



SCHOOL BOARD ACTION REPORT

DATE: 1/9/2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Fred Podesta, Chief Operations Officer
206-252-0636, fhpodesta@seattleschools.org

For Introduction: 6/10/2020
For Action: 6/24/2020

1. TITLE

BEX IV: Resolution 2019/20-20, Final Acceptance of Contract P5034 with Lydig Construction Inc. for the Wilson Pacific Elementary & Middle Schools (Cascadia Elementary, Robert Eagle Staff Middle, and Licton Springs K-8) project

2. PURPOSE

The purpose of this action is to approve final acceptance of Contract P5034 with Lydig Construction Inc. for the Cascadia Elementary, Robert Eagle Staff Middle, and Licton Springs K-8 Schools project and to approve Resolution 2019/20-20 to receive State Construction Assistance Program funding (SCAP) for the Cascadia Elementary, Robert Eagle Staff Middle and Licton Springs K-8 Schools 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 (or bond in lieu of retainage).

3. RECOMMENDED MOTION

I move that the School Board adopt Resolution 2019/20-20 and accept the work performed under Contract P5034 with Lydig Construction Inc. for the Cascadia Elementary, Robert Eagle Staff Middle, and Licton Springs K-8 Schools as final.

4. BACKGROUND INFORMATION

a. Background

Cascadia Elementary School is located at 1700 North 90th Street, Seattle, WA 98103.

Robert Eagle Staff Middle School is located at 1300 North 90th Street, Seattle, WA 98103.

Licton Springs K-8 School is located at 1330 North 90th Street, Seattle, WA 98103.

The project replaced the former Wilson-Pacific school buildings with the new Cascadia Elementary, Robert Eagle Staff Middle, and Licton Springs K-8 Schools on a shared campus. The project was funded through the BEX IV levy and provides an additional 258,840 square feet of capacity space (160,572 square feet at the middle school building

plus 98,268 square feet at the elementary school and childcare buildings, as calculated per OSPI requirements).

The three-story middle school building accommodates up to 1,000 students. The Licton Springs K-8 program is co-located within the middle school building. The two-story elementary school building accommodates up to 660 students, not including two Pre-K/childcare classrooms in an adjacent building. The campus also includes synthetic turf athletic fields located between the two school buildings that are available for community use outside of school hours.

Energy efficiency is achieved through optimum daylighting, thermally efficient fiberglass windows, LED lighting fixtures, and low maintenance mechanical systems. The Native American murals by local artist Andrew Morrison, which were carefully detached from the old buildings prior to demolition in 2015 and stored on-site, were re-installed on the exterior and re-integrated into the architecture of the new buildings.

Mahlum was the architect of record, Lydig Construction Inc. was the General Contractor/Construction Manager (GC/CM) and Shiels Oblatz Johnsen Inc. (SOJ) was the construction project manager. The project included a number of risk factors including an overheated construction market with skilled labor shortages and significant cost escalation; Board-directed addition of Licton Springs K-8 to the middle school building late in the project's design phase; high degree of public interest including community and Landmarks Board focus on the Native American murals on site; technical challenges associated with carefully removing, moving, storing and re-installing the Native American murals; lengthy permitting processes; a long-standing neighborhood flooding problem upstream of the site; and the adjacent environmentally critical area of Pilling's Pond.

With Board approval, the district entered into a Memorandum of Agreement (MOA) with Seattle Public Utilities in 2015, that authorized the project to perform stormwater infrastructure improvements necessary to resolve long-standing flooding problems on and adjacent to the school site in the Licton Springs neighborhood. The agreement allowed the district's school project team (architect/engineer and GC/CM), who were already on site building the new schools, to also design and construct the stormwater system upgrades upstream on behalf of SPU. In return, SPU fully reimbursed the district for the engineering design fees and construction costs including change orders, which totaled approximately \$1.4 million. The agreement resulted in successful implementation of the stormwater upgrades on an accelerated schedule which substantially reduced flooding at the school site and in the neighborhood.

To mitigate against these risk factors, the project requested and was granted approval to utilize the GC/CM procurement method to deliver the project. Lydig was selected early in the design process to provide pre-construction services. Cost and quality control were both achieved. The final apprenticeship utilization rate was 22%, exceeding the requirement of 15%. The school opened on schedule on September 6, 2017.

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, December 2012
- Seattle Public Schools Educational Specifications, 2012
- Wilson Pacific ES and MS Site Specific Educational Specifications, April 2014

5. FISCAL IMPACT/REVENUE SOURCE

All payments have been made to the contract from the BEX IV Capital levy funds and the School Construction Assistance Program (SCAP) Funding (provided for middle school). No outstanding invoices remain.

During the course of the project, 28 Change Orders were issued, comprised of 210 Change Order Proposals. Change Orders totaled \$6,066,524.70 plus WSST. Change order expenditures totaled 7.3% of the construction contract amount with the most significant expenditures associated with upgrading roofing to a multi-ply system (bid alternate), adding interpretive panels in each school to convey the historical significance of the site and the Native American murals, adding theater lighting at each school’s stage, bolstering security measures during construction, upgrading the athletic fields from grass to synthetic turf, adding underground infrastructure for future field lighting, replacing the City’s failing upstream stormwater infrastructure (costs reimbursed by City per Memorandum of Agreement) and settling a request for equitable adjustment (claim) from the electrical subcontractor. Change orders were reasonable for a project of this magnitude and complexity.

Contractor:	Lydig Construction
Contract Amount	\$ 83,471,755.84
Change Orders	\$ 6,066,524.70
WSST	<u>\$ 8,665,898.44</u>
Total Contract including WSST	\$ 98,204,178.98
Project Retention	\$ 0.00 - retainage bond provided

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: _____

In accordance with [WAC 392-344-160](#) Board approval of final acceptance is required to complete the Office of Superintendent of Public Instruction Form D-11 Application to Release 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 March 2, 2020. The Committee reviewed the motion and moved it 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

April 7, 2020
Approx. April 2020
ended 2018

13. ATTACHMENTS

- Architect's Letter of Recommendation, in accordance with [WAC 392-344-155](#) (available upon request in the Capital Projects & Planning office)
- Resolution 2019/20-20 (for approval)

**Seattle School District #1
Board Resolution**



Resolution No. 2019/20-20

A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington certifying the Wilson Pacific Elementary & Middle Schools (Cascadia Elementary, Robert Eagle Staff Middle, and Licton Springs K-8) project as complete.

WHEREAS, the Seattle School District No. 1 Board of Directors has received notification from Mahlum Architects that the Wilson Pacific Elementary & Middle Schools (Cascadia Elementary, Robert Eagle Staff Middle and Licton Springs K-8) School project is complete in accordance with contract specifications and documents; and

WHEREAS, the Superintendent concurs that the contractor has satisfactorily completed the project;

NOW THEREFORE, BE IT

RESOLVED, by the Seattle School Board of Directors that the work of the contractor, Lydig Construction is now complete; and therefore be it further

RESOLVED, that duly certified copies of this resolution shall be presented to OSPI.

ADOPTED this 24th day of June, 2020

Zachary DeWolf, President

Chandra N. Hampson, Vice President

Leslie Harris, Member-at-Large

Brandon K. Hersey, Member

Eden Mack, Member

Liza Rankin, Member

Lisa Rivera-Smith, Member

ATTEST: _____
Denise Juneau, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA