



School Board Briefing/Proposed Action Report

Informational (no action required by Board) **Action Report** (Board will be required to take action)

DATE: September 15, 2015
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Dr. Lester Herndon, Associate Superintendent of Facilities & Operations,
(206) 252-0644, ltherndon@seattleschools.org

I. TITLE

BEX IV: Cascadia Elementary School and Robert Eagle Staff Middle School: Approval of GC/CM Negotiated Total Contract Cost **For Introduction:** September 23, 2015
For Action: October 7, 2015

II. WHY BOARD ACTION IS NECESSARY

Per Board Policy No. 6220, Procurement, all contract modifications exceeding \$250,000 must be approved by the Board.

III. FISCAL IMPACT/REVENUE SOURCE

This proposed contract amendment will be funded within the current project budget and will only result in transfers between budget categories.

This does not represent an increase to the Cascadia Elementary School and Robert Eagle Staff Middle School project budget, or the overall BEX IV Program.

Expenditure: One-time Annual Other Source

IV. POLICY IMPLICATION

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

V. RECOMMENDED MOTION

I move that the School Board authorize the Superintendent to execute Amendment No. 1 to the General Contractor/Construction Manager (GC/CM) contract P5034 on the Cascadia Elementary and Robert Eagle Staff Middle Schools project, previously known as the Wilson Pacific project, in the amount of \$81,787,147.00, attached to the Board Action Report, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary action to implement the contract.

VI. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on August 20, 2015. The Committee recommended moving the item forward to the full Board with recommendation for approval.

VII. BACKGROUND INFORMATION

Due to the complexity, large size and scope of the two schools co-located on one site, the District was authorized by the state Project Review Committee (PRC), under state statute RCW 39.10 and authorized by the School Board in September 2013, to utilize the General Contractor/Construction Manager (GC/CM) delivery method.

The GC/CM method allowed the District to select a general contractor based upon qualifications and other factors, and as a result Lydig Construction Company, Inc. joined the project team during early design to provide construction expertise and planning. The preliminary Total Contract Cost (TCC) was established by the District during early design for the purposes of selecting a GC/CM and was approved by the School Board in September 2013 at \$74,376,880.00, including preconstruction services. The District and the GC/CM have negotiated a fixed Total Contract Cost based on the 100% Construction Documents. The negotiated Total Contract Cost of \$81,787,147.00 represents a net increase of \$7,410,267.00 over the preliminary agreement.

It is important to note that this proposed increase to the Total Contract Cost is within the authorized project budget; it is not a construction “change order” and does not represent a budget overrun. The preliminary construction cost that was established during early design in 2013 did not include various contingencies, set aside, within the project budget by the District, to address several factors, including:

- accelerated market escalation costs – the original budget included 3% annual escalation, which was adjusted up to 4.4% in October of 2013, by the team, then again to 6.4% in August of 2014. The actual inflation experienced by the current market appears to be near 8% in 2015;
- cost impact of integrating the Licton Springs K-8 program into the middle school – this scope of work was approved by the Board on June 4, 2014, and the budget transfer in the amount of \$550,000 has been completed to fund it;
- cost impact of incorporating 1,000 middle school lockers and associated square footage – middle school program document did not specify lockers but the community of parents and teachers confirmed that these should be included in the project;
- one-tenth (0.1%) percent increase to state sales tax that took effect on April 1, 2015;
- Seattle Department of Transportation requirement for an added traffic signal at the southeast corner of the site—we have confirmed with the City that they will not be requiring the traffic light for our project. We were holding a \$1,000,000.00 allowance in the project budget, anticipating this requirement.

Additionally, the GC/CM has procured subcontractor bids for the Licton Springs Flood Reduction Project for Seattle Public Utilities (SPU) to reduce the risk of flooding onto the school site. Seattle Public Schools’ Board approved the Memorandum of Agreement with SPU in April 2015 to integrate the work (\$988,824.00 in construction value) into the current construction contract with Lydig Construction (see attached approved BAR). Lydig’s contract will be increased to include this scope of work, for which SPU will reimburse SPS in its entirety.

Furthermore, this proposed contract amendment allows SPS to accept additive alternates that will improve the quality of the facilities. The total value of \$793,675.00 will include scopes such as:

- higher performing window systems

- central heat pump systems at both schools for energy efficiency
- energy display kiosks

VIII. STATEMENT OF ISSUE

Whether to approve the Amendment No. 1 to the General Contractor/Construction Manager Contract number P5034.

IX. ALTERNATIVES

Not approving the GC/CM contract Amendment No. 1 that establishes the negotiated fixed Total Contract Cost could result in terminating the agreement with the GC/CM and soliciting lump sum low bids from the contracting community, which would likely delay the project by at least six months to a year and also has an uncertain outcome. This alternative is not recommended.

