
MEMORANDUM

TO: Business Managers
FROM: Cassandra Ryan, Director of Regulatory Compliance and Risk Management
SUBJECT: DEC GreenPrint Bid Waiver for Stormwater Projects
DATE: March 8, 2024

Purpose

The Agency of Education Regulatory Compliance Team became aware of a potential public bid law compliance situation impacting school districts statewide that wish to participate in a program to receive funding to assist with the costs of mandatory stormwater projects. It is my understanding that the Vermont Department of Environmental Conservation (DEC) has significant funding available to support schools to construct stormwater projects to comply with the three-acre general permit requirements. DEC has opted to implement this program through an \$18 million contract with Greenprint Partners. Greenprint Partners is providing technical and financial assistance to districts by procuring construction services on their behalf to complete SW projects. In all cases, the financial assistance is capped at 90% leaving a 10% match for the school districts. In some cases, this 10% match exceeds \$40,000 and Greenprint is requesting the school district enter into a contract with them for this piece of the work.

Waiver

The Secretary of Education may issue a waiver where a school board, through no fault of its own, is unable to comply with the public bidding laws [16 V.S.A. § 559](#). The Agency supports Vermont school districts participation in this program and finds that it would not be possible for the districts to comply with the public law in a way that would offer meaningful competition due to the significant funding supplied through this program. To the extent that a waiver is needed, the requirements for a waiver are met and the Secretary has authorized me to grant this waiver as a blanket waiver to all school districts statewide.

