



SCHOOL BOARD ACTION REPORT

DATE: March 4, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
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For Introduction: March 25, 2020
For Action: April 7, 2020

1. TITLE

BEX IV: Final Acceptance of Contract P5124 with EMTech, LLC, for the View Ridge Seismic Improvements project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5124 with EMTech, LLC, for the View Ridge 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 P5124 with EMTech, LLC, for the View Ridge Seismic Improvements project as final.

4. BACKGROUND INFORMATION

a. Background

The View Ridge Seismic Improvements project, located at 7047 50th Ave NE, Seattle, WA 98115, provides upgrades to improve earthquake safety.

DLR Group designed the project. The district sought bids in March 2019 and awarded the contract to EMTech, LLC, on May 1, 2019. The contractor installed steel channels to the outside of the building to seismically reinforce the exterior masonry walls. The contractor achieved substantial completion on August 17, 2019.

EMTech, LLC, satisfactorily completed the contract work, and the consultant, DLR Group, agrees and recommends Board final acceptance of the project. The final project expenditure amount is \$551,703 which is \$39,263 below the total project budget. Following standard practice, the underspent amount 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 for Seattle Public Schools, PCS Structural Solutions, dated January 23, 2012
- 2014 Building Condition and Educational Adequacy Assessment, Meng Analysis, dated August 3, 2014
- Seattle Public Schools Technical Building Standards, dated December 2012
- 2015 Seattle Building Code

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, one Change Order was issued, comprised of three Change Order Proposals. Change Orders totaled \$9,845 plus Washington State Sales Tax. Change order expenditures totaled 2.5% of the construction contract amount with the most significant expenditures associated with adjustments to the final bracing layout in conflict with existing exterior building items. Change orders were reasonable for a project of this magnitude.

Contractor:	EMTech, LLC
Contract Amount	\$390,114
Change Orders	\$ 9,845
WSST	<u>\$ 40,396</u>
Total Contract including WSST	\$440,355
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

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 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 March 2, 2020. The Committee reviewed the motion 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
Release of Retainage Bond
Contractor's One-Year Warranty period ends

April 7, 2020
June 2020
August 17, 2020

13. ATTACHMENTS

- Architect's Letter of Recommendation (available upon request in the Capital Projects & Planning department)