposal and their determination shall be final.

*G. Receipt and evaluation of proposals.* The school district shall receive and log-in all proposals submitted in response to RFP's under this section.

1. The SSWG shall review, analyze, evaluate and rank all proposals according to the criteria set forth in the RFP and the general criteria established pursuant to section 25.25.080.
2. Proposals not submitted in at least the two parts required by subsections F.1.a. and F.1.b. of this section shall not be received, marked as timely filed nor retained by the school district, but shall be immediately returned to the proposer. Neither the proposer, the school district, SSWG or any person shall open or divulge any information contained in Part II of any proposal until the evaluation and ranking of Part I has been finally completed.
3. Parts I and II of all proposals shall be evaluated and ranked separately and independently. Part I of all proposals shall be first evaluated and ranked prior to opening, evaluating and ranking the proposal Part II.
  - a. In order to provide proposers an opportunity to withdraw their proposals prior to the evaluation of Part II,

all proposers shall be notified of their individual ranking on Part I, but the ranking of other proposals shall remain confidential.

4. SSWG shall assign an aggregate rank to Parts I and II together according to the evaluation criteria established in the RFP.
5. Prior to the final ranking of either or both Part I and Part II of proposals received, SSWG may request reasonable additional information from all proposers as to site and off-site infrastructure improvements and conditions or relevant to the RFP requirements, standards and criteria.
  - a. Additional information may include but is not limited to the results of geotechnical investigations, environmental hazards or contamination assessments and title reports.
  - b. Proposers submitting supplemental information requested by SSWG under subsection G.5. of this section may submit a supplemental Part II only as to costs and prices directly related to or in connection with such additional information.
    - i. Supplemental Parts I and II shall be submitted, held, opened and considered under the same conditions and restrictions as the original proposals.

*H. SSWG evaluation report and planning's comparative proposal report and recommendation.* SSWG and Planning shall prepare and submit the following reports and evaluations.

1. SSWG shall provide planning with a report of the results of SSWG's evaluation of the RFP proposals together with SSWG's recommendations, if any. The SSWG evaluation report shall remain confidential until planning publishes its comparative proposal report.
2. Upon receipt of SSWG's evaluation of the RFP proposals, planning or its designee shall prepare a comparative report on all sites proposed, including its recommended site. Planning shall include such analysis

and explanation as may be necessary to fully explore all considerations relevant to all proposed and alternative sites.

- a. Planning's comparative proposal report shall be submitted to and reviewed by the JSSSC upon completion.

I. *Public presentation of comparative proposal report.* The SSWG, school district and planning shall present the results of their respective reports and/or recommendations required by subsections G. and H. of this section at such public meetings as may be reasonable and necessary to disseminate the report to all interested persons. The school district, in consultation with planning, shall give such notice of these public meetings to community councils, PTAs, potential proposers and other interested citizens.  
(AO No. 97-89, § 2, 7-22-97)

#### **25.25.340 School board and planning and zoning commission review.**

A. *School board approval and planning and zoning commission review.* SSWG shall forward to the Anchorage School Board and the planning and zoning commission all SSWG and planning reports and evaluations, together with a summary of public comments received thereon at meetings held pursuant to subsection I. of this section and such other information required by section 21.15.015.

1. The public hearing required by section 21.15.015 may be a joint public hearing before the planning and zoning commission and the school board, provided, however, the planning and zoning commission and the school board shall separately consider and make independent and separate recommendations to the assembly.

(AO No. 97-89, § 2, 7-22-97)

### **PART IV. SCHOOL SITE SELECTION PROCESS FOR TURNKEY ACQUISITION PROJECTS (Reserved for future use)**

**25.25.400—25.25.499. Reserved.**

### **PART V. METHODS OF SOURCE SELECTION FOR SCHOOL SITES AND SCHOOL CONSTRUCTION**

#### **25.25.500 Public notices of invitations to bid and requests for proposals.**

Public notice of invitations to bid ("bids") and requests for proposals ("RFPs") shall be published in a newspaper of general circulation within the municipality at least once each week for two consecutive weeks before the last day on which proposals will be accepted. Such notice shall also be posted at the municipality's purchasing office and the school district administration building and such other sites as may be reasonably necessary to give notice to all potentially interested persons. The contents of the notice shall be sufficient to inform interested readers of the general nature of the land, supplies, services or construction being procured and the procedure for submitting a bid. The school district shall mail or otherwise deliver notices to a sufficient number of prospective bidders/proposers from a current bidders'/proposers' mailing list to afford equitable opportunity for competition. The failure of any person to receive notice under this subsection shall not affect the validity of any award or contract.

