



SCHOOL BOARD ACTION REPORT

DATE: August 22, 2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: October 16, 2019
For Action: November 6, 2019

1. TITLE

BTA III/ BTA IV: Resolution 2019/20-7, Final Acceptance of Contract P1448 with KCDA – Williams Scotsman, Inc., to provide for the Move and Setup of Portable Classroom Modules at Multiple School Sites for the 2016-17 school year

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P1448 with KCDA – Williams Scotsman, Inc., to provide for the Move and Setup of Portable Classroom Modules 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 adopt Resolution 2019/20-7 and accept the work performed under Contract P1448 with KCDA – Williams Scotsman, Inc., to provide for the Move and Setup of Portable Classroom Modules at Multiple School Sites project as final.

4. BACKGROUND INFORMATION

a. Background

- The project was funded by BTA III/ 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.
- In 2016 the district contacted the King County Directors Association (KCDA) to request pricing to provide for the Move and Setup of Portable Classroom Modules at Multiple School Sites project. Subsequently, a 3-party contract agreement was prepared between KCDA, Williams Scotsman, Inc., and Seattle School District No. 1.
- At the April 20, 2016, School Board Meeting, the Board authorized the Superintendent to execute contract No. P1448 with KCDA – Williams Scotsman, Inc. The Board action approved \$941,451 plus Washington State Sales Tax, for the purchase and installation of two (2) single portable classroom modules and seven (7) double portable classroom modules with any minor additions, deletions, and modifications deemed necessary by the Superintendent and to take any necessary actions to implement the agreement.

Prior to full execution of the agreement by the Superintendent there were minor adjustments to the contract amount and the P1448 contract agreement was fully executed in the amount of \$937,892 plus Washington State Sales Tax for the purchase and installation of two (2) single portable classroom modules and seven (7) double portable classroom modules.

- For school year 2016-17 enrollment growth and program needs, KCDA – Williams Scotsman, Inc. satisfactorily completed the base contract work and changes to purchase three (3) double portables for use at Ballard, Ingraham, and Nathan Hale High Schools, purchase two (2) singles for use at Green Lake and West Seattle Elementary Schools, and relocate and install a total of twenty-six (26) existing-inventory classrooms/portables at eleven (11) school sites (2-classrooms at C. Blaine K-8, 4-Hamilton MS, 1-Maple ES, 7-Mercer MS, 1-North Beach ES, 2-Northgate ES, 2-Roosevelt HS, 2-Sanislo ES, 2-Viewlands ES, 2-West Woodland ES, and 1-classroom at Wing Luke ES). The overall contract increase of 20% is based in part for site specific grade elevation and layout constraints requiring layout revisions to provide an access ramp to comply with the Americans with Disabilities Act (ADA), a landing, and stairs at multiple sites and based in part on the need for use of special equipment to set the portables at six (6) school sites. Additionally, the deletion of four (4) purchased double portable classrooms from the contract scope provided an offset for the aforementioned items as well as offset costs for relocating an additional twenty-six (26) existing-inventory classrooms/portables not identified in the base contract.

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, Special Education, Early Learning and Enrollment Planning. This process included subject matter research and analysis regarding projected enrollment growth, combined with the program needs. In addition, we took into consideration 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 III/ BTA IV Capital Levy funds. No outstanding invoices remain.

During the course of the project seven (7) Change Orders were issued. Cumulative Change Orders totaled a Net Add of \$189,144 plus WSST. Change order increases totaled an overall 20% of the awarded construction contract amount for changes associated with the deletion of eight (8) purchased classrooms/portables, addition of twenty-six (26) relocated classrooms/portables, use of special equipment to set portables, and ADA access ramps, landings, and stairs required for site specific grade elevations and layout constraints. Change order expenditures were reasonable for this type of capacity management project.

Contractor:	KCDA-Williams Scotsman, Inc.
Awarded Contract P1448 Amount	\$ 937,892
Change Orders No. 01 - 07	\$ 189,144
WSST (9.6% and 10.1%)	\$ 110,961
Total Revised Contract Amount	\$ 1,237,997 (including WSST)
Contract Retainage Held	\$ 56,352

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/ 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 October 3, 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	November 6, 2019
Release of Retainage Bond	Approx. December 2019
Contractor's One-Year Warranty period ends	October 31, 2018

13. ATTACHMENTS

- District Project Manager's Letter of Recommendation (in accordance with [WAC 392-344-155](#)) (for reference)
- Resolution 2019/20-7 for approval



Memorandum

Date: August 22, 2019
To: Contract P1448 Closeout File
From: Mike Barrett, Project Manager, Capital Projects
Re: Certificate of Final Completion
Contract No. P1448 Provide, Move/Setup Portable Classroom Modules at Multiple School Sites
Contractor: KCDA – Williams Scotsman, Inc. (3-party contract with SPS)

DEFINITION OF FINAL COMPLETION:

On the basis of district Project Manager's on-site visits, inspections, and to the best of my knowledge, information and belief, Work of the Contract has been completed satisfactorily and recommendation is made for Final Acceptance.

DATE OF FINAL COMPLETION: October 31, 2017

STATEMENT OF WORK COMPLETED AND GROSS SQUARE FOOTAGE:

The Work to Provide, Move/Setup Portable Classroom Modules at Multiple School Sites included the purchase of three (3) double portables for use at Ballard, Ingraham, and Nathan Hale High Schools, purchase of two (2) single portables for use at Green Lake and West Seattle Elementary Schools, and the relocate and install of twenty-six (26) classrooms/portables at eleven (11) school sites (2-classrooms at C. Blaine K-8, 4-Hamilton MS, 1-Maple ES, 7-Mercer MS, 1-North Beach ES, 2-Northgate ES, 2-Roosevelt HS, 2-Sanislo ES, 2-Viewlands ES, 2-West Woodland ES, and 1-classroom at Wing Luke ES). A total of 30,464 sf of classroom space was provided in a total of thirty-four (34) classrooms however, per the definition of "Instructional Space" per WAC 392-343-019 the additional 30,464 sf of classroom space shall not be considered as added "Instructional Space" as defined; reference the Definition of Instructional Space in WAC 392-343-019(8).

Cc: P1448 KCDA – Williams Scotsman, Inc. contract file

**Seattle School District #1
Board Resolution**

Resolution No. 2019/20-7



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying Contract P1448 with KCDA-Williams Scotsman, Inc. for the Move/Setup of Portable Classroom Modules at Multiple School Sites Project as complete.

WHEREAS, the Seattle School District No. 1 Board of Directors has received notification from the District’s project manager that the Move/Setup of Portable Classroom Modules at Multiple School Sites 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, KCDA – Williams Scotsman, 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

Zachary DeWolf, Member

Jill Geary, Member

Eden Mack, Member

Brandon K. Hersey, Member

Scott Pinkham, Member

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