



SCHOOL BOARD ACTION REPORT

DATE: December 9, 2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
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For Introduction: January 8, 2020
For Action: January 22, 2020

1. TITLE

BTA IV: Final Acceptance of Contract K5105 with Acc-U-Set Construction, Inc. for the Relocate and Setup Portable Classrooms at Multiple School Sites project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K5105 with Acc-U-Set Construction, Inc. for the Relocate and Setup Portable Classrooms at Multiple School Sites 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 K5105 with Acc-U-Set Construction, Inc. for the Relocate and Setup Portable Classrooms at Multiple School Sites project as final.

4. BACKGROUND INFORMATION

a. Background

The project was funded by BTA IV capital funds to support installation of portable classrooms that address the annual requirement of providing classroom solutions for the district's enrollment growth and program needs.

The district publicly advertised Bid No. B10819, Relocate and Setup Portable Classrooms at Multiple School Sites project, on December 4, 2018, with a total number of one (1) bid received. Acc-U-Set Construction, Inc. was deemed to be the low, responsive, responsible bid contractor and awarded the Total Bid amount, including unit prices.

At the February 6, 2019 School Board Meeting, the Board authorized the Superintendent to execute contract No. K5105 with Acc-U-Set Construction, Inc. The Board action approved \$319,821, plus Washington State sales tax, for the relocation and setup of ten (10) Portable Classrooms at multiple school sites.

Acc-U-Set Construction, Inc. satisfactorily completed the base contract work, unit price work, and changes to relocate, transport, and install a total of ten (10) classrooms/portables at four (4) school sites (2-classrooms at Jane Addams MS, 4-North Beach ES, 3-Robert Eagle Staff MS, and 1-portable at Schmitz Park school site) based on a total of 4-single portables and 3-double portables. The overall contract increase of 15% is based in part for site specific grade elevation and layout constraints requiring layout revisions to our ADA access ramp, landing, and stairs at multiple sites and based in part on the need for use of special equipment to set the portables at the Robert Eagles Staff and Jane Addams school sites.

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

The capacity management recommendations were based on a collaborative process involving staff from Capital Planning, Enrollment Planning, Special Education and Early Learning, plus subject matter research and analysis regarding projected enrollment growth, program needs, the available space in existing permanent and portable facilities, and site-specific potential to support an additional building footprint.

5. FISCAL IMPACT/REVENUE SOURCE

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

During the course of the project two (2) Change Orders were issued comprised of eight (8) Change Order Proposal Requests. Cumulative Change Orders totaled a Net Add of \$48,686 plus Washington State Sales Tax. Change order increases totaled an overall 15% of the awarded construction contract amount for changes associated with the use of special equipment to set portables at two (2) school sites, and ADA access ramp, landing, and stairs layout revision required for site specific grade elevations and layout constraints. Change order expenditures were reasonable for this type of capacity management portables project.

Contractor:	Acc-U-Set Construction, Inc.
Awarded Contract K5105 Amount	\$ 319,821
Change Orders No. 01 - 02	\$ 48,686
WSST	\$ 37,219
Total Revised Contract Amount	\$ 405,726 (including WSST)
Contract Retainage Held	\$ 18,425

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 BTA 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 December 5, 2019. 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
Release of Retainage Bond
Contractor's One-Year Warranty period ends

January 22, 2020
Approx. February 2020
July 30, 2020

13. ATTACHMENTS

- None