



SCHOOL BOARD ACTION REPORT

DATE: August 21, 2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: September 18, 2019
For Action: October 2, 2019

1. TITLE

BEX IV/BTA III: Resolution 2019/20-6, Final Acceptance of Contract P5069 with Skanska USA Building, Inc., for the Loyal Heights Elementary School Modernization and Addition Project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5069 with Skanska USA Building, Inc., for the Loyal Heights Elementary School Modernization and Addition 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 bond.

3. RECOMMENDED MOTION

I move that the School Board adopt Resolution 2019/20-6 and accept the work performed under Contract P5069 with Skanska USA Building, Inc., for the Loyal Heights Elementary School Modernization and Addition project as final.

4. BACKGROUND INFORMATION

a. Background

- Loyal Heights Elementary School Modernization and Addition Project, is located at 7735 25th Avenue NW, Seattle, WA 98117. The Project is funded through the Building Excellence IV Levy passed by voters in February 2013.
- The A/E design team headed by BLRB Architects was selected as a result of submittals received. The construction contract was executed through the GC/CM procurement process with a Request for Proposal No. 01546 which resulted in the selection of Skanska USA Building, Inc.
- Skanska USA Building, Inc., satisfactorily completed the contract work, with a Total Cost of Construction Amendment of \$32,710,720 and incurring a total of \$1,520,575 in change orders over the course of the project. The apprenticeship utilization rate for this project was 23%.

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, August 2012
- Seattle Public Schools Technical Building Standards dated December 2012

5. **FISCAL IMPACT/REVENUE SOURCE**

All payments have been made to the contract from the BEX IV, BTA III Capital levy funds and the State of Washington School Construction Assistance Program (SCAP) Funding. No outstanding invoices remain.

During the course of the project, twenty-one (21) Change Orders were issued, comprised of various Change Order Proposals or Construction Change Directives. Change Orders totaled \$1,520,575 plus Washington State Sales Tax (WSST). Change order expenditures totaled 4.2% of the construction contract amount with the most significant expenditures associated with unforeseen conditions and scope adjustments to a landmarked building and site.

Contractor:	Skanska USA Building Inc.
Contract Amount	\$32,710,720.00
Change Orders	\$ 1,520,575.00
WSST	<u>\$ 3,435,220.58</u>
Total Contract including WSST	\$37,666,515.58
Project Retention	Retention Bond On File

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 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: _____

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 September 5, 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

October 2, 2019
Approx. December 2019
May 22, 2019

13. ATTACHMENTS

- Architect's Letter of Recommendation (in accordance with [WAC 392-344-155](#)) (for reference)
- Resolution 2019/20-6 for Approval (for approval)

July 12, 2019

BLRB architects

Mr. Eric Becker, AIA, Senior Project Manager
Capital Projects
Seattle Public Schools
2445 3rd Avenue South
Seattle, WA 98134

**SUBJECT: LOYAL HEIGHTS ELEMENTARY SCHOOL MODERNIZATION AND ADDITION
LETTER OF COMPLETION**

Dear Eric:

This is to confirm that the construction contract of the above reference project has, to the best of our knowledge information and belief, been completed in accordance with the project's contract documents.

The designed student count is 660, and the final project area breakdown is:

Modernization: 37,043 sf

Addition: 55,265 sf

Covered Play: 1,447 sf

Total area: 93,755 sf

Finally, we would like to take this opportunity to personally thank you for the opportunity to work with you and the Seattle School District on this project.

If you have any questions or need any additional information, please don't hesitate to call.

Sincerely,



Charla Burgdorf, AIA
Associate/Project Architect, BLRB Architects

cc Lee Fenton, AIA, BLRB Architects
Jonah Jenson, AIA, BLRB Architects

**Seattle School District #1
Board Resolution**

Resolution No. 2019/20-6



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying the Loyal Heights Elementary School Modernization and Addition Project as complete.

WHEREAS, the Seattle School District No. 1 Board of Directors has received notification from BLRB Architects that the Loyal Heights Elementary School Modernization and Addition 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, Skanska USA Building Inc. is now complete; and therefore be it further

RESOLVED, that duly certified copies of this resolution shall be presented to OSPI.

ADOPTED this

Leslie Harris, President

Rick Burke, Vice-President

Jill Geary, Member

Zachary DeWolf, Member

Eden Mack, Member

Scott Pinkham, Member

ATTEST: _____
Ms. Denise Juneau, Superintendent
Secretary, Board of Directors
Seattle School District No. 1