



SCHOOL BOARD ACTION REPORT

DATE: 04/29/2019
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: May 29, 2019
For Action: June 12, 2019

1. TITLE

BEX/BTA IV: Daniel Bagley Elementary School Modernization and Additions: Approval of GC/CM Guaranteed Maximum Price Total Contract Cost

2. PURPOSE

School Board approval of the negotiated Total Contract Cost is required as part of the Office of Superintendent of Public Instruction (OSPI) D-Form process to receive state funding assistance.

3. RECOMMENDED MOTION

I move the School Board authorize the Superintendent to execute Amendment No. 1 to the General Contractor/Construction Manager (GC/CM) contract P5117 on the Daniel Bagley Elementary School Modernization and Additions project in the amount of \$27,428,000, attached to the Board Action Report, with any minor additions, deletions and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement the contract, which fixes the Total Construction Cost (TCC) within the Guaranteed Maximum Price previously approved by the Board.

4. BACKGROUND INFORMATION

- a. **Background:** The District was authorized by the state Project Review Committee (PRC), under state statute RCW 39.10, and authorized by the School Board in June 2018, to utilize the General Contractor/ Construction Manager (GC/CM) delivery methodology for this project.

The GC/CM method allows the District to select a general contractor based upon qualifications and other factors; as a result Lydig Construction joined the project team during the early phases of design to provide construction expertise and planning. The Guaranteed Maximum Price established by the District during the design phase was \$27,428,699. This amount was determined as it was consistent with the BEX IV and BTA IV capital levy. This amount was approved by the School Board on June 6, 2018.

On June 6, 2018, the Board authorized the Superintendent to increase the total project budget for Daniel Bagley Modernization and Addition from \$30,344,411 to \$40,344,411. That authorization by the Board also included executing an amendment to the GC/CM

contract to increase the Guaranteed Maximum Price by an amount up to \$27,428,699. The District and the GC/CM have negotiated a Fixed TCC based on the 100% Construction Documents. The negotiated Fixed TCC of \$27,428,000 is within the total amount previously authorized by the School Board.

The replacement of the Preliminary TCC with the fixed TCC is a requirement of OSPI to maintain eligibility to receive state matching funds. The fixed TCC is consistent with the current authorized project budget; it is not a construction “change order;” and does not represent a budget overrun.

b. **Alternatives:** Not approving the GC/CM contract Amendment No. 1 that establishes the negotiated fixed TCC. This is not recommended as it could result in terminating the agreement with the GC/CM and requiring the solicitation of lump sum low bids from the contracting community, which would likely delay the project by at least six months and have a less certain final cost and could jeopardize the OSPI state funding assistance for this project.

c. **Research:**

- Capital Projects Advisory Review Board (CPARB). <http://www.ga.wa.gov/cparb/>
- Chapter 39.10 RCW: Alternative Public Works Contracting Procedures, 2007. <http://apps.leg.wa.gov/RCW/default.aspx?cite=39.10&full=true>
- “Primer on Project Delivery.” The American Institute of Architects and The Associated General Contractors of America, 2004. <http://www.aia.org/SiteObjects/files/AIA%20AGC@20Primer.pdf>

5. FISCAL IMPACT/REVENUE SOURCE

This proposed contract amendment will be funded within the current BEX IV and BTA IV project budgets. Board approval of the final TCC is required as part of the process to receive state funding assistance of up to \$1,972,000.

The revenue source for this motion is BTA IV and BEX IV. The Daniel Bagley Elementary School Modernization and Additions project budget is \$40,344,411. This does not represent an increase to the Daniel Bagley Elementary School Modernization and Additions project budget, nor the overall BEX IV or BTA IV Programs.

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

The development of the BEX and BTA projects list underwent extensive community engagement.

7. EQUITY ANALYSIS

This motion was not put through the process of an equity analysis. The selection of projects in the BEX and BTA program was designed to provide equitable access to schools across the district.

