



SCHOOL BOARD ACTION REPORT

DATE: November 16, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: December 16, 2020
For Action: January 13, 2020

1. TITLE

BEX IV: Final Acceptance of Contract P5096 with Hensel Phelps Construction for the Queen Anne Elementary School Classroom and Gymnasium Addition project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5096 with Hensel Phelps Construction for the Queen Anne Elementary School Classroom and Gymnasium 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, which includes authorizing the release of project retainage.

3. RECOMMENDED MOTION

I move that the School Board accept the work performed under Contract P5096 with Hensel Phelps Construction for the Queen Anne Elementary School Classroom and Gymnasium Addition project as final.

4. BACKGROUND INFORMATION

a. Background

The Queen Anne Elementary School Classroom and Gymnasium Addition is located at 2001 4th Ave. N, Seattle, WA 98109. The project was funded through the Building Excellence (BEX) IV Capital Levy. The scope of work included the addition of an administrative suite, eight classrooms, and a gymnasium. It also included renovation of the existing covered play area and the interior commons space, technology infrastructure upgrades, redevelopment of the site, street frontage improvements and demolition of five existing portables.

The Queen Anne Elementary School Classroom and Gymnasium Addition project was publicly bid on March 14, 2018, with a total of four bids received. Hensel Phelps Construction was the low responsive, responsible bidder. The consulting architect, Mahlum Architects, recommended acceptance of the bid.

A Building Commissioning Report was completed for the project. Commissioning is a systematic process of documentation and verification to demonstrate that the building mechanical and electrical systems have been installed and function properly and efficiently and can be maintained to operate and satisfy the engineer's design intent and the district's operational requirements. The commissioning consultant, Keithly Barber Associates, has satisfactorily completed the commissioning process.

The district's Capital Projects Mechanical/Electrical Coordinator, Mike Kennedy, has been involved throughout the commissioning process and recommends the acceptance of this effort on the Queen Anne Elementary School Classroom and Gymnasium Addition project.

Hensel Phelps Construction has successfully completed the contract work and the consulting architect, Mahlum Architects, agrees and recommends final acceptance of the project. The construction project had an average apprenticeship utilization rate of 19.96% for the project. The Queen Anne Elementary School Classroom and Gymnasium Addition project was completed with funds from the BEX IV capital levy and totaled \$19,315,405. The completion of the project will result in approximately \$120,000 in underspend. Underspend will be transferred to the BEX IV program contingency.

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, dated August 2014
- Seattle Public Schools Technical Building Standards dated December 2012
- Robinson Cost Estimate for construction of the project
- School Design Advisory Team, consisting of Queen Anne Elementary Principal, teachers, parents and neighbors
- Coordination meetings with district facilities and other stakeholders throughout the design process

5. FISCAL IMPACT/REVENUE SOURCE

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

During the project, 16 change orders were issued, comprised of 178 change order proposals or construction change directives. Change orders totaled \$918,441, plus Washington State sales tax (WSST). Change order expenditures totaled 6.9% of the construction contract amount with the most significant expenditures associated with the following: Seattle Department of Transportation (SDOT) inspectors requiring improvements be made in the public right-of-way, owner's request to repair existing basement level water intrusion and the installation of a new sanitary sewer line to the landmarked 1905 wood building, acceleration of the schedule due to

major snow event and unforeseen conditions related to the installation of new sanitary sewer line on Bigelow Avenue. Change orders were reasonable for a project of this magnitude.

Contractor:	Hensel Phelps Construction
Contract Amount	\$ 13,283,000
Change Orders	\$ 918,441
WSST	<u>\$ 1,434,346</u>
Total Contract including WSST	\$ 15,635,787
Project Retention	\$ 465,636

Director of Accounting, Amy Fleming, confirmed budget details on _____ (via email).

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

The selection of projects in the BEX IV Capital Levy was done in 2012 and was intended to address capacity needs and inadequate building systems in school facilities across the city. As such, this motion was not put through the equity analysis as would have been done for the district's current capital planning efforts.

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 December 3, 2020. The Committee reviewed the motion 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:	January 2021
Release of Retainage	Approximately March 2021
Contractor's One-Year Warranty period ends:	August 25, 2020

13. ATTACHMENTS

- Architect's Letter of Recommendation (for reference)



06 November 2020

Vince Gonzales, Project Manager
Seattle Public Schools

**RE: Queen Anne Elementary School Addition
 Recommendation of Final Acceptance**

Dear Vince,

Pursuant to WAC 392-344-155 (Requirements for Final Acceptance of School Projects by Architect/Engineer) this letter is to recommend Final Acceptance of the Queen Anne Elementary School Addition Project to the Seattle Public Schools Board. Pursuant to WAC 392-343-019 (Definition – Instructional Space) work completed includes 21,480 square feet of new construction and 3,870 square feet of renovation.

Based on our best knowledge, information, and belief, and on the basis of in-field observations, the contract work by Hensel Phelps is complete and in accordance with the terms and conditions of the contract documents.

We recommend Final Acceptance of this project as complete on 06 November 2020. Substantial Completion was established on 26 July 2019 with a warranty start date of 26 August 2019.

Best regards,

A handwritten signature in blue ink, appearing to read 'Corrie Rosen'.

Corrie Rosen, AIA LEED AP
Principal

encl: NA

cc: David Mount, Mahlum
 David Dahl, Mahlum