



SCHOOL BOARD ACTION REPORT

DATE: September 9, 2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: September 18, 2019
For Action: October 2, 2019

1. TITLE

BTA III/ BTA IV: Resolution 2019/20-4, Final Acceptance of Contract K1304 with Acc-U-Set Construction, Inc. for the Relocation and Setup of Portable Classrooms at Multiple School Sites project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K1304 with Acc-U-Set Construction, Inc. for the Relocation and Setup Portable Classrooms at Multiple School Sites project. Board approval allows the district to submit required documents to the State of Washington Department of Labor & Industries, Department of Revenue and Employment Security Department and closeout the project, including authorizing the release of project retainage.

3. RECOMMENDED MOTION

I move that the School Board adopt Resolution 2019/20-4 and accept the work performed under Contract K1304 with Acc-U-Set Construction, Inc. for the Relocation and Setup Portable Classrooms at Multiple School Sites project as final.

4. BACKGROUND INFORMATION

a. Background

- The project was funded by BTA III/ BTA IV capital funds to support installation of portable classrooms that address the annual requirement of providing classroom solutions for the district's enrollment growth and program needs.
- The district publicly advertised Bid No. B11717, Relocation and Setup Portable Classrooms at Multiple School Sites project on December 1, 2017, with a total number of one (1) bid received. Acc-U-Set Construction, Inc. was deemed to be the low, responsive, responsible bid contractor and awarded the Total Bid amount, including unit prices.
- At the January 17, 2018 School Board Meeting, the Board authorized the Superintendent to execute contract No. K1304 with Acc-U-Set Construction, Inc. The Board action approved \$449,800, plus Washington State sales tax, for the relocation and setup of fifteen (15) Portable Classrooms at multiple school sites.

- Acc-U-Set Construction, Inc. satisfactorily completed the base contract work, unit price work, and changes to relocate, transport, and install a total of nineteen (19) classrooms/portables at six (6) school sites (4-classrooms at Ballard HS, 4-Nathan Hale HS, 4-Madison MS, 2-Mercer MS, 1-Northgate ES, and 4-classrooms at Original Van Asselt for Wing Luke ES interim school site) based on a total of 13-single portables and 3-double portables. The overall contract increase of 59% is based in part for site specific grade elevation and layout constraints requiring layout revisions to our ADA access ramp, landing, and stairs at multiple sites and based in part on the addition of four (4) portable classrooms at two (2) additional school sites with the need for use of special equipment to set the portables.

b. Alternatives

Not accepting the project in a timely manner could put the district in a position subject to litigation. Therefore, this alternative is not recommended.

c. Research

The capacity management recommendations were based on a collaborative process involving staff from Capital Planning, Enrollment Planning, Special Education and Early Learning, plus subject matter research and analysis regarding projected enrollment growth, program needs, the available space in existing permanent and portable facilities, and site-specific potential to support an additional building footprint.

5. FISCAL IMPACT/REVENUE SOURCE

All payments have been made to the contract from the BTA III/ BTA IV Capital Levy funds. No outstanding invoices remain.

During the course of the project six (6) Change Orders were issued comprised of seven (7) Change Order Proposal Requests and three (3) Construction Change Directives. Cumulative Change Orders totaled a Net Add of \$269,266 plus WSST. Change order increases totaled an overall 59% of the awarded construction contract amount for changes associated with the addition of four (4) relocated classrooms/portables, use of special equipment to set portables, and ADA access ramp, landing, and stairs layout revision required for site specific grade elevations and layout constraints. Change order expenditures were reasonable for this type of capacity management portables project.