8. STUDENT BENEFIT

The modernization of Daniel Bagley Elementary School will further address the student capacity needs in the Northwest region of the district. This action will also benefit students by providing the necessary funding to design and construct a school facility which meets current educational specifications and operational goals.

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: To secure state funding assistance for the Modernization and Additions Project at Daniel Bagley Elementary School

10. POLICY IMPLICATION

Per Board Policy No. 6220, Procurement, all contracts for more than \$250,000 initial value, excluding sales tax and contingencies, and changes or amendments of more than \$250,000, excluding sales tax and contingencies, must be approved by the School Board.

Per Board Policy No. 6100, Revenues from Local, State, and Federal Sources, states, “It is the policy of the Seattle School Board to pursue systematically those funding opportunities that are consistent with district priorities from federal, state, and other governmental units, as well as

from private and foundation sources,” and “The Board agrees to comply with all federal and state requirements that may be a condition for the receipt of federal or state funds....”

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on May 16, 2019. The Committee reviewed the item and moved it forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

The Daniel Bagley Elementary School Modernization and Additions design has been developed in conjunction with teachers, staff, administrators, parents, community members, and other stakeholders. The Daniel Bagley Elementary School Modernization and Addition will support the District’s current educational goals.

13. ATTACHMENTS

- Amendment 1: Agreement Between Owner and GC/CM [Draft] (for authorization)
- June 6, 2018 Board Action Report: BEX IV – Approval of four actions related to the Daniel Bagley Modernization and Addition project (for reference)



BEX/BTA IV: Daniel Bagley Elementary School Modernization and Additions: Approval of GC/CM Guaranteed Maximum Price Total Contract Cost

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

Kristi Jones
Project Assistant Capital Projects
krjones@seattleschools.org

AIA Document A133 – 2009 Exhibit A for the Modernization and Addition at Daniel Bagley Elementary School.



AIA® Document A133™ – 2009 Exhibit A

Guaranteed Maximum Price Amendment

for the following PROJECT:

(Name and address or location)

Daniel Bagley Elementary School - Modernization and Addition

7821 Stone Avenue North
Seattle, Washington 98103

THE OWNER:

(Name, legal status and address)

Seattle School District No. 1

2445 3rd Avenue South
Seattle, Washington 98124

THE CONSTRUCTION MANAGER:

(Name, legal status and address)

Lydig Construction, Inc.

3180 139th Avenue SE, Suite 110
Bellevue, Washington 98005

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

ARTICLE A.1

§ A.1.1 Guaranteed Maximum Price

Pursuant to Section 2.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager’s Fee plus the Cost of the Work, as that term is defined in Article 6 of this Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed (~~\$—~~), Twenty-Seven Million Four Hundred Twenty-Eight Thousand Dollars (\$27,428,000.00), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 **Itemized Statement of the Guaranteed Maximum Price.** Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, allowances, contingencies, alternates, the Construction Manager’s Fee, and other items that comprise the Guaranteed Maximum Price.
(Provide below or reference an attachment.)

See Attachment 1 dated April 2, 2019; the DBES - GMP Summary dated April 25, 2019; and the DBES NSS Cost Codes dated April 25, 2019.

§ A.1.1.3 The Guaranteed Maximum Price is based on the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:
(State the numbers or other identification of accepted alternates. If the Contract Documents permit the Owner to accept other alternates subsequent to the execution of this Amendment, attach a schedule of such other alternates showing the amount for each and the date when the amount expires.)

See Attachment 1 and the Accepted Value Engineering Items dated April 25, 2019.

§ A.1.1.4 Allowances included in the Guaranteed Maximum Price, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price (\$0.00)
See Attachment 1.	

§ A.1.1.5 Assumptions, if any, on which the Guaranteed Maximum Price is based:

See Attachment 1.

§ A.1.1.6 The Guaranteed Maximum Price is based upon the following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
See Attachment 1.			

§ A.1.1.7 The Guaranteed Maximum Price is based upon the following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Agreement.)
See Attachment 1.