(AO No. 97-89, § 2, 7-22-97)

### **PART VI. SUBMISSION OF SCHOOL DESIGN PROFESSIONALS AND PRELIMINARY SUBSEQUENT AND REVISED SCHOOL DESIGNS**

#### **25.25.610 Definitions.**

Except where the context clearly indicates a different meaning, when used in this Part VI, the following words, terms and phrases shall have the meanings ascribed to them as follows:

*Professional design personnel* means architects, engineers, or other design personnel engaged to analyze, create, review, or recommend designs for school buildings;

*Preliminary design* means school building conceptual designs preliminary to design schematics, which include the following elements and infor-

mation and together illustrate the general scope and relationship of the school building components:

- (a) School site shown on an aerial photograph with a site plan overlay;
- (b) Building location and orientation;
- (c) Building cross sections, elevations, and massing;
- (d) Preliminary floor plan layout;
- (e) Anticipated traffic patterns and site access;
- (f) Existing utility infrastructure and easements; and
- (g) Required land use actions, if any.

*Subsequent designs* means modified or amended preliminary school building designs resubmitted to the Assembly at its request prior to the Assembly's approval of the preliminary design.

*Revised designs* means either:

- (a) Any amended or modified preliminary design approved by the Assembly prior to such amendment or modification which alters the square footage or increases the total estimated cost of the construction project by more than ten percent of the approved preliminary design; or
  - (b) The final schematic designs.
- (AO No. 2000-106(S), § 1, 7-25-00)

#### **25.25.620 Submission and approval of professional design personnel.**

A. Subsequent to selection by the school board or its designee, but prior to any contract award, the school board shall submit selected professional design personnel to the assembly for its approval. Such submission shall be by assembly memorandum and shall contain at least the following:

1. A description of the proposed school building, together with its location, program and intended use, the projected student population to be served, the estimated project budget, and the funding source;

2. The name of the design firm, together with the professional qualifications and design experience of the firm;
  3. The evaluation criteria used to select the design firm;
  4. The estimated range of total design fees of the school board recommended design firm, reflected as dollar amounts and percentages of the estimated total construction cost for the project; and
  5. For informational purposes only, the name and school district telephone number of the school district's project manager.
- (AO No. 2000-106(S), § 1, 7-25-00)

#### **25.25.630 Submission and approval of preliminary, subsequent and revised school designs.**

A. Subsequent to approval of a school building design by the school board, the school board shall submit preliminary, subsequent, and revised school building designs to the assembly for its approval. Such submission shall be by assembly memorandum and shall contain, in addition to the specific preliminary, subsequent or revised designs, the following information:

1. A description of the proposed school site, school building and building program;
2. The projected student population of the school;
3. The total construction budget and the funding source;
4. The projected project schedule; and
5. Any known neighborhood impacts, comments and reactions, which reflect potential impacts of the school building on the neighboring community.

B. If the assembly requests information about or modifications or amendments to a preliminary design prior to assembly approval thereof, or if the assembly disapproves a preliminary design, it shall state its requests or the basis of its disapproval on the record.

C. The assembly shall take action on a revised design, within ten days of its submission to the assembly. If the assembly takes no action on such revised design, the design shall be deemed approved without further action.

D. If the recommended designs anticipate the disposal or destruction of any school facility or building, the school board shall submit with the assembly memorandum for approval of the preliminary design, a proposed ordinance for assembly introduction and approval of such disposal or destruction.

(AO No. 2000-106(S), § 1, 7-25-00)

#### **25.25.640 Applicability of Part VI.**

A. Part VI of this chapter shall apply to the following municipal school district construction projects:

1. Construction of any new school building;
2. Additions to any school building exceeding ten percent of the square footage of the existing school building; and
3. Major rehabilitation of any school building.

(AO No. 2000-106(S), § 1, 7-25-00)



Municipality of Anchorage  
MUNICIPAL CLERK'S OFFICE  
**Agenda Document Control Sheet**

*A02007-124*

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	<b>SUBJECT OF AGENDA DOCUMENT</b>	<b>DATE PREPARED</b>	
	Ordinance repealing Chapter 25.25 School Site Selection and Acquisition School Building Construction	9/4/07	
		<b>Indicate Documents Attached</b> <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
<b>2</b>	<b>DEPARTMENT NAME</b>	<b>DIRECTOR'S NAME</b>	
	Assembly	Dan Coffey, Chair	
<b>3</b>	<b>THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY</b>	<b>HIS/HER PHONE NUMBER</b>	
	Department of Law - Westover		
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>
X	Mayor		
	Municipal Clerk		
	Municipal Attorney		
	Employee Relations		
X	Municipal Manager		
	Cultural & Recreational Services		
	Fire		
	Health & Human Services		
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management and Budget		
	Police		
	Port of Anchorage		
	Public Works		
	Solid Waste Services		
	Transit		
	Water & Wastewater Utility		
	<b>Executive Manager</b>		
	Community Planning & Development		
	Finance, Chief Fiscal Officer		
	Heritage Land Bank		
	Management Information Services		
	Property & Facility Management		
	Purchasing		
	<b>Other</b>		
<b>5</b>	<b>Special Instructions/Comments</b>		
	INTRODUCTION - 9/11/07		
<b>6</b>	<b>ASSEMBLY HEARING DATE REQUESTED</b>	<b>7</b>	<b>PUBLIC HEARING DATE REQUESTED</b>
			9/25/07