

**Exhibit MM**  
RULE 7310

NEW CONSTRUCTION: FINANCING

Determination of School DESIGN AND Construction Costs

I. PURPOSE

- A. TO IMPLEMENT BOARD OF EDUCATION POLICY 7310.
- B. TO ESTABLISH GUIDELINES FOR DETERMINING SCHOOL DESIGN AND CONSTRUCTION COSTS FOR THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) CAPITAL PROJECT PROGRAM.

II. GUIDELINES

- A. [1.] COST [Preliminary] Estimates
  - 1. PRELIMINARY ESTIMATE
    - a. THE [It shall be the responsibility of the] Department of Physical Facilities SHALL [to] coordinate the establishment of preliminary cost estimates for THE DESIGN AND CONSTRUCTION OF [new] school construction PROJECTS. These estimates shall be incorporated in a Proposed School Capital Budget which shall be approved by the Board of Education OF BALTIMORE COUNTY (BOARD) prior to its submission to appropriate county and state fiscal and government officials and agencies.
    - b. The PRELIMINARY [preparation of such] estimates shall reflect any division of costs [that may be necessary] between the Board [of Education] and the Department of Recreation and Parks AND [. Such estimates shall also reflect any division of costs that may be necessary] between Baltimore County GOVERNMENT and the State of Maryland.
  - 2. Final Estimate[s]
    - a. Following completion OF CONSTRUCTION DOCUMENTS by A DESIGN CONSULTANT [an architect of design development] for a [new] school CONSTRUCTION project, the final estimate of the cost of said project shall be mutually determined by the CONSULTANT [architect] and [appropriate staff members of] the D[d]epartment of

P[p]hysical F[f]acilities.

- b. In the event that the final cost estimate exceeds budgeted funds, a determination shall be made by the Superintendent to to:
  1. [a.] Redesign to reduce the scope of the project;
  2. [b.] Establish add/deduct bid alternates; [,] AND/OR
  - [c.] Proceed with the project as designed with planned provisions for additional funding]
  3. [d.] Secure additional funding

**B. Construction COST [Contract]**

**1. INITIAL CONSTRUCTION COST**

The receipt of an acceptable bid in accordance with the applicable procurement regulations for [the construction of] a [new] school CONSTRUCTION project shall ESTABLISH [be the determining factor in] the initial CONSTRUCTION cost of the project.

**2. THE DEPARTMENT OF PHYSICAL FACILITIES WILL REQUIRE THE PROJECT CONSULTANT TO UPDATE, ON A REGULAR BASIS, THE CONSTRUCTION COST ESTIMATE TO ENSURE THAT THE PROJECT IS BEING DESIGNED AND PLANNED WITHIN FUNDING ALLOCATIONS.**

**3. [4.]Final CONSTRUCTION Costs**

Final CONSTRUCTION costs FOR A SCHOOL CONSTRUCTION PROJECT shall:

- a. Include all expenses ASSOCIATED WITH THE PROJECT [incurred], including change orders; ], and shall]
- b. Be determined after the final approval by the CONSULTANT [architect], project manager, and close-out of the project.

**C. TOTAL PROJECT COST**

THE TOTAL PROJECT COST SHALL INCLUDE ALL EXPENSES INCURRED DURING THE DESIGN, BIDDING, AND CONSTRUCTION PHASES OF THE PROJECT.

**III. COMPLIANCE**

THE PROCUREMENT OF CONSTRUCTION CONTRACTS AND COST REPORTING SHALL CONFORM WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS; THE MARYLAND INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

PROCEDURES; AND BOARD OF EDUCATION POLICIES,  
SUPERINTENDENT’S RULES, AND APPLICABLE BCPS PROCEDURES.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-115, ACQUISITION AND DISPOSITION OF REAL PROPERTY; CONSTRUCTION, ETC., OF SCHOOL BUILDINGS*  
*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-301, STATE PAYMENT OF CERTAIN PUBLIC SCHOOL CONSTRUCTION AND CAPITAL IMPROVEMENT COSTS*  
*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-107, APPROPRIATIONS AND EXPENDITURES FOR CAPITAL PROJECTS*  
*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-303, RENOVATION OF EXISTING SCHOOL BUILDINGS*  
*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-312, APPLICATION OF HIGH PERFORMANCE BUILDING STANDARDS*

RELATED POLICIES: BOARD OF EDUCATION POLICY 3210, *PURCHASING GUIDELINES*  
BOARD OF EDUCATION POLICY 3225, *FURNITURE, FIXTURES, AND EQUIPMENT*  
BOARD OF EDUCATION POLICY 7110, *DETERMINING NEEDS*  
BOARD OF EDUCATION POLICY 7250, *SCHOOL BUILDING DESIGN*

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