Section	Title	Date	Pages
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§ A.1.1.8 The Guaranteed Maximum Price is based upon the following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Agreement.)
See Attachment 1.

Number	Title	Date
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§ A.1.1.9 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Agreement.)

N/A

ARTICLE A.2

§ A.2.1 The ~~anticipated~~ required date of Substantial Completion established by this Amendment:

The Construction Manager shall achieve Substantial Completion of all of the Work not later than June 30, 2020.

§ A.2.2 Liquidated Damages and Time.

If the Construction Manager fails to achieve Substantial Completion by the scheduled Substantial Completion date, the Owner will sustain significant damage and loss as a result of such failure. The exact amount of such damages will be difficult to ascertain, therefore, the Owner and the Construction Manager agree as follows:

If the Construction Manager fails to achieve Substantial Completion by the scheduled Substantial Completion date, and as otherwise required by the Contract Documents, the Owner shall be entitled to retain or recover from the Construction Manager, as liquidated damages and not as a penalty, Two Thousand Dollars (\$2,000.00) per calendar day commencing upon the first day following the required Substantial Completion date and continuing until the actual date of Substantial Completion. Such liquidated damages are hereby agreed to be a reasonable pre-estimate of damages the Owner will incur as a result of delayed completion of the Work. The liquidated damages shall be Owner's sole and exclusive remedy for delay.

Init.

OWNER (Signature)

CONSTRUCTION MANAGER (Signature)

(Printed name and title)

(Printed name and title)

Dated this _____ day of _____, 2019



Init.

/

Certification of Document's Authenticity

AIA® Document D401™ – 2003

I, _____, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with this certification at 14:39:52 ET on 04/29/2019 under Order No. 0158163641 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A133™ – 2009 Exhibit A, Guaranteed Maximum Price Amendment, as published by the AIA in its software, other than changes shown in the attached final document by underscoring added text and striking over deleted text.

(Signed)

(Title)

(Dated)

APPROVED



SCHOOL BOARD ACTION REPORT

DATE: May 14, 2018
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Dr. Lester Herndon, Associate Superintendent, Facilities and Operations
(206) 252-0644 ltherndon@seattleschools.org

For Introduction: May 23, 2018
For Action: June 6, 2018

1. TITLE

BTA IV/BEX IV: Approval of four actions related to the Daniel Bagley School Modernization and Addition project

2. PURPOSE

The purpose of this Board Action would approve the following items related to the [Daniel Bagley Modernization and Addition project](#) as follows:

- Allow transfer of \$2,808,243 from BTA III Program Contingency, \$5,000,000 from BEX IV Program Contingency, \$1,191,757 from BEX IV Capacity Flexibility, and \$1,000,000 from the State of Washington's K-3 Class Size Reduction Grant to the BTA IV/BEX IV Bagley Elementary School Modernization and Addition project budget. The total transfer equals \$10,000,000.
- Authorize the Superintendent to execute a modification to contract P1453 with Miller Hayashi Architects for additional design and construction administration fees of \$482,270.53.
- Authorize the Superintendent to utilize the GC/CM alternative construction delivery method on the Bagley Modernization and Addition project and award a construction contract P5091 with Lydig Construction for an amount not to exceed \$27,428,669.
- Approve Resolution 2017/18-2.

3. RECOMMENDED MOTION

I move that the School Board

- (1) Approve a one-time fund transfer of \$2,808,243 from BTA III Program Contingency, \$5,000,000 from BEX IV Program Contingency, \$1,191,757 from BEX IV Capacity Flexibility and \$1,000,000 from the State of Washington's K-3 Class Size Reduction Grant to the BTA IV/BEX IV Bagley Elementary Modernization and Addition project budget for a total transfer that equals \$10,000,000;
- (2) Authorize the Superintendent to execute a modification to contract P1452 with Miller Hayashi Architecture in the amount of \$482,270.53 for additional design for the Bagley Elementary School Modernization and Addition project with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement the contract amendment;
- (3) Authorize the Superintendent to utilize the GC/CM alternative construction delivery method on the Bagley Modernization and Addition project and approve Resolution

