



SCHOOL BOARD ACTION REPORT

DATE: April 24, 2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: May 1, 2019
For Action: May 15, 2019

1. TITLE

BTA III: Resolution 2018/19-24, Final Acceptance of Contract K5080 with Mike Werlech Construction Inc., for the Blaine K-8 Water Mains and Fire Sprinklers project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K5080 with Mike Werlech Construction Inc., for the Blaine K-8 Water Mains and Fire Sprinklers project. Board approval allows the district to submit required documents to the State of Washington Department of Labor & Industries, Department of Revenue, and the Employment Security Department, and closeout the project, including authorizing the release of project retainage.

3. RECOMMENDED MOTION

I move that the School Board adopt Resolution 2018/19-24 and accept the work performed under Contract K5080 with Mike Werlech Construction Inc., for the Blaine Water Mains and Fire Sprinklers project as final.

4. BACKGROUND INFORMATION

a. Background

- This project was funded out of BTA III Capital Levy funds. This project involved the water main and fire suppression system replacement at Catharine Blaine K-8. Catharine Blaine K-8 is located at 2550 34th Avenue West, Seattle, WA 98199. The school was constructed in 1950. Prior improvements that have been made at the Catharine Blaine K-8 School since the year 2000 include reroofing, library upgrades, Americans with Disabilities Act (ADA) mechanical upgrades, and direct digital controls (DDC) system replacement. In the summer of 2019, Blaine K-8 School will also receive seismic improvements.
- Hultz BHU Engineers designed the project. The district sought bids for the water main and fire suppression system work in the winter of 2017, and Mike Werlech Construction Inc., was awarded the project for a contract amount of \$949,223, plus Washington State Sales Tax (WSST). The scope of work included removing the existing water service main, installing the new domestic water and fire suppression water services to the building, constructing a new water header, and fire sprinkler riser and suppression system throughout the building.

- Mike Werlech Construction Inc., satisfactorily completed the contract work, and the consultant, Hultz BHU Engineers, agrees and recommends Board final acceptance of the project. In accordance with WAC 392-344-160, Board approval of final acceptance is required to release project retainage.

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 and August 2014
- Seattle Public Schools Technical Building Standards dated December 2012

5. FISCAL IMPACT/REVENUE SOURCE

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

During the course of the project, four Change Orders were issued. Change Orders totaled \$ 115,304.00 plus WSST. Change order expenditures totaled 12.14% of the construction contract. The most significant time and dollar impact was Seattle Department of Transportation's (SDOT) requirement for a new American Disability Act (ADA) crosswalk. The crosswalk improvements were not identified as required work during the permit review process and in fact, SDOT only required these improvements when the Construction was nearing completion. This required a separate permit process through SDOT and a separate mobilization of construction staff and added \$108,788 to the overall project cost.

Contractor:	Mike Werlech Construction, Inc
Contract Amount	\$ 949,223
Change Orders	\$ 115,304
WSST	<u>\$ 107,517</u>
Total Contract including WSST	\$ 1,172,044
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

This motion was not put through the process of an equity analysis. The selection of projects in the BTA III program was designed to provide equitable access to safe school facilities across the city. The physical and emotional health of students and teachers depend on the quality of the physical location, which makes establishing safe, healthy buildings essential to the impact on student outcomes. Providing a new fire suppression system throughout Catharine Blaine K-8, reinforces a physically safe teaching environment for students.

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 [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 April 18, 2019. 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
Release of Retainage Bond
Contractor's One-Year Warranty period ends

May 15th, 2019
Approx. June, 2019
March 19, 2020

13. ATTACHMENTS

- Architect's Letter of Recommendation (in accordance with [WAC 392-344-155](#) for reference)
- Resolution 2018/19-24 (for Approval)



March 29, 2019

Seattle Public Schools
2445 Third Avenue South
Seattle, WA 98134

Attention: Lucy Morello

Subject: **Blaine K-8 - Blaine Water Mains and Fire Sprinklers**
Letter of Completion

Dear Lucy:

To the best of our knowledge and belief, the Blaine K-8 - Blaine Water Mains and Fire Sprinklers project is complete and ready for closeout. The Contractor, Mike Werlech Construction Inc, has completed all contractual requirements. Following are the dates we have agreed upon:

Main Building: Substantial Completion 8-25-17
Parking Lot: Substantial Completion 11-23-18
ADA Site Work: Substantial Completion 1-10-19
Project Final Completion 3-19-2019

Please call if you have any questions. We appreciate this opportunity to work with you.

Sincerely,
Hultz|BHU Engineers Inc.

A handwritten signature in black ink, appearing to read "Michael Tagles", written over a horizontal line.

Michael Tagles, PE
Associate Principal

**Seattle School District #1
Board Resolution**

Resolution No. 2018/19-24



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying the Blaine K-8 Water Mains and Fire Sprinklers project as complete.

WHEREAS, the Seattle School District No. 1 Board of Directors has received notification from Hultz BHU Engineers that the Blaine K-8 Water Mains and Fire Sprinklers 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, Mike Werlech Construction Inc. is now complete; and therefore, be it further

RESOLVED, that duly certified copies of this resolution shall be presented to the Office of Superintendent of Public Instruction (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