



# **SCHOOL BOARD ACTION REPORT**

**DATE:** November 28, 2018  
**FROM:** Denise Juneau, Superintendent  
**LEAD STAFF:** Stephen Nielsen, Deputy Superintendent  
206-252-0169, [sjnielsen@seattleschools.org](mailto:sjnielsen@seattleschools.org)  
**For Introduction:** December 19, 2018  
**For Action:** January 9, 2019

## **1. TITLE**

BEX IV/BTA III: Resolution 2018/19-12: Final Acceptance of Contract P5071 with Western Ventures Construction Inc. for the Meany Middle School Reconfiguration project

## **2. PURPOSE**

The purpose of this action is to approve final acceptance of Contract P5071 with Western Ventures Construction Inc. for the Meany Middle School Reconfiguration 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 close out the project, including authorizing the release of project retainage.

## **3. RECOMMENDED MOTION**

I move that the School Board adopt Resolution 2018/19-12 and accept the work performed under Contract P5071 with Western Ventures Construction Inc. for the Meany Middle School Reconfiguration Project as final.

## **4. BACKGROUND INFORMATION**

### **a. Background**

This reconfiguration of the existing Meany Middle School building, located at 301 21<sup>st</sup> Avenue East, Seattle WA 98112, established a new comprehensive neighborhood middle school program for a student capacity of 850 students. It addressed middle school student enrollment growth in central Seattle and helped reduce overcrowding at Washington Middle School.

Miller Hayashi Architects, designed the school with extensive engagement from the School Design Advisory Team (SDAT). The district sought bids to build the project in the winter of 2016, and Western Ventures Construction Inc. was awarded the project for the contract amount of \$17,672,001 plus Washington State Sales Tax (WSST). The scope of work included reconfiguration of the existing 119,254 square foot building.

Western Ventures Construction Inc., has satisfactorily completed the contract work and the consulting architect, Miller Hayashi Architects, agree and recommend final acceptance of the project.

The project budget was \$30,000,893. As of November 9, 2018, the Capital Department Staff anticipates some underspend for this project and following standard practice, the underspend will be transferred to the BEX IV Program Contingency. The project participated in the FCC E-Rate program and will receive a disbursement for an approved amount of \$190,606 from the program.

**b. Alternatives**

Not accepting the project in a timely manner could put the district in a position subject to litigation. It also jeopardizes receipt of the state matching funds. Therefore, this alternative is not recommended.

**c. Research**

- Building Condition Survey, Meng Analysis, April 2009
- Seattle Public Schools Technical Building Standards dated December 2012
- School Design Advisory Team (SDAT) – Eight meetings
- Numerous stakeholder meetings with district facilities, teaching and learning and elementary feeder school PTSAs.

**5. FISCAL IMPACT/REVENUE SOURCE**

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

During the course of the project, 28 Change Orders were issued, comprised of 287 Change Order Proposals or Construction Change Directives. Change Orders totaled \$2,002,961 plus WSST. Change order expenditures totaled 10.17% of the construction contract amount with the most significant expenditures associated with unforeseen conditions and owner requests. The Meany building had not received any significant whole building renovations since the 1960’s. During construction the contractor found existing conditions that either did not meet current building standards and/or code and needed to be fixed or replaced. These changes improved the quality of the existing construction and greatly improved the maintenance of the facility. The district also had an opportunity to substantially improve the learning environment by making selective owner-directed changes that greatly improved the building. a few of which include; providing new carpet in classrooms, installation of an audio and visual display system that included theater lighting and the installation of fully-automated controls for the mechanical and electrical systems. Change orders were reasonable for a project of this complexity.

Contractor:	Western Ventures Construction Inc.
Contract Amount	\$17,672,001
Change Orders	\$ 2,002,962
WSST	<u>\$ 1,921,501</u>
Total Contract including WSST	\$21,596,464
Project Retention	\$ Bond Posted in Lieu

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 BEC IV/BTA III programs 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: \_\_\_\_\_

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 6, 2018. The Committee reviewed the item and moved it forward to the full Board with a recommendation for approval.

**12. TIMELINE FOR IMPLEMENTATION**

Acceptance of Completed Project by School Board	January 9, 2019
Release of Retainage Bond	Approx. February 2019
Contractor's One-Year Warranty period ends	December 27, 2018

**13. ATTACHMENTS**

- Resolution 2018/19-12: Final Acceptance of Contract P5071 – for approval
- Architect's Letter of Recommendation – for reference

**Seattle School District #1  
Board Resolution**



**Resolution No. 2018/19-12**

A **RESOLUTION** of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying the Meany Middle School Reconfiguration project as complete.

**WHEREAS**, the Seattle School District No. 1 Board of Directors has received notification from Miller Hayashi Architects that the Meany Middle School Reconfiguration 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, Western Ventures 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 \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Leslie Harris, President

\_\_\_\_\_  
Rick Burke, Vice-President

\_\_\_\_\_  
Jill Geary, Member

\_\_\_\_\_  
Zachary DeWolf, Member

\_\_\_\_\_  
Eden Mack, Member

\_\_\_\_\_  
Betty Patu, Member

\_\_\_\_\_  
Scott Pinkham, Member

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

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Suite 200  
Seattle, WA 98103  
206 634 0177  
millerhayashi.com

**Miller Hayashi** Architects LLC

## **CERTIFICATE OF FINAL COMPLETION**

PROJECT: Meany Middle School Reconfiguration  
OWNER: Seattle School District No.1  
CONTRACTOR: Western Ventures Construction Inc  
ARCHITECT: Miller Hayashi Architects PLLC

### **DEFINITION OF FINAL COMPLETION:**

On the basis of Miler Hayashi's on-site visits and punch list inspections and to the best of the Architect's knowledge, information and belief, Work of the Contract has been completed satisfactorily and recommendation is made for Final Acceptance.

DATE OF FINAL COMPLETION: 11/09/2018



Brad Miller, Principal

### **STATEMENT OF WORK COMPLETED AND GROSS SQUARE FOOTAGE:**

Meany Middle School Reconfiguration included renovation of the existing Middle School building including structural, mechanical, plumbing and electrical system upgrades, interior finishes and partitions, exterior envelope upgrades, site work including construction of exterior entrance and walkway canopies, utilities connections and miscellaneous site improvements. Gross SF Instructional Space: 119,124 sf

ATTACHMENTS: List of outstanding Warranty Items for the Contractor's attention.