2017/18-2, as attached to this Board Action Report, in accordance with Office of Superintendent of Public Instruction (OSPI) provision in the Form D-5 application; and
(4) Authorize the Superintendent to execute a construction contract with Lydig Construction for the General Contractor/Construction Manager(GCCM) contract for the Bagley Modernization and Addition project to set the Guaranteed Maximum Price (GMP) as defined by RCW 39.10.370 at an amount not to exceed \$27,428,669.

4. BACKGROUND INFORMATION

a. Background

Seattle voters approved the Seattle Public Schools Building Excellence IV (BEX IV) Capital Levy in February 2013, as well as the Buildings, Technology and Academics IV (BTA IV) Capital Levy in February 2016, which will support the district's long-range plans to upgrade and renovate aging school facilities and address enrollment growth. The Enrollment Planning section of the Capital Projects and Planning department has identified a need for additional capacity in North Seattle. They have recommended an addition and modernization of Daniel Bagley Elementary School to accommodate projected capacity needs.

Daniel Bagley Elementary School is located at the north end of Seattle at 7821 Stone Avenue N., on a site of 3.94 acres. The existing main school building was built in 1930 and is a designated historic landmark. The proposed project will include:

- Modernization of the existing 40,745\ SF building;
- Addition of a new two-story approximately 13,300 SF classroom addition
- Addition of an approximately 6,200 SF Gymnasium
- Providing approximately 3,000 SF of Covered Play area
- Removal and/or relocation of existing 8 portable classroom structures
- Include sustainability and green initiatives;
- On/off site utilities;
- Limited site development work

The addition will replace portables with eight (8) permanent classrooms and associated learning support areas, and the addition of a new gym allows two (2) new classrooms to be created in the existing building. The construction of the classroom addition is anticipated to begin by summer of 2019 and be substantially complete by June 2020. Subsequent to the BTA IV levy planning effort, the latest revised edition of the Elementary School Educational Specifications was released. Consequently, it became apparent during schematic design of Bagley Elementary that more extensive remodeling than anticipated during levy planning is necessary to make the building conform to the revised educational specifications, as well as the latest Seattle Building and Energy Codes.

The building design will include energy conservation measures such as high efficiency boilers for hot water heating, added building insulation, mechanical heat recovery system, LED lighting and metering of power outlets. The existing building will be seismically upgraded to meet the current codes and the windows will also be more energy efficient. Additionally, the contractor's latest estimate reflects the current construction market conditions in the greater Seattle area, and the budget increase will help bridge the gap

between the original levy planning assumptions and the most recent market condition assessment.

The amount of the transfer request was calculated by subtracting the estimated budget of \$30,344,411.00 at levy planning from the estimated budget provided at the end of schematic design of \$40,344,411 needed to meet the educational specifications including a full-sized gym and eleven additional classrooms. In addition, identified site improvements including the required utility connections and upgrade for ADA access to entries are significantly greater than originally anticipated. In addition to the increased Guaranteed Maximum Price, the funding transfer request also includes adjustments to Architect's fees, GC/CM's Construction Contract, Construction Manager's fees, permit fees and construction change order budgets as well as applicable taxes.

Background on GC/CM Procurement: The State of Washington allows public agencies to utilize alternative public works contracting methods including the GC/CM delivery model. Using GC/CM allows the district to select a contractor on factors other than low price such as relevant experience and project specific qualifications. This allows the GC/CM to join the project team during early design to provide expertise in construction phase planning, means and methods, constructability, sequencing, scheduling, site logistics, and cost estimating. These contributions are welcomed by the project team to collectively manage this complex capacity addition project.

