



SCHOOL BOARD ACTION REPORT

DATE: November 6, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
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For Introduction: November 18, 2020
For Action: December 2, 2020

1. TITLE

BEX IV & BTA IV: Final Acceptance of Contract K5108 with Western Ventures Construction for the JSCEE Freezer Upgrade project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K5108 with Western Ventures Construction for the John Stanford Center for Educational Excellence (JSCEE) Freezer Upgrade 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 K5108 with Western Ventures Construction for the JSCEE Freezer Upgrade Project as final.

4. BACKGROUND INFORMATION

a. Background

The JSCEE Freezer Upgrade Project is located at 2445 3rd Ave. S, Seattle, WA 98134. The project was funded from the Building Excellence (BEX) IV and Buildings, Technology and Academics/ Athletics (BTA) IV Capital levies' Food Service Equipment Fund. The project allowed for refrigeration equipment upgrades to the central kitchen facilities, which provide meals for students throughout the district. The JSCEE freezer upgrade included replacement of freezer mechanical equipment, lighting replacement and envelope repairs. The project was successfully completed during the summer of 2019 as the existing refrigeration mechanical equipment was in poor condition.

SH Architecture (whose firm name was changed to Knit Designing Communities on Oct. 28, 2019) was selected for the design of the project. The district sought bids in February of 2019 and awarded the contract to Western Ventures Construction on March 20, 2019.

Western Ventures Construction began shutdown of the JSCEE freezer and with subcontractors installed new electrical raceways, constructed a secured area and mechanical pad for refrigeration equipment and repairs on the envelope at close of the school year. Work was completed during the summer, allowing food to be restocked in the freezer by start of the 2019-2020 school year.

The contractor satisfactorily completed the contract work and the consultant, Knit, agrees and recommends the board’s final acceptance of the project. The apprenticeship utilization rate for this project was 0%. The final construction contract value including Washington State sales tax (WSST) was \$614,648, which is \$6,738 above the total project budget.

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

- Seattle Public Schools Technical Building Standards dated December 2012
- 2015 Seattle Building Code, including amendments

5. FISCAL IMPACT/REVENUE SOURCE

All payments have been made to the contract from the BEX IV and BTA IV Food Service Equipment Fund. No outstanding invoices remain.

During the project, three Change Orders were issued, comprised of three Change Order Proposals or Construction Change Directives. Change Orders totaled \$41,918 plus Washington State sales tax. Change Order expenditures totaled 8.12% of the construction contract amount with the most significant expenditures associated with unforeseen freezer envelope issues. Change orders were reasonable for a project of this magnitude.

Contractor:	Western Ventures Construction
Contract Amount	\$516,345
Change Orders	\$ 41,918
WSST	<u>\$ 56,384</u>
Total Contract including WSST	\$614,648
Project Retention	\$ N/A Bond

Amy Fleming: Approved Without Edits on 10/22/20 (reference routing emails)
 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

The selection of projects for the BEX IV Capital Levy was completed in 2012 and in 2015 for the BTA IV Capital Levy. Projects selected for the BEX IV and BTA IV Capital levies were intended to address student capacity needs and inadequate building systems in school facilities across the city. As such, this motion was not put through the equity analysis as it would have been done for the district's current capital planning efforts.

8. STUDENT BENEFIT

This project ensures a safe food storage environment and allows the district to provide nutritional meals for students.

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 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 the School Board	December 2, 2020
Release of retainage bond	Not Applicable
Contractor's one-year warranty period ends	August 12, 2020

13. ATTACHMENTS

- Architect's Letter of Recommendation, in accordance with [WAC 392-344-155](#) (for reference) (available upon request from the Capital Projects & Planning department, 206-252-0877)