



SCHOOL BOARD ACTION REPORT

DATE: September 14, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
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For Introduction: September 23, 2020
For Action: October 7, 2020

1. TITLE

BEX IV: Final Acceptance of Construction Contract P5099, bid number B11722, with CDK Construction Services, Inc., for the Eckstein Middle School Seismic Improvements project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5099 with CDK Construction Services, Inc., for the Eckstein Middle School Seismic Improvements 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 accept the work performed under Contract P5099 with CDK Construction Services, Inc., for the Eckstein Middle School Seismic Improvements project as final.

4. BACKGROUND INFORMATION

a. Background

Eckstein Middle School Seismic Improvement project is located at 7452 30th Ave NE, Seattle, WA 98115. The Eckstein Middle School Seismic Improvements project is funded through the BEX IV Capital Levy passed by the voters in February 2013. The project scope included priority one seismic improvements at various parts of the school, including installation of new plywood and concrete shear walls and lowering of two exterior unreinforced masonry chimneys. Additionally, Americans with Disabilities Act (ADA) accessibility improvements were made as part of the seismic work in compliance with the Seattle Building Code.

The project was publicly bid on March 22, 2018, with two bids being received. The total contract included the Base Bid and Alternate Bids 1 and 2 for a total construction contract award amount of \$2,917,672 plus Washington State Sales Tax. CDK Construction Services, Inc. was deemed to be the low, responsive, responsible bidder, and the consulting firm, Rolluda Architects, recommended contract award.

CDK Construction Services, Inc., has satisfactorily completed the contract work on August 15, 2019. The apprenticeship utilization rate for this project was 47%. The Total Project Budget was \$5,554,117 and the final project expenditure was \$4,488,350 for an underspend of \$1,065,767. The underspend 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

- 2012 Expanded Analysis of Seismic Building Data, prepared by PCS Structural Solutions
- 2009 Eckstein Middle School Structural Evaluation, prepared by PCS Structural Solutions
- Seattle Public Schools Technical Building Standards dated December 2012
- 2015 Seattle Building Code
- Coordination meetings with district facilities and other stakeholders throughout the design process.

5. FISCAL IMPACT/REVENUE SOURCE

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

During the course of the project, 5 Change Orders were issued, comprised of 25 Change Order Proposals or Construction Change Directives. Change Orders totaled \$25,171 plus Washington State Sales Tax. Change order expenditures totaled less than 1% of the construction contract amount.

Contractor: CDK Construction Services, Inc.	
Contract Amount:	\$2,917,672
Change Orders:	\$25,171
WSST:	<u>\$297,227</u>
Total Contract including WSST:	\$3,240,070
Project Retention:	\$147,142

Amy Fleming: [Approved without edits on 8/6/20 as noted on approval email]
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

The selection of projects for the BEX IV program Capital Levy was done during 2012. The selection of seismic projects in the BEX IV program was designed to provide 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 10, 2020. The Committee reviewed the item and moved the item forward with a recommendation for approval by the full Board.

12. **TIMELINE FOR IMPLEMENTATION**

Acceptance of Completed Project by School Board:	October 7, 2020
Release of Retainage Bond:	Approximately November
December 1, 2020	
Contractor's One-Year Warranty Period Ends.	August 14, 2020

13. **ATTACHMENTS**

- Architect's Letter of Recommendation, in accordance with [WAC 392-344-155](#) (for reference) (available upon request from the Capital Projects & Planning office)