SPS has used GC/CM delivery on several complex projects in recent years, including Denny Middle School/Chief Sealth, Nathan Hale, Garfield, Cleveland and Roosevelt High Schools, and is currently using GC/CM delivery on the Robert Eagle Staff Middle School, Cascadia, Olympic Hills and Loyal Heights Elementary Schools, Webster Elementary School and Lincoln High School projects. This type of procurement has been found to reduce risk to the District by early involvement of the contractor during the design phase where decisions on design are informed by construction methods, materials, coordination, and sequencing.

The likely benefits from using GC/CM on the Daniel Bagley Elementary School Modernization and Addition are considerable. Selection of the GC/CM firm was largely based on qualifications and experience relevant to the specific nature and challenges of this project. The criteria included: past performance on completing projects of similar size, scope and complexity; the ability of the GC/CM Team to control the project schedule and complete the project within budget and on a tight timeline; and experience of the GC/CM firm with projects involving complex construction phasing with historic landmark preservation controls and in residential neighborhoods. Other benefits include:

- The GC/CM acts as an advocate of the Owner, unlike low-bid delivery.
- Top tier contractors competed for this project because this will not be a low bid, thus carrying a higher likelihood of quality assurance and timely completion.
- The GC/CM selection was also based on a competitively bid fee and specified general conditions (general contractor's staffing).
- Through pre-construction involvement, the GC/CM will understand the work long before bidding.
- The GC/CM will participate in setting the schedule, packaging the scope to fit the marketplace, and realistically set expectations before work is procured in order to successfully deliver on value.

- The GC/CM participates actively in ongoing constructability reviews throughout the design process, resulting in cost-effective and value-based solutions which the project team welcomes.
- Open book cost accounting of the work brings transparency to actual value of work to be constructed.
- Phasing of bid buy-out and flexibility to adjust bid packages as the work is bought-out allows for cost management by the owner and GC/CM team.

On July 28, 2016, the Daniel Bagley Elementary School Modernization and Addition project was presented to the State Capital Projects Advisory Review Board (CPARB) Project Review Committee (PRC) which authorizes the use of alternative delivery methods for Public Agencies. A unanimous vote of the PRC approved the use of GC/CM for this project based largely on meeting the following criteria and qualifications:

- Project Complexity, including complex phasing, tight fixed schedule, complex coordination and historic landmark controls.
- Complex technical work environment, including site constraints, complex and involved regulatory processes, retrofit and addition to designated landmark structures and surrounding residential neighborhood.
- The Owner has strong history of building capital projects.
- The specific Project team has strong GC/CM experience and successful project records.

The GC/CM procurement process requires three steps: Step 1: Submission of Qualifications and Experience; Step 2: Resumes, References and Interviews of Project Team; and Step 3: Bid on GC/CM fee percentage of estimated construction costs and Bid on Specified General Conditions outlined in the Contract Documents. The project was publicly advertised on February 6, 2017. Total of four GC/CM firms submitted written qualifications on March 9, 2017. A selection committee of five professionals with members from the Capital Projects Department, the Architect, the Facilities Operation Department and Construction Manager each evaluated the GC/CM qualifications submittals and ranked the firms. Three firms were selected by the panel to be shortlisted for interviews. Interviews were conducted on March 29, 2017 and after evaluation by the selection committee, finalists were selected to submit priced proposals. Sealed proposals were received April 7, 2017. The scores were totaled from each of the 3 steps and Lydig Construction received the highest point total.

Since May of 2017, Lydig Construction has been providing the preconstruction services under an interim contract, in order to keep the design team moving forward to keep the current schedule.

b. Alternatives

Deny motion. This is not recommended. If motion is denied, this would negatively impact project success in meeting district educational specifications and operational goals.

c. Research

- Elementary School Educational Specifications, May 31, 2016
- Technical Building Standards, December 2012
- [Capital Projects Advisory Board](#) (CPARB)
[RCW 39.10](#)

5. FISCAL IMPACT/REVENUE SOURCE

Fiscal impact to this action will be a transfer of \$10,000,000, the approval of a \$482,270.53 contract amendment and approval the GC/CM construction contract up to \$27,428,669.

