



Lancaster County Public Schools

*Learning Today...
Leading Tomorrow!*

MEMORANDUM

TO: Lancaster County School Board Members, Joan Gravatt, Cindy Clarke, Margaret Socey, Kenya Moody, Faith Kemp

FROM: Jessica Davis, Superintendent

RE: Finalized Terms of Agreement for Lancaster County Combined Middle School/High School Construction Contract

DATE: November 14 , 2022

Dear LCPS Board Members,

Branch Builds, Inc. and LCPS have reached the final negotiations stage on the comprehensive agreement for construction of the Lancaster County Combined Middle School/High School pursuant to the Lancaster County School Board PPEA Guidelines approved in February 2022 (see "Guidelines" at the following site: https://core-docs.s3.amazonaws.com/documents/asset/uploaded_file/1943743/Lancaster_PPEA_Guidelines_2022.pdf). All that remains to be negotiated are a few minor terms. Our attorney anticipates that final agreement will be reached on all the terms by the end of this week, if not sooner. Accordingly, I attach for your review and consideration, the Proposed Comprehensive Agreement.

Because the Board decided to pursue this procurement and contract pursuant to the Public-Private Educational Facilities and Infrastructure Act (PPEA), certain steps must be taken prior to the time that the contract can be executed:

At least thirty (30) days prior to signing the Agreement, the School must hold a public hearing. The Board must post the Proposed Agreement on its website and must provide notice of the date, time and subject matter of the hearing as is required by the Board for a public hearing, including any requirements for posting in a newspaper of general circulation in our area.

The School Administration will post the attached Proposed Agreement on the School Board's website where it can be found by clicking the PPEA Proposed Comprehensive Agreement button. The exhibits to the Agreement are currently being finalized and will be posted in the same location as soon as they are complete. A hard copy of the Proposed Agreement and exhibits may be found for public review at The Lancaster County School Board Office..

Both the Virginia Code and the Board's PPEA policy require that, prior to the execution of any proposed

Jessica Davis, Superintendent
Takia Dobyns, Director of Budget & Finance
Kelvin Evans, Director of Human Resources & Equity
John Mann, Director of Operations & Transportation

School Board
Joan Gravatt, Chair
Cindy Clarke, Vice Chair
Faith Kemp, Member
Kenya Moody, Member
Margaret Socey, Member



Lancaster County Public Schools

*Learning Today...
Leading Tomorrow!*

comprehensive agreement, a draft shall be forwarded to the Board of Supervisors for its review. See Virginia Code § 56-575.3:2; see also Board PPEA Policy at § VII.B. A copy of the proposed agreement will be forwarded to the Board of Supervisors within the next day or two.

Assuming the School Board approves the Proposed Agreement, once the Board of Supervisors has reviewed the agreement and the thirty days following the public hearing have passed, the time to run concurrently, the Agreement may be signed.

A great deal of time has been spent between LCPS and Branch Builds in good faith negotiations to finalize an agreement that is fair and will accomplish the project objectives within the cost limits established by the Board of Supervisors. Our attorney has participated in every step of the negotiations. She believes that the Proposed Agreement fairly and appropriately allocates the costs and benefits of the school construction project. Accordingly, I respectfully ask that you approve the terms of the Proposed Agreement so that I may sign the Agreement in my capacity as the Superintendent of Lancaster County Public Schools.

Sincerely,

Jessica Davis

Jessica Davis, Superintendent
Takia Dobyns, Director of Budget & Finance
Kelvin Evans, Director of Human Resources & Equity
John Mann, Director of Operations & Transportation

School Board
Joan Gravatt, Chair
Cindy Clarke, Vice Chair
Faith Kemp, Member
Kenya Moody, Member
Margaret Socey, Member