



# **SCHOOL BOARD ACTION REPORT**

**DATE:** November 28~~October 4~~, 2017  
**FROM:** Dr. Larry Nyland, Superintendent  
**LEAD STAFF:** Dr. Lester Herndon, Associate Superintendent, Facilities and Operations  
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**For Introduction:** November 15, 2017  
**For Action:** December 6, 2017

## **1. TITLE**

BEX IV: Final Acceptance of Contract P5043 with Spee West Construction Company for the Genesee Hill School Replacement Project

## **2. PURPOSE**

Board action is required to approve final acceptance of Contract P5043 with Spee West Construction Company. 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 accept the work performed under Contract P5043 with Spee West Construction Company for the Genesee Hill School Replacement Project as final.

## **4. BACKGROUND INFORMATION**

### **a. Background**

This project relocated the existing Schmitz Park School to a new 660-student capacity school constructed at the Genesee Hill School site. The scope of the project originated from the Meng Building Conditions Report issued April 2009, and overcrowding conditions/capacity concerns with the existing Schmitz Park School location.

BLRB Architects designed the new school with extensive engagement from the Schmitz Park School Design Advisory Team (SDAT). The district sought bids to build the new school in the Spring 2014 and Spee West Construction Company was awarded the project for a contract amount of \$25,793,000 plus Washington State Sales Tax (WSST). The scope of work included demolition of the existing Genesee Hill School and construction of a new 91,281 square foot school and associated site improvements.

Spee West Construction Company has satisfactorily completed the contract work and the consulting architect, BLRB Architects, and construction management firm, Heery International, Inc., agree and recommend final acceptance of the project.

The total budget for the project was \$41,163,658 and the amount spent as of September 30, 2017, totals \$39,860,553. Following normal practice, the difference of \$1,303,105 will be transferred to the BEX IV Program Contingency.

**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**

- Building Condition Survey, Meng Analysis, April 2009
- Seattle Public Schools Technical Building Standards dated December 2012

**5. FISCAL IMPACT/REVENUE SOURCE**

All payments have been made to the contract from the Building Excellence (BEX) IV Capital levy funds. No outstanding invoices remain.

During the course of the project, twenty-two Change Orders were issued comprised of 306 Changer Order Proposals or Construction Change Directives. Change Orders totaled \$2,250,342 plus WSST. Change order expenditures totaled 8.7% of the construction contract amount with the most significant expenditures associated with Seattle Department of Construction and Inspection (SDCI) code revisions concerning environmentally critical areas. These revisions resulted in additional steep slope shoring and a delay to the release of the building permit. SDCI's review was in response to the Oso landslide event. Weather delays also affected the project schedule (the fall and winter of 2015-2016 was the second wettest winter on record) requiring owner approved overtime to mitigate schedule delays. Change orders were reasonable for a project of this magnitude.

Contractor:	Spee West Construction Company
Contract Amount	\$ 25,793,000
Change Orders	\$ 2,250,342
WSST	<u>\$ 2,686,110</u>
Total Contract including WSST	\$ 30,729,452
Project Retention	\$ Bond

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 BEX IV program was designed to provide equitable access to safe school facilities across the city.

**8. STUDENT BENEFIT**

This project helps ensure 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: \_\_\_\_\_

In accordance with WAC 392-344-160, Board approval of final acceptance is required to complete the Office of Superintendent of Public Instruction D-11 application to release project retainage.

**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 November 2, 2017. The Committee reviewed the item and moved it forward to the full Board for consideration.

**12. TIMELINE FOR IMPLEMENTATION**

Acceptance of Completed Project by School Board  
Release of Retainage Bond  
Contractor's One-Year Warranty period ends

December 6, 2017  
Approx. January 2018  
July 22, 2017

**13. ATTACHMENTS**

- None