



SCHOOL BOARD ACTION REPORT

DATE: October 5, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: November 18, 2020
For Action: December 2, 2020

1. TITLE

BTA IV: Final Acceptance of Contract K5102 with King County Directors' Association (KCDA) and Musco Sports Lighting, LLC, for the Athletic Field Lighting at Robert Eagle Staff Middle School project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K5102 with King County Directors' Association (KCDA) and Musco Sports Lighting, LLC, for the Athletic Field Lighting at Robert Eagle Staff Middle School 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 accept the work performed under Contract K5102 with King County Directors' Association (KCDA) and Musco Sports Lighting, LLC, for the Athletic Field Lighting at Robert Eagle Staff Middle School project as final.

4. BACKGROUND INFORMATION

a. Background

The Athletic Field Lighting at Robert Eagle Staff Middle School project is located at 1330 N 90th St, Seattle, WA 98103. The project was funded under the Building, Technology and Academics/Athletics IV (BTA IV) Program. The project included installing ten (10) light poles with LED lights and lighting controls at the existing synthetic turf playfield.

The lighting was installed as mitigation for the impacts of SPS's change in school start times. In the fall of 2016, SPS changed start times so high school students would start at

8:50 a.m. and be dismissed at 3:20 p.m., approximately 1 hour later than the previous schedule. Starting fall 2017, high schools started at 8:45 or 8:55 a.m. and were dismissed at 3:35 or 3:45 p.m. The later dismissal time for high schools means that school athletic fields are used for practice later in the day, reducing the time that unlighted fields are available for school practices and events and for community use under the Joint Use Agreement with Seattle Parks and Recreation. This was identified as a significant adverse impact in the Change in School Start Times Programmatic Environmental Impact Statement (EIS) (SPS, 2015). The lights were also installed to meet the purposes of the Joint Use Agreement to increase youth and community access to SPS facilities and grounds and to increase student access to parks facilities and grounds.

Seattle Public Schools (SPS) added lighting to the athletic field at Robert Eagle Staff Middle School to allow for both SPS and community use. Use of the field includes multiple year-round sports events such as: baseball, softball, soccer, and ultimate Frisbee. In addition, the fields can be used as a practice (not competition) football field for Lincoln High School. The fields are also used for organized non-scholastic athletic activities such as little-league baseball, softball, soccer, ultimate Frisbee, and lacrosse.

The proposal to add lighting to the athletic field at Robert Eagle Staff Middle School was reviewed and evaluated through the district's State Environmental Policy Act (SEPA) process and through the City of Seattle's school design departure process, master use permit process, and building permit process.

The district contracted with the King County Director's Association (KCDA), which is a purchasing cooperative owned by Washington State Public School Districts. KCDA bids and awards supply and service contracts through open competition as prescribed by the laws of the State of Washington. This approach to project delivery allowed for several advantages, including reducing the time needed for procurement, as the process began immediately with obtaining quotes from a known qualified vendor, Musco Sports Lighting, LLC, and execution of a contract.

The contractor achieved substantial completion of the work in August 2019 and final completion in August 2020. There were two change orders, totaling in the amount of \$45,988 for additional lighting controls and unforeseen conditions encountered underground during the project. The final contract expenditure was \$775,964. No apprentices were reported for this project as it did not meet the minimum contract value required by law.

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

- Discussions with SPS Athletic Department staff
- 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 IV Capital levy funds. No outstanding invoices remain.

During the course of the project, two Change Orders were issued, comprised of three Change Order Proposals. Change Orders totaled \$45,988 plus Washington State sales tax (WSST). Change order expenditures totaled 6.9% of the construction contract amount with expenditures as follows:

Contractor:	KCDA/ Musco Sports Lighting, LLC
Contract Amount:	\$ 658,793
Change Orders:	\$ 45,988
WSST	<u>\$ 71,183</u>
Total Contract including WSST:	\$ 775,964
Project Retention:	\$ 35,239

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 for BTA IV Capital Levy was completed in 2015. Projects selected for the BTA IV Capital Levy were intended to address student capacity needs and inadequate building systems in school facilities across the city. Providing athletic field lights at our middle and high schools responds to comments received concerning the district’s environmental impact statement changing high school bell times allowing greater access for youth to athletic fields. As such, this motion was not put through an equity analysis as it would have been done for the district’s current capital planning efforts.

8. STUDENT BENEFIT

The project ensures a safe, secure learning environment for every student. It allows additional time on the athletic fields where students can engage in sports activities, special events and celebrations.

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 prior to the Release of 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 November 5, 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	December 2, 2020
Release of retainage bond	Approx. March 1, 2021
Contractor's one-year warranty period ends	August 10, 2020

13. ATTACHMENTS

- Architect's Letter of Recommendation (for reference)



Robert Eagle Staff Field Lighting Final Acceptance

Architect's Letter of Recommendation

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For questions and more information about this document, please contact the following:

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8/12/2020

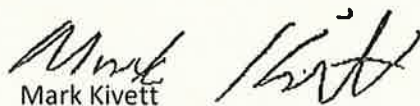
Ethan Bernau and Seattle Public School District

Robert Eagle Staff Athletic Fields – Seattle Washington

This letter is to notify you that Musco Sports Lighting has completed the project at Robert Eagle Staff Athletic Fields., Seattle School District – owner. All Punch List items on the project are also completed.

Let me know if you need anything else.

Sincerely,


Mark Kivett

Credit Manager