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Act No. 149 (H.871). An act relating to the development of an updated State aid to school construction program

Subjects: Education; school construction; facilities; grant program

This act takes several steps towards updating the State's school construction program, including the following:

- Sec. 1 of this act creates the Facilities Master Plan Grant Program to support the development of educational facilities master plans with the goal of supervisory unions developing a final master plan that complies with State construction aid requirements. The Agency of Education will administer the Grant Program as well as develop a prioritization formula based on an applicant's poverty factor and average facilities condition index score, with award amounts commensurate with gross square footage of buildings within the applicable supervisory union. The Agency is also required to report to the General Assembly annually, on or before December 31, with information on the implementation of the Grant Program. The Grant Program will run for five years, with Sec. 2 of this act prospectively repealing Sec. 1 on June 30, 2029.
- Sec. 3 of this act requires the Agency of Education to coordinate with the Department of Buildings and General Services to develop prequalification criteria for firms specializing in kindergarten-through-grade-12 school design and construction.
- Sec. 4 of this act creates the State Aid for School Construction Working Group to study and design a recommended plan for a statewide school construction aid program. The Working Group is composed of three members of the House, three members of the Senate, and the Secretary of Education or designee. Sec. 4 requires the Working Group to consider and make recommendations on certain topics and consult with certain groups. The Working Group shall meet not more than six times, unless additional meetings are jointly authorized by the Speaker of the House and President Pro Tempore, and it shall cease to exist on December 31, 2024. Final findings and recommendations shall be submitted to the General Assembly on or before December 15, 2024, in the form of proposed legislation.
- Sec. 6 amends 16 V.S.A. § 559 (b) to raise the threshold for what is considered a "high-cost construction contract." Current law requires that if a school construction contract exceeds \$500,000.00, a school board needs to publicly advertise for bids. This section raises the threshold at which there would be a need to advertise for bids to \$2,000,000.00. This section also amends current law to allow school boards to choose from among three or fewer lowest responsible bids. Current law requires at least three bids. This change would allow a school board to choose from fewer than three bids.

Effective Date: July 1, 2024