



# **SCHOOL BOARD ACTION REPORT**

**DATE:** November 10, 2020  
**FROM:** Denise Juneau, Superintendent  
**LEAD STAFF:** Fred Podesta, Chief Operations Officer  
206-252-0636, [fhpodesta@seattleschools.org](mailto:fhpodesta@seattleschools.org)

**For Introduction:** December 16, 2020  
**For Action:** January 13, 2021

## **1. TITLE**

BEX IV/BTA IV: Resolution 2020/21-6, Final Acceptance of Contract P5084 with Lydig Construction for the Lincoln High School Modernization and Addition project

## **2. PURPOSE**

The purpose of this action is to approve final acceptance of Contract P5084 with Lydig Construction for the Lincoln High School Modernization and Addition project and to approve Resolution 2020/21-6 to receive State Construction Assistance Program funding (SCAP) for the Lincoln High School Modernization and Addition 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 2020/21-6 and accept the work performed under Contract P5084 with Lydig Construction for the Lincoln High School Modernization and Addition project as final.

## **4. BACKGROUND INFORMATION**

### **a. Background**

The Lincoln High School Modernization and Addition project is located at 4400 Interlake Ave North, Seattle, WA. 98103. The project was funded through the BEX IV/BTA IV levies passed by voters in February 2013 and February 2016 respectively. The project was funded for a modernization of the 174,000 square-foot historic buildings, new mechanical additions and limited site improvements. The eastern 1959 building scope included life safety systems improvements and minor architectural improvements. The project is designed for 1,600 high school students.

Bassetti Architects contract P1436 provided architectural services for the design and construction administration for the Lincoln High School Modernization and Addition project.

The State of Washington allows public agencies to utilize alternative public works

contracting methods including the GC/CM delivery model. Utilizing GC/CM allows the district to select a contractor on factors other than low price, including relevant experience and project specific qualifications. This allows the GC/CM to join the project team during early design to provide expertise in scheduling; construction phase planning, means and methods; constructability, site logistics, and cost estimating. These contributions are welcomed by the district staff and the architect to collectively manage this very complex modernization and addition.

On June 15, 2016, Contract P5084 was presented to the School Board and approved, authorizing the Superintendent to negotiate, with any minor additions, deletions, and modifications to the Agreement as deemed necessary, and to sign a contract amendment for the Guaranteed Maximum Price (GMP) of \$56,749,750. At this meeting, the Board also executed Approval of General Contractor/Construction Manager (GC/CM) Delivery Method, and Resolution 2015/16-18.

On June 28, 2017, the Capital Department presented to the School Board a request for a budget increase of \$7,989,508 to improve the exterior of the western buildings. This increase was funded from the BTA IV Program Contingency and revised the Guaranteed Maximum Price (GMP) of Contract P5084 Lydig Construction (GCCM) by \$6,366,941 to \$63,116,691.

Lydig Construction has satisfactorily completed the contract work on time and within budget. Lydig also achieved a 21% apprenticeship utilization rate exceeding the 15% identified target. Due to the phased enrollment, adding an additional cohort each year, there are still remaining project expenditures which will continue through 2021, however expenditures associated with Contract P5084 are complete.

**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 2012
- Seattle Public Schools Technical Building Standards dated December 2012

**5. FISCAL IMPACT/REVENUE SOURCE**

All payments have been made to the contract from the BEX IV/BTA IV Capital Levy funds and the School Construction Assistance Program (SCAP) Funding. No outstanding invoices remain.

During the course of the project, 27 Change Orders were issued, comprised of 690 Change Order Proposals or Construction Change Directives. Change orders totaled \$7,351,104.34, plus Washington State sales tax (WSST). Change order expenditures totaled 11.7% of the construction contract amount with the most significant expenditures associated with bid alternates selected for both the west and east buildings post the Guaranteed Maximum Price award and unforeseen conditions. Additional alternates selected included:

- Alternate 1K – Supply and Install Lockers
- Alternate 4C – Audio/Visual for Library and Commons
- Alternate 5A – East Building Finishes
- Alternate 5H – East Building Exterior Maintenance

Unforeseen structural issues were discovered throughout the western buildings during construction including missing, undersized, damaged, or, found to be different than noted on existing documents structural members; which resulted in additional structure revisions. Exterior openings for the 492 windows to be replaced were also problematic, with crumbling masonry brick, skewed openings, and revisions to waterproofing required to prevent moisture intrusion. Lastly, a significant unforeseen condition was the existing plaster in varying locations, most significant however was the restoration of the plaster historic beams that were found concealed in the existing library.