Contractor:	Acc-U-Set Construction, Inc.
Awarded Contract K1304 Amount	\$ 449,800
Change Orders No. 01 - 06	\$ 269,266
WSST	\$ 72,626
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Total Revised Contract Amount	\$ 791,691 (including WSST)
Contract Retainage Held	\$ 35,953

Amy Fleming: _____ Date: _____
 Director of Accounting

Expenditure: One-time Annual Multi-Year N/A
 Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

With guidance from the District’s Community Engagement tool, this action was determined to merit the following tier of community engagement:

- Not applicable
- Tier 1: Inform
- Tier 2: Consult/Involve
- Tier 3: Collaborate

7. EQUITY ANALYSIS

This motion was not put through the process of an equity analysis. The selection of projects in the BTA III/ BTA IV program was designed to provide equitable access to safe school facilities across the city.

8. STUDENT BENEFIT

This project ensures a safe, secure learning environment for every student.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

For purposes of avoiding disputes over the timing of the filing of liens, the School Board should accept the work on a construction project as finally complete prior to the release of retention.

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on September 5, 2019. The Committee reviewed the item and moved it forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

Acceptance of Completed Project by School Board	October 2, 2019
Release of Retainage Bond	Approx. November 2019
Contractor's One-Year Warranty period ends	November 14, 2019

13. ATTACHMENTS

- District Project Manager's Letter of Recommendation (in accordance with [WAC 392-344-155](#)) (for reference)
- Resolution 2019/20-4 for Approval



Memorandum

Date: July 29, 2019
To: Contract K1304 Closeout File
From: Mike Barrett, Project Manager, Capital Projects
Re: Certificate of Final Completion
Contract No. K1304 Relocation and Setup Portable Classrooms at Multiple School Sites
Contractor: Acc-U-Set Construction, Inc.

DEFINITION OF FINAL COMPLETION:

On the basis of district Project Manager's on-site visits, inspections, and to the best of my knowledge, information and belief, Work of the Contract has been completed satisfactorily and recommendation is made for Final Acceptance.

DATE OF FINAL COMPLETION: November 14, 2018

STATEMENT OF WORK COMPLETED AND GROSS SQUARE FOOTAGE:

The Work to Purchase and Install Portable Classroom Modules included a total of nineteen (19) classrooms/portables at six (6) school sites based on four (4) single classroom/portables at Ballard High School, one (1) double and two (2) single classroom/portables at Nathan Hale High School, four (4) single classroom/portables at Madison Middle School, two (2) single classroom/portables at Mercer Middle School, one (1) single classroom/portable at Northgate Elementary School, and two (2) double classroom/portables at Original Van Asselt for Wing Luke ES interim school site. A total of 17,024 sf of classroom space was provided in a total of nineteen (19) classrooms however, per the definition of "Instructional Space" per WAC 392-343-019 the additional 17,024 sf of classroom space shall not be considered as added "Instructional Space" as defined; reference the Definition of Instructional Space in WAC 392-343-019(8).

Cc: K1304 Acc-U-Set Construction, Inc. contract file

**Seattle School District #1
Board Resolution**

Resolution No. 2019/20-4



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying Contract K1304 with Acc-U-Set Construction, Inc. for the Relocation and Setup of Portable Classrooms at Multiple School Sites Project as complete.

WHEREAS, the Seattle School District No. 1 Board of Directors has received notification from the District’s project manager that the Relocation and Setup of Portable Classrooms at Multiple School Sites Project is complete in accordance with contract specifications and documents; and

WHEREAS, the Superintendent concurs that the contractor has satisfactorily completed the project;

NOW THEREFORE, BE IT

RESOLVED, by the Seattle School Board of Directors that the work of the contractor, Acc-U-Set Construction, Inc., is now complete; and therefore, be it further

RESOLVED, that duly certified copies of this resolution shall be presented to OSPI.

ADOPTED this _____ day of _____, 2019

Leslie Harris, President

Rick Burke, Vice-President

Zachary DeWolf, Member

Jill Geary, Member

Eden Mack, Member

Brandon K. Hersey, Member

Scott Pinkham, Member

ATTEST: _____
Ms. Denise Juneau, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA