



## **SCHOOL BOARD ACTION REPORT**

**DATE:** October 26, 2017  
**FROM:** Dr. Larry Nyland, Superintendent  
**LEAD STAFF:** Dr. Lester Herndon, Associate Superintendent, Facilities and Operations  
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**For Introduction:** November 1, 2017  
**For Action:** November 15, 2017

### **1. TITLE**

BTA IV: Award Construction Contract K5078, Bid No, B08705 to Forma Construction Company for the Magnolia Elementary School Renovation and Addition Project

### **2. PURPOSE**

This Board Action Report provides authorization for the Superintendent to enter into a construction contract for the Magnolia Elementary School Renovation and Addition Project.

### **3. RECOMMENDED MOTION**

I move that the School Board authorize the Superintendent to execute construction contract K5078 to Forma Construction Company for the Magnolia Elementary School Renovation and Addition Project, in the amount of \$26,217,500 (including Alternates 1B, 2, and 3), plus Washington State sales tax, in the form of the draft agreement attached to the Board Action Report, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary action to implement the contract. In addition, I move that the School Board authorize the transfer of \$5,000,000 from BTA IV Program Contingency to the Magnolia Elementary School Renovation and Addition Project budget.

### **4. BACKGROUND INFORMATION**

#### **a. Background**

The Magnolia Elementary School Renovation and Addition Project is funded through the BTA IV Capital Levy Funds passed by the voters on February 9, 2016, the School Construction Assistance Program (SCAP) Funding, and Distressed School Grant.

The Magnolia Elementary School Renovation and Addition project was publicly bid on May 16, 2017, with a total of two (2) bids being received. The lowest bid was \$4,939,080 over the maximum allowable construction cost. This overrun amount plus contingency and sales tax would have necessitated the transfer of \$5,709,823 from BTA IV Program Contingency to the project budget. It was proposed, and the Superintendent agreed, that the two bids be rejected, cost reduction strategies be identified and implemented, and the project be rebid in the fall to attract more bidders and more competitive bids. With the revised bid schedule, re-opening of Magnolia Elementary School will be delayed until fall 2019.

The project was publicly bid again on October 25, 2017. Compared to when the project bid in May:

- There was more competition with a total of three (3) bids received.
- All three bids were very close with a spread of \$1,009,100 between the low and high bidders compared to a spread of \$5,034,430 between the low and high bidders when the project bid in May.

It bears noting the project scope included an alternate bid to construct two additional learning commons spaces. This alternate was not selected, but can be added for \$250,000. The project scope also included an alternate bid to construct a cover over the play area. This alternate was not selected, but can be added for \$250,000 as well.

This motion allows the District to execute a construction contract with Forma Construction Company who was the lowest responsive responsible bidder. The consulting architect, Mahlum Architects, recommends acceptance of the bid. 31 firms requested bid documents.

**b. Alternatives**

Deny the motion. If the motion is denied, the District will not be able to execute the contract to start construction on the Magnolia Elementary School Renovation and Addition project.

**c. Research:**

Meng Analysis Facility Assessment Report dated August 2014  
Seattle Public Schools Technical Building Standards dated December 2012  
School Design Advisory Team  
Coordination meetings with district facilities and other stakeholders throughout the design process.

**5. FISCAL IMPACT/REVENUE SOURCE**

The project budget for this work is \$34,596,493. The revenue source for this motion is Buildings, Technology and Academics/Athletics (BTA) IV Capital Levy Funds including a \$5,000,000 transfer from BTA IV Program Contingency, the School Construction Assistance Program (SCAP) Funding, and the Distressed Schools Grant.

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

The development of the BTA IV projects list underwent extensive community engagement. This process included a public comment period for the Programmatic Environmental Impact Statement.

**7. EQUITY ANALYSIS**

This motion was not put through the process of a full racial equity analysis. The list of projects to be funded in the BTA IV Levy was developed with the goal of providing equitable access to school facilities across the District.

**8. STUDENT BENEFIT**

It is the goal of the District to continue the process of implementing the BTA and BEX Capital Levy programs and provide students with safe and secure school buildings.

**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: Office of Superintendent of Public Instruction application process for state assistance funding.

**10. POLICY IMPLICATION**

Per Board Policy No. 6220, Procurement, any contract over \$250,000 must be brought before the Board for approval.

**11. BOARD COMMITTEE RECOMMENDATION**

This motion was discussed at the Operations Committee meeting on May 18, 2017. The Committee moved this item forward to the full board with a recommendation for consideration.

**12. TIMELINE FOR IMPLEMENTATION**

Anticipated Notice to Proceed Date	January 8, 2018
Anticipated Construction Date	January 8, 2018
Substantial Completion Date	May 31, 2019

**13. ATTACHMENTS**

- None