



SCHOOL BOARD ACTION REPORT

DATE: November 28, 2016
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Dr. Flip Herndon/Associate Superintendent, Facilities and Operations
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1. TITLE

BTA III: Final Acceptance of Public Works Contract
K5060, Bayley Construction, Inc. for the North Queen
Anne School Modernization project

For Introduction: January 4, 2017
For Action: January 18, 2017

2. PURPOSE

Board action is needed to approve final acceptance of the capital levy Buildings, Technology and Academics (BTA III) Public Works Contract P5060 for the North Queen Anne School Modernization project for purposes of avoiding disputes over the timing of the filing of liens prior to the release of retention.

3. RECOMMENDED MOTION

I move that the School Board accept the work performed under BTA III Public Works Contract K5060, with Bayley Construction Inc., for the North Queen Anne School Modernization project as final.

4. BACKGROUND INFORMATION

a. Background

This project originated from the Meng Building Conditions Report issued April 2009, and is funded from underspent BTA III Capital Levy funds. The project included hazardous materials abatement, seismic upgrades at the exit corridor, new flooring, new paint, new fire sprinkler system, new boys' and girls' toilet rooms, new electrical distribution and fire alarm system and new low voltage system, and furnishing of all materials, items, and accessories needed for the total construction of the project in strict conformance with the Contract Documents.

The Contractor, Bayley Construction Inc., has satisfactorily completed the contracted work and the consulting Architect, Studio Meng Strazzara Architects, is in agreement and recommends acceptance of the completed work.

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**

- Building Condition Survey, Meng Analysis – April, 2009.
- School Operations and Maintenance, Best Practices for Controlling Energy Costs, U.S Department of Energy, August, 2004.

5. **FISCAL IMPACT/REVENUE SOURCE**

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

Contractor	Fund	Contract Amount	Change Orders	Sales Tax	Total Contract	Retention
Bayley Construction Inc.	BTA III	\$1,006,800	\$93,351	\$105,614	\$1,205,765	\$0.00
	Total	\$1,006,800	\$93,351	\$105,614	\$1,205,765	\$0.00

Amy Fleming: _____
Director of Accounting

Date: _____

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**

In February 2010, the \$270M, six-year capital levy, Buildings, Technology and Academics (BTA III), was approved by 73.45 percent of Seattle voters. It was a renewal of the Buildings, Technology and Athletics (BTA II) levy, passed by voters in February 2004. The selection of projects in the BTA program was designed to provide equitable access to schools across the city.

8. STUDENT BENEFIT

The North Queen Anne School Modernization project helps ensure 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. _____, 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 15, 2016. The Committee reviewed the motion and moved the item forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

Acceptance of Completed Project by School Board	January 18, 2017
Release of Retainage	N/A
Contractor's One-Year Warranty Period Ends	September 2, 2016

13. ATTACHMENTS

- Architect's Final Completion Notice
- Change Order Memo
- Project Budget Summary
- Contractor's Schedule of Values
- Project Closeout Checklist