



SCHOOL BOARD ACTION REPORT

DATE: May 19, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0102, fhpodesta@seattleschools.org

For Introduction: June 24, 2020
For Action: July 8, 2020

1. TITLE

BEX IV and BTA III: Final Acceptance of Contract P5088 with Lincoln Construction, Inc., for the McGilvra Elementary New Cafeteria Building and Seismic Upgrades in Main Building School project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5088 with Lincoln Construction, Inc., for the McGilvra Elementary New Cafeteria Building and Seismic Upgrades in Main Building 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 P5088 with Lincoln Construction, Inc., for the McGilvra Elementary New Cafeteria Building and Seismic Upgrades in Main Building School project as final.

4. BACKGROUND INFORMATION

a. Background

The McGilvra Elementary New Cafeteria Building and Seismic Upgrades in the Main Building School project is located at 1617 38th Ave. E and was identified in the Building Excellence IV (BEX IV) Capital Levy and replaced the existing undersized lunchroom in the main building and executed seismic upgrades in the main building.

The McGilvra Elementary New Cafeteria Building and Seismic Upgrades in the Main Building School project was publicly bid on February 9, 2017, with a total of seven (7) bids being received. The consulting Architect, Integrus Architecture, recommended acceptance of the low bid, and on April 19, 2017 the School Board authorized the Superintendent to enter into a construction contract with Lincoln Construction, Inc., to construct the project.

Lincoln Construction Inc., has successfully completed the contract work and the consulting architect, Integrus Architecture, agrees and recommends final acceptance of the project. Lincoln Construction had an average apprenticeship utilization rate of 20% for the project. The McGilvra Elementary New Cafeteria Building and Seismic Upgrades School project was one of three projects recently completed at McGilvra Elementary School with funds from BTA III and BEX IV that totaled \$9,071,594. The completion of all three projects will result in approximately \$120,000 in underspend. Any underspend will be transferred to the respective BTA III or 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 McGilvra 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 either the BTA III or BEX IV Capital levy funds. No outstanding invoices remain.

During the course of the project, Six (6) Change Orders were issued, comprised of Sixty Three (63) Change Order Proposals or Construction Change Directives. Change Orders totaled \$259,118 plus WSST. Change order expenditures totaled 6.2 % of the construction contract amount with the most significant expenditures associated with the Seattle Department of Construction and Inspection (SDCI). SDCI inspectors requested to re-line existing sewer discharge pipe to the street manhole and added a new clean out. Owner requested repairs to existing asphalt play area due to an uneven play surface, unforeseen conditions related to portable removal delay, and the addition of a segmented wall to minimize the cutting of tree roots from large trees between the properties. Change orders were reasonable for a project of this size and complexity on a landmarked school.

Contractor:	Lincoln Construction Inc.
Contract Amount	\$4,187,336
Change Orders	\$259,118
WSST	<u>\$449,092</u>
Total Contract including WSST	\$4,895,547
Project Retention 5%	\$221,506

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

The selection of projects in the BEX IV program was designed to provide equitable access to safe school facilities across the city.

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 June 4, 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	July 8, 2020
Release of Retainage Bond	August 2020
Contractor's One-Year Warranty period ends	December 2019

13. ATTACHMENTS

- Architect's Letter of Recommendation, in accordance with [WAC 392-344-155](#)

May 7, 2020

Mr. Vince Gonzales
Seattle Public Schools
2445 Third Ave
Seattle, WA 98134

RE: *Final Acceptance Certificate
McGilvra Elementary Cafeteria
Integrus Project No. 21415.00*

Dear Mr. Gonzales:

The new McGilvra Elementary School Cafeteria is 5,103 square feet. The existing building square footage did not change for this project. The existing McGilvra Elementary School is 31,844 square feet.

The construction of McGilvra Elementary has met Substantial Completion dated October 19, 2018. We have reviewed the work performed by Lincoln Construction on the above referenced project and believe it to conform to the requirements of the contract documents and therefore recommend final acceptance this date of May 7, 2020.

Sincerely,



Sara Wilder
Project Manager
Integrus Architecture

pc: Lincoln Construction, file