

Facilities & Transportation

Leadership - Direction - Communication - Monitoring

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Presentation Goal

□ **Overview: Facility & Transportation Management:**

This presentation will provide participants with a brief overview of current Managerial issues impacting school district Facilities and Pupil Transportation programs.

This brief presentation will attempt to focus on a few important mutual challenges facing school districts. Information related to essential Managerial responsibilities, critical to program Efficiency's, Effectiveness and Sustainability will be discussed. Participants may then consider reviewing or assessing their respective programs for compliance, possible modifications or pursue professional assistance.

Note: Every possible Professional Power Point Presentation Rule, Recommendation or Guide has been violated within the development of the following set of slides. For this we apologize in advance.

Essential Comments to Consider

Good Judgment comes from a lot of Experience. And most Experience comes from a lot of Poor Judgment!

Will Rogers

There are a lot of people that don't know what they don't know.

Donald Rumsfeld

It isn't a Problem, until it is a Problem

A Really Wise Person ?



Managerial Mentoring

Education, Aptitude, Training, Skills, Experience, Attitude

- ❑ **Leader: Motivator & Educator**
- ❑ **Facilitator: Initiator & Supporter**
- ❑ **Organizer, Planner & Record-keeper**
- ❑ **Required Focus on Details**
Laws, Codes, Policy, Regulations
- ❑ **Budget Estimator, Bidding & Purchasing**
- ❑ **Monitor, Evaluate, Modify**
- ❑ **Communicator & Listener**
- ❑ **Technologically Trained**

Attributes to Interact with:

- ❑ **Superintendent / Board of Education, CFO, Directors, Teachers, Principals, Coaches, Food Service, Nurse, Staff, Students, Parents and Grandparents etc.**
- ❑ **County, City & Municipal Managers**
- ❑ **State & Federal Agencies: LARA, MDE, EPA, MIOSHA, MCHD, DEQ, Fire Marshall, etc.**
- ❑ **Professional Firms: Legal Counsels, Lawyers, Architects & Engineers, etc.**
- ❑ **Contractors: (Electrical, Mechanical, Plumbing, Structural, Roofing, Acoustical, Lighting, etc.)**
- ❑ **Chemical Vendor(s) Boilers, Pools, Custodial, etc.**
- ❑ **Industrial Hygienists: IAQ, ACM, MOLD, SWM, Water**
- ❑ **Waste Disposal Service(s)**
- ❑ **Turf & Agricultural specialists**
- ❑ **Law Enforcement / Homeland Security**
- ❑ **State / Local Inspectors: Boilers, Pools, etc.**
- ❑ **Technology Infrastructure Specialists**
- ❑ **Ins. Agents & Risk Management Inspectors**
- ❑ **Playground Equipment & Safety Designers**
- ❑ **Furniture / Equipment Manufacturers**
- ❑ **Many Others:**

Governmental Immunity

What “isn’t” Protected under this Tort Liability Protection ?

Operations of a School Bus



Safety Design of a School Building

(However:)

Attorneys may argue this includes the responsible maintenance and care of the school facilities “Safety Designs”. Safety designs may be compromised or negatively impacted by poor or inadequate maintenance. Also, improper District renovation projects not compliant with State Law / Codes, which negatively impact or damage the original safety design(s) within the facility.

Gross Negligence

Criminal Action

What is Gross Negligence ?

Gross Negligence:

- ❑ Dereliction of duty
- ❑ Deliberate, conscious or willful neglect
- ❑ Willfully acting or neglecting to act, without reasonable caution and placing another person at risk of injury or death
- ❑ An extremely careless action or an omission that is willful or reckless disregard for the consequences to the safety of another person which causes injury or death



Regulatory Compliance

Non-Compliance within many School Districts

- ❑ State & Federal Laws
- ❑ MIOSHA regulations between all Employers & Employees and now some students (Career Pathway Curriculum)
- ❑ Covers Safety & Health working conditions
- ❑ Employer is either in compliance or not (Requires Significant Record Keeping)
- ❑ MIOSHA non-compliance fines doubled as of 1-1-2017
- ❑ Written Programs & Staff Training Required (Initial, Supplemental & Refresher)
- ❑ Shared Responsibility & possible Liability Exposures



Regulatory Agencies & Programs

Directly Involved with Public & Non-Public Schools

- MDE** Michigan Department of Education
- LARA** Department of Licensing and Regulatory Affairs
- OSHA** Occupational Safety & Health Administration
- MIOSHA** Michigan Occupational Safety & Health Administration
- MDHHS** Michigan Department of Health and Human Services
- MWRA** Medical Waste Regulatory Act
- MDEQ** Michigan Department of Environmental Quality - SWM
- EPA** Environmental Protection Agency
- Fire Marshall** Bureau of Fire Services
- AHERA** Asbestos Hazard Emergency Response Act – US EPA
- NESHAP** National Emissions Standard for Hazardous Air Pollutants
- MSP** Michigan State Police – Commercial Vehicle Enforcement Division

Responsible Bidding Activities

Can Provide Advantages



- ❑ Bid Format and Documentation is kept current for District
- ❑ Bidders list can be preapproved or maintained in a current contact status
- ❑ RFP can be quickly advertised on Bid4Michigan website account along with other media platforms
- ❑ Data gathering or Market Testing with accurate product or services specifications
- ❑ Market Testing information can assist specification improvements and reduce costs for equipment and/or services. Data use for budgeting, strategic planning, negotiations
- ❑ District can make Cost/Quality Comparisons on products or services

Bidding & Purchasing

Districts may encounter Violations with poor Bidding / Purchasing protocols

- ❑ **Non-Compliance with School Policy Purchasing Protocols** – Lower thresholds or included general services
- ❑ **Non-Compliance with Competitive Bidding Thresholds within Revised School Code sec. 623a & 1274, for the purchasing of Supplies, Materials and Equipment**
- ❑ **Non-Compliance with Competitive Bidding Thresholds within Revised School Code sec. 1267 pertaining to Construction, Renovation, Repair or Remodeling**
- ❑ **Michigan-Based Business Preference, not local - defined**



Bidding Blunders



- ❑ Borrowing another District's Bid RFP which doesn't meet your District's needs or specifications
- ❑ Critical Timeliness for Bidding
- ❑ Bid Documentation should expect Regulatory Compliance
- ❑ Bid Documentation should meet or exceed Competitive Bid requirements & expectations
- ❑ Detailed Expectations or Bid Specifications are Critical to conduct comparison bidding
- ❑ Never sign a contract prior to your Legal Counsel review

Most School Districts Managers Require Mentoring or Professional Assistance

- Laws, Regulations, Rules, Policy, Ordinances, Programs, Standards, Best Practices, Procedures, Compliance, Written Programs, Protocols, Guidelines, Directions, Expectations, Budgets, Bidding, Specifications, Staff Training, Procuring, Equipment, Permits, Licenses, Supplies, Implement, Monitor, Support, Coaching, Evaluation, Adjust or Modify

(Sometimes Overwhelming ?)

- **Your District Legal Counsel will tell you, “it is better to invest in keeping your district out of trouble, rather than investing to get your district out of trouble”**



Remember

”It isn’t a Problem until there is a Problem”



Questions or Need Assistance