Change orders were fair and reasonable for a landmarked project of this magnitude.

|                               |                     |
|-------------------------------|---------------------|
| Contractor:                   | Lydig Construction  |
| Original Contract Amount      | \$63,116,691        |
| Contract Amendments (1)       | -\$ 116,400         |
| Change Orders                 | \$ 7,351,104        |
| WSST                          | <u>\$ 7,105,491</u> |
| Total Contract including WSST | \$77,456,886        |
| Project Retention             | Bond                |

Director of Accounting, Amy Fleming, confirmed budget details on November 17, 2020. (date via email)

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

The selection of projects for the BEX IV Capital Levy was completed in 2012 and in 2015 for the BTA IV Capital Levy. Projects selected for the BEX IV and BTA IV capital levies were

intended to address student capacity needs and inadequate building systems in school facilities across the city. As such, this motion was not put through the equity analysis as it would have been done for the district's current capital planning efforts.

The roof replacement, seismic, and domestic water improvements implemented as part of this project were funded by the BEX IV Capital Levy addressing inadequate building systems, while the thirty-classroom addition was funded by the BTA IV Capital Levy addressing student capacity concerns in north end high schools.

**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: \_\_\_\_\_

In accordance with [WAC 392-344-160](#) Board approval of final acceptance is required to complete the Office of Superintendent of Public Instruction Form 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 December 3, 2020. The Committee moved the item forward to the full Board with a recommendation for approval.

**12. TIMELINE FOR IMPLEMENTATION**

|   |                 |
|---|-----------------|
| Acceptance of Completed Project by School Board | January 6, 2021 |
| Release of Retainage Bond                       | March, 2021     |
| Contractor's One-Year Warranty period ends      | July 31, 2020   |

**13. ATTACHMENTS**

- Resolution 2020/21-6 (for approval)
- Architect's Letter of Recommendation (for reference)

June 02, 2020

Mr. Steve Moore  
Senior Project Manager  
CBRE | Heery  
1420 5th Avenue, Suite 1700  
Seattle, WA 98101

Re: Lincoln High School Modernization, #15959.00

Subject: Final Completion

Dear Mr. Moore:

To the best of Bassetti Architects' knowledge, information and belief, and on the basis of the Architect's on-site visits, the Work has been completed in accordance with terms and conditions of the Contract Documents and the entire balance noted in the final Certificate of Payment is due and payable.

At the Lincoln High School Modernization project, Seattle Public Schools has built 13,273 square feet of new construction, 172,237 square feet of modernization, and 66,447 square feet of non-matchable construction as calculated per WAC 392-343-019. New construction includes building additions housing a new accessible main entry, building services and maintenance functions, and mechanical equipment. Modernization construction includes the complete interior remodel of existing 4-story historic landmarked structures resulting in 59 instructional and support spaces. Non-matchable construction includes mechanical and fire alarm system upgrades to existing 1-story structures.

The date of Final Completion is to be determined by the Seattle Public Schools Board of Directors.

We enjoyed working with you on this project and look forward to being of service to Seattle Public Schools in the future.

Sincerely,



Architect  
Bassetti Architects

CC: Michael Davis – Bassetti Architects

Seattle School District #1  
Board Resolution

Resolution No. 2020/21-6



A **RESOLUTION** of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying the Lincoln High School Modernization and Addition project as complete.

**WHEREAS**, the Seattle School District No. 1 Board of Directors has received notification from Bassetti Architects that the Lincoln High School Modernization and Addition 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, Lydig 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 13<sup>th</sup> day of January 2021

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Chandra N. Hampson, President

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Brandon K. Hersey, Vice President

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Lisa Rivera-Smith, Member-at-Large

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Zachary DeWolf

\_\_\_\_\_  
Leslie Harris

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~~Eden Maek~~ Liza Rankin

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Liza Rankin

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