This action will also help secure approximately \$1.9 million in state funding assistance.

The revenue source for the budget transfer is as follows: \$2,808,243 from BTA III Program Contingency, \$5,000,000 from BEX IV Program Contingency, \$1,191,757 from BEX IV Capacity Flexibility and \$1,000,000 from the State of Washington’s K-3 Class Size Reduction Grant to the BTA IV/BEX IV Bagley Elementary School Modernization and Addition project budget.

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

The development of the BTA IV and BEX IV programs underwent extensive community engagement.

7. EQUITY ANALYSIS

This motion was not put through the process of an equity analysis. The selection of projects in the BTA IV and BEX IV programs were designed to provide equitable access to safe school facilities across the city.

8. STUDENT BENEFIT

The Daniel Bagley Elementary School Modernization and Addition will incorporate guidelines and requirements set forth in the Seattle Public Schools Educational Specifications and the School Design Advisory Team (SDAT) process, and will replace eight existing portable classrooms with permanent classrooms and the addition of a new gymnasium allows two new classrooms to be created in the existing building.

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. 6000, Program Planning, Budget Preparation, Adoption and implementation Policy
- Other: The Office of Superintendent of Public Instruction (OSPI) Form D-5 Application for Preliminary Funding Status requires the applicant School District’s board approval to use alternative Public Works contracting for construction of the subject project.

10. POLICY IMPLICATION

This Board action requests a funding transfer from the BTA IV and BEX IV Program Contingency to the Bagley Elementary School Renovation and Addition project budget. Per Board Policy No. 6000, Program Planning, Budget Preparation, Adoption, and Implementation, item number D, “funds may be transferred from one budget classification to another subject to such restrictions as may be imposed by the Board.”

Per Board Policy No. 6220, Procurement, any contract over \$250,000 must be brought before the Board for approval.

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on May 10, 2018. The Committee moved the item forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, the district will be able to proceed with design of Daniel Bagley Elementary School in conformance with the district’s educational specifications and a Notice to Proceed will be issued to the selected GC/CM.

Timeline Summary:

- Start of Preconstruction Services – May 2017
- Completion of Preconstruction Services – December 2018
- Bidding/Total Contract Cost negotiation period – January-February 2019
- Start of Construction – July 2019
- Substantial Completion – June 2020

- School Opening – September 2020

13. ATTACHMENTS

- Resolution 2017/18-2 (for approval)
- Shiels Oblatz Johnson Selection Results Memorandum
- CPARB Approval Letter (available upon request)

**Seattle School District #1
Board Resolution**

Resolution No. 2017/18-2



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington, certifying that the District intends to comply with the RCW 39.10 for the use of the Alternative Public Works Contracting Procedures or General Contractor Construction Manager (GC/CM) Delivery method on the Daniel Bagley Elementary School Modernization and Addition Project as required by Office of Superintendent of Public Instruction (OSPI) D-5 Application.

WHEREAS, it has been determined that the Daniel Bagley ES project meets at least one of the RCW 39.10.270 requirements; and

WHEREAS, the Capital Projects Advisory Review Board (CPARB) Project Review Committee has reviewed and approved the use of alternative delivery method; and

WHEREAS, this resolution ensures the responsiveness of the District to OSPI, as required on the D-5 application item 10.e;

NOW THEREFORE, BE IT RESOLVED, that the Seattle School Board of Directors approves use of a GC/CM delivery method for the Daniel Bagley Elementary School project in accordance with the OSPI provisions in the D-5 application, and certifies that it will comply with the RCW 39.10 requirements.

ADOPTED this _____ day of _____, 2018.