X. RESEARCH AND DATA SOURCES / BENCHMARKS

- 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>

XI. TIMELINE FOR IMPLEMENTATION / COMMUNITY ENGAGEMENT

The Cascadia Elementary and Robert Eagle Staff Middle Schools new designs have been developed in conjunction with teachers, staff, administrators, parents, community members, and other stakeholders. The Cascadia Elementary School and Robert Eagle Staff Middle School Project will support the District’s current educational goals as well as providing flexibility and parity.

XII. ATTACHMENTS

- Amendment 1: Agreement Between Owner and GC/CM
- Attachment A: Wilson Pacific Elementary & Middle Schools Addendum Posting Date
- Attachment B: Wilson Pacific GC/CM Bid Package Allowances
- Attachment C: Lydig Assumptions and Qualifications
- Attachment D: Wilson-Pacific GC/CM Bid Package Unit Prices
- Attachment E: Wilson Pacific Elementary & Middle School Alternate Summary
- Board Action Report for SPU Licton Springs Flood Reduction Project, dated April 22, 2015

Pursuant to Paragraph 5.2 of the Agreement, dated September 23, 2013, for the Wilson Pacific Elementary and Middle Schools (Project), the Owner and GC/CM establish the fixed Total Contract Cost (TCC) as set forth below:

Reference: PROJECT SPECIFICATIONS SECTION 00070, AGREEMENT BETWEEN OWNER AND GC/CM, CONTRACT NO. P5034

Replace existing paragraphs 5.1 and 5.2 to read:

5.1 As full compensation for satisfactory performance of GC/CM's obligations under this Contract, Owner shall pay the Total Contract Cost (TCC) for Preconstruction Services, Specified General Conditions, Negotiated Support Services, Maximum Allowable Construction Cost and GC/CM Fee, as follows:

Preconstruction Allowance	\$ 360,000.00
Specified General Conditions	\$ 1,377,880.00
Maximum Allowable Construction Cost (MACC)	\$77,141,049
<u>Construction Cost</u> Construction Total (for BEX IV Wilson Pacific ES / MS project scope and Licton Springs Flood Reduction project for SPU) Negotiated Support Services Subcontractor Bonds MACC Contingency	
GC/CM Fixed Fee (Fee is not allowed on the Specified General Conditions, Preconstruction Allowance or WSST)	\$ 2,908,218.00
TOTAL CONTRACT COST (Excluding WSST)	\$ 81,787,147.00

The Fixed Cost of Work, as indicated above, is based on the following conditions:

1. The Conformed Set of Drawings, Volumes 1 thru 3 dated July 24, 2015.
2. The Conformed Set of Specifications, Volumes 4 thru 5 (Divisions 0-33) dated July 24, 2015.
3. Addenda Nos. 1-10. See Attachment A for issuance dates.
4. Allowances. See Attachment B.
5. Assumptions and Qualifications. See Attachment C.
6. Unit Prices. See Attachment D.
7. Alternates. See Attachment E.

AMENDMENT NO.

1

8. Hazardous Materials Survey Report prepared by PBS Engineering and Environmental dated February 16, 2015.
9. Geotechnical Report by Associated Earth Science, dated November 11, 2013.
10. This Agreement, as amended.

SEATTLE SCHOOL DISTRICT NO. 1

CONTRACTOR: Lydig Construction

Name Dr. Larry Nyland

Name William G. Gottschalk

Title Superintendent

Title President- Western Region Group


Date _____

Date _____

Attachments:

- A: Addenda No. 1 through 10 issue dates
- B: Allowances
- C: Assumptions and Qualifications
- D: Unit Prices
- E: Alternates

Attachment A

Wilson Pacific Elementary & Middle Schools	
<u>Addendum</u>	<u>Posting Date</u>
Addendum 1	3/5/2015
Addendum 2	3/13/2015
Addendum 1A	5/29/2015
Addendum 2A	6/2/2015
Addendum 1B	6/11/2015
Addendum 2B	6/17/2015
Addendum 3	6/19/2015
Addendum 4	6/24/2015
Addendum 5	7/2/2015
Addendum 6	7/7/2015
Addendum 7	7/8/2015
Addendum 8	7/16/2015
Addendum 9	7/22/2015
Addendum 10	8/11/2015

Wilson-Pacific GC/CM Bid Package Allowances**Bid Package 01 - Abatement Allowances**

Allowance 01	Demolition and abatement worksopes associated with the (8) each Mural salvage	\$ 10,000.00	lump sum
--------------	---	--------------	----------

Bid Package 03 - Structures Allowances

Allowance 01	Bid Allowance #1 - Temp Stairs	\$ 35,000.00	lump sum
Allowance 02	Bid Allowance #2 - Exterior Stair Enclosure Misc Materials	\$ 15,000.00	lump sum

Bid Package 24 - SPU Licton Springs Flood Reduction Project

Allowance 01	GC/CM oversight and coordination efforts	\$ 40,000.00	lump sum
Allowance 02	Unforseen dewatering	\$ 15,000.00	lump sum

LYDIG

September 17, 2015

Eric Becker
Sr. Project Manager
Seattle Public Schools
2445 3rd Ave. S
MS 22-331
PO Box 34165
Seattle, WA 98124-

RE: Wilson-Pacific New Elementary School and New Middle School Total Construction Cost (TCC) Budget.

