



SCHOOL BOARD ACTION REPORT

DATE: September 14, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: September 23, 2020
For Action: October 7, 2020

1. TITLE

OSPI Distressed School Grant: Final Acceptance of Contract K5116, Bid No. B11824, with CDK Construction Services, Inc., for the Eckstein Middle School Exterior Sunshade Installation project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract K5116 with CDK Construction Services, Inc., for the Eckstein Middle School Exterior Sunshade Installation 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 K5116 with CDK Construction Services, Inc., for the Eckstein Middle School Exterior Sunshade Installation project as final.

4. BACKGROUND INFORMATION

a. Background

The Eckstein Middle School Exterior Sunshade Installation project is located at 3003 Northeast 75th Street, Seattle, WA, 98115 and will be reimbursed by a State of Washington - Distressed Schools Grant in the amount of \$500,000 through OSPI. In consultation with our state representatives and the school building principal, the grant was used to install exterior sunshades over south facing windows to resolve problems with classrooms overheating from direct sunlight entering the school.

The contractor satisfactorily completed the work in October 2019, in accordance with the project schedule. There was one change order in the amount of \$2,722 for modifications to the mounting plates to install the sunshades. The final contract expenditure was \$350,722. No apprentices were utilized or reported for this project as it did not meet the minimum contract value required by law. The life to date expenditure on this project is \$468,076 and the total project budget is \$500,000.

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

- Computer modeling, energy and shading analysis utilizing Autocad Formit software.
- Building Condition Survey, Meng Analysis, August 2014
- 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. The BTA IV Capital levy fund will be reimbursed upon receipt of funds from the State of Washington.

During the course of the project, one Change Order was issued, comprised of one Change Order Proposal or Construction Change Directive. Change Orders totaled \$2,722 plus Washington State Sales Tax. Change order expenditures totaled less than 1% of the construction contract amount with expenditures as follows:

Contractor:	CDK Construction Services, Inc.
Contract Amount:	\$348,000
Change Orders:	\$2,722
WSST:	<u>\$35,423</u>
Total Contract including WSST:	\$386,145
Project Retention:	\$17,536

Amy Fleming: JoLynn Berge Approved With No Edits on behalf of Amy Fleming—8/10/20
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 project was the result of Distressed Schools Grant funding identified independently of SPS by state legislative representatives. As such, this motion was not put through the equity analysis associated with the district's capital planning.

8. STUDENT BENEFIT

The 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: _____

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 September 10, 2020. The Committee reviewed the item 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:	October 7, 2020
Release of Retainage:	Approximately November 1, 2020
Contractor's One-Year Warranty Period Ends:	January 30, 2021

13. ATTACHMENTS

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