



# **SCHOOL BOARD ACTION REPORT**

**DATE:** June 14, 2018  
**FROM:** Dr. Larry Nyland, Superintendent  
**LEAD STAFF:** Dr. Lester Herndon, Associate Superintendent, Facilities and Operations  
206-252-0644, [lherndon@seattleschools.org](mailto:lherndon@seattleschools.org)

**For Introduction:** June 27, 2018  
**For Action:** July 11, 2018

## **1. TITLE**

BEX IV: Final Acceptance of Contract P5072 with Mike Werlech Construction, Inc., for the Jane Addams Middle School Voluntary Seismic Improvements and Minor Alterations, Phase III project

## **2. PURPOSE**

Board action is required to approve final acceptance of Contract P5072 with Mike Werlech Construction, Inc., for the Jane Addams Middle School Voluntary Seismic Improvements and Minor Alterations, Phase III. Board approval allows the district to submit required documents to the State of Washington 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 P5072 with Mike Werlech Construction, Inc., for the Jane Addams Middle School Voluntary Seismic Improvements and Minor Alterations, Phase III as final.

## **4. BACKGROUND INFORMATION**

### **a. Background**

This project was funded by BEX IV Capital Levy funds. The district continues to experience significant enrollment growth. With enrollment at its highest point in the last decade, many areas of the district do not have sufficient capacity to accommodate current and projected enrollment. Options to meet the enrollment increase were reviewed by the Facility and Capacity Management Advisory Committee, Board Committees and the full Board of Directors. Repurposing the existing space at Jane Addams was identified as a solution to help address the need for middle school capacity in the Northeast region. Proceeds from the Buildings Excellence IV (BEX IV) capital levy were utilized to fund this work.

The project consisted of renovations to repurpose the Jane Addams K-8 School as a comprehensive middle school, and included earthquake safety improvements to the building. It also addressed the items identified in the Meng Building Conditions Reports completed in May 2009, and updated in August 2014.

Closing the school building for a year to complete the work in a single phase was not recommended due to the district's capacity needs and the Board's decision to open a middle school at Jane Addams in September 2014. The construction was phased over for summers: 2014, 2015, 2016, and 2017.

Hutteball & Oremus Architecture designed the project. The district sought bids to accomplish Phase III in the spring of 2016 and Mike Werlech Construction, Inc. was awarded the project for a contract amount of \$1,114,000, plus Washington State sales tax (WSST). The scope of work included selective demolition, asbestos abatement, wood framing, plumbing and electrical work, seismic improvements, gypsum wallboard, paint, carpet and other interior finishes at the Jane Addams Middle School. The work was completed in September 2016.

Mike Werlech Construction, Inc. has satisfactorily completed the contract work and the consulting architect, Hutteball & Oremus Architecture, agrees and recommends Board final acceptance of the project.

**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, April 2009
- Seattle Public Schools Technical Building Standards dated December 2012

**5. FISCAL IMPACT/REVENUE SOURCE**

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

During the course of the project six Change Orders were issued. Change Orders totaled \$108,917, plus WSST. Change order expenditures totaled 9.8% of the construction contract amount with the most significant expenditures associated with unforeseen or concealed conditions within the school that were necessary to correct during the work. Change orders were reasonable for a project of this magnitude.

Contractor:	Mike Werlech Construction, Inc.
Contract Amount	\$ 1,114,000
Change Orders	\$ 108,917
WSST	\$ 117,891.22
Total Contract including WSST	\$ 1,340,808.22
Project Retention	\$ Bond

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 a full racial equity analysis. The selection of projects in the BEX IV programs were designed to provide equitable access to safe school facilities across the city.

**8. STUDENT BENEFIT**

This project helps ensure 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 June 7, 2018. The Committee moved this item 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

July 11, 2018  
Approx. September 2018  
December 7, 2017

**13. ATTACHMENTS**

- Architect's Letter of Recommendation



May 16, 2018

Mr. Scott Hogman  
Seattle Public Schools  
John Stanford Center for Educational Excellence  
MS 22-331  
2445 3<sup>rd</sup> Avenue South  
Seattle, WA 98134

Re: *Final Acceptance Recommendation for Contract: P5072*  
Jane Addams Modernization & Seismic Upgrades – Phase 3

Dear Mr. Hogman,

The existing Jane Addams Middle School is 160,645 square feet. The building square footage did not change for this project.

The construction of Jane Addams Modernization & Seismic Upgrades – Phase 3 has met Substantial Completion, dated August 29, 2016. All punchlist and remaining construction items have been verified as complete as of this date. We have reviewed the work performed by Mike Werlech Construction, Inc. on the above referenced project and believe it to conform to the requirements of the contract documents and therefore recommend final acceptance.

Sincerely,

A handwritten signature in blue ink that reads "Calvin Tam".

Calvin Tam  
Project Manager