Leslie Harris, President

Rick Burke, Vice-President

Jill Geary, Member-at-Large

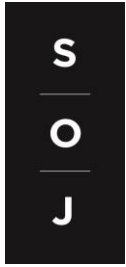
Betty Patu, Member

Eden Mack, Member

Zachary DeWolf, Member

Scott Pinkham, Member

ATTEST: _____
Dr. Larry Nyland, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA



To: Daniel Bagley Elementary Modernization and Addition Contract File
From: SOJ, Construction Manager
Subject: GC/CM RFP 01750 responses and interview
Daniel Bagley Modernization and Addition Project
Date April 12, 2017

Background

On March 10, 2017, Seattle Public Schools (SPS) received proposals in response to the GCCM RFP 01750 for the Modernization and Addition at Daniel Bagley Elementary. The Advertisement was published in the Seattle Daily Journal of Commerce on February 6 and 13, 2017. Four general contractors submitted written qualifications (in alphabetical order):

- Absher Construction
- BNBuilders
- FORMA Construction
- Lydig Construction

This serves as a record of the evaluation process including the proposal reviews, meetings, information gathering, interviews and shared discussion regarding the selection process.

Step I: Statement of Qualifications (Total Possible Points – 100)

The GCCM Selection Committee is comprised of two SPS Capital Projects members, one Architect, one SPS Facilities member and two Construction Management staff.

As part of Step I of the RFP process, the four written SOQ's were evaluated by the Committee.

On March 17, 2017, the Selection Committee met and discussed the merits of each SOQ against criteria established in the RFP. The following tentative average scores were assigned.

- Absher Construction – 78.6 points *
- **BNBuilders – 81.8 points ***
- **FORMA Construction – 82.1 points ***
- **Lydig Construction – 91.4 points ***

Following deliberation, the Committee shortlisted the firms noted with (*) above to proceed into Step 2 for interview. Absher Construction received a lower average score below 80 points, and was therefore not selected for the interviews.

Step II: Interviews (Total Possible Points – 70)

The three shortlisted firms were interviewed on March 29, 2017. Each firm made an oral presentation, followed by questions posed by the committee. The Committee met immediately following interviews to discuss each firm's performance in the interviews. All committee members contributed to the deliberation by discussing each firm. Some of the key observations made include the following, based on criteria stated in the RFP, which included the firms' approach to the project, managing the project, quality and experience of personnel, likely ability to best perform as GC/CM, answers to questions; and other observations:

- BNBuilders: proposed core team was present, PM and superintendent had one project experience together; presentation did not address construction quality; estimator's responses were good; lack of historic renovation experience by superintendent; did not address the three projects they were released after preconstruction phase; good presentation style and materials; "entrepreneurial" company culture .
- Forma: proposed core team has solid, demonstrated much experience together; firm is focused on K-12 market; level of confidence displayed; preconstruction manager is not continuous through to construction; commitment to providing senior executive engagement on project; expressed creativity in dealing with historic renovation challenges; "partnership" company culture.
- Lydig: proposed core team has worked little together on past projects; proposed two project executive both present; key team members showed engagement; good quality control approach; good example of proactive/timely approach to addressing difficult issues; superintendent has good historic renovation experience; good team dynamic; "project first" company culture.

After this deliberation, the committee members submitted Step 2 scores and arrived at the consensus of the following averages:

- BNBuilders – 58.32 points
- FORMA Construction – 61.12 points
- Lydig Construction – 64.32 points

The final subtotal aggregated pre-bid scores were calculated (Step I + Step II only) prior to invitation to Bid:

- **BNBuilders – 140.12 points ****
- **FORMA Construction – 143.22 points ****
- **Lydig Construction – 155.72 points ****

The committee concluded that all three firms have the capacity to best serve as GC/CM for this project, based on their submittals, interviews and overall experience. The three firms invited to submit sealed proposals are noted above with (**).

Step III: Final Sealed Proposals (Total Possible Points – 30)

Public opening of the GC/CM bids for the Ingraham HS Addition project is scheduled for April 7, 2017 at the SPS JSCEE Offices. Depending on the bid amounts, points will be assigned to each of the proposers based on criteria published in the RFP and will be added to the above subtotals. The proposer with the highest score will be recommended.