Dear Eric,

Lydig Construction, Inc. is pleased to submit this Total Construction Cost (TCC) budget proposal for the Wilson Pacific Elementary & Middle Schools project. The proposed amount is **Eighty One Million Seven Hundred Eighty Seven Thousand One Hundred Forty Seven Dollars (\$81,787,147.00)**, excluding Washington State Sales Tax. Attached hereto is the breakdown of the proposal.

Bid Documents:

- Wilson-Pacific New Elementary School and New Middle School Conformed Set Construction Document drawings and specifications prepared by Mahlum Architects dated July 24, 2015.

Please see the following clarifications and exclusions that we have based our proposal on:

General Conditions and Negotiated Support Services (NSS)

- Scheduling will be mutually agreed upon to minimize impact on client.
- Builders Risk Insurance coverage is included within the NSS.
- Security personal costs are included within the NSS.
- The NPDES storm water pollution prevention plan is included within the NSS.
- Bond costs are included for all Subcontract work scopes of \$300,000.00 and above.
- Summary of Alternates, Allowances, and Unit Prices are attached.

Bid Package No. 14 – Carpet

- The carpet package has yet to be bid due to material decisions from the Seattle Public Schools that have yet to be made. The carpet package is tentatively scheduled to be bid sometime in Fall 2015.

EXCLUSIONS:

- Building permit and fees.
- Special Inspections.
- Utility company fees and charges.
- Commissioning agent and/or test engineer.
- Professional Liability (E&O) insurance coverage.
- City, County and PSE requirements.
- Utility Connection fees and assessments.
- Gas & Water Meters.
- All owner soft costs and FF&E.
- Any costs associated with Owner moves.
- Washington State Sales Tax.

Thank you for the opportunity to provide a proposal, we look forward to the coordination and implementation of this project. If you have any questions, please feel free to contact me.

Sincerely,



Adam Wilson
Lydig Construction, Inc.

Wilson-Pacific GC/CM Bid Package Unit Prices

Bid Package 01 - Abatement Unit Prices

Unit Price 01	Asbestos Pipe/Fitting Insulation - Exposed	\$ 10.00	per lineal foot
Unit Price 02	Asbestos Pipe/Fitting Insulation - Concealed	\$ 13.00	per lineal foot
Unit Price 03	Asbestos Pipe/Fitting Insulation - Tunnels/Utilidors	\$ 12.00	per lineal foot
Unit Price 04	Asbestos Pipe/Fitting Insulation - Below Grade	\$ 25.00	per lineal foot
Unit Price 05	Asbestos Hard-Mudded Fitting Insulation on Fiberglass Insulated Piping - Exposed	\$ 18.00	per lineal foot
Unit Price 06	Asbestos-Containing Pipe/Fitting Insulation Debris	\$ 2.25	per square foot
Unit Price 07	Asbestos-Containing Valve Gaskets	\$ 50.00	per lineal foot
Unit Price 08	Asbestos-Containing Floor Tile/Mastic	\$ 1.00	per square foot
Unit Price 09	Asbestos-Containing Chalkboards and Associated Mastic	\$ 2.00	per square foot
Unit Price 10	Asbestos-Cement Waterline Piping	\$ 20.00	per lineal foot
Unit Price 11	Petroleum Contaminated Soils (PCS)	\$ 100.00	per ton
Unit Price 12	Unit Price 12: Petroleum Contaminated Water	\$ 3.00	per gallon

Bid Package 02 - Earthwork & Utilities Unit Prices

Unit Price 01	Import Structural Fill	\$ 24.00	per ton
Unit Price 02	Export Unsuitable Material	\$ 19.00	per ton
Unit Price 03	Import, Place, & Compact 2" - 4" Quarry Spalls	\$ 25.00	per ton
Unit Price 04	Adjustments to changes in quantity (+/-) for removal, disposal, and haul off of existing field drainage piping	\$ 3.00	per 10' section of linear feet of pipe.

Cement mixing percentages: The following three assume flat grades, (parking, Drive lanes, Fields)

Unit Price 05	2% Cement Mix @ 12"	\$ 5.55	per square yard
Unit Price 06	4% Cement Mix @ 12"	\$ 6.25	per square yard
Unit Price 07	5% Cement Mix @ 12"	\$ 7.10	per square yard

Cement mixing percentages: The following three are excavator mixed piles per the cubic yard

Unit Price 08	2%	\$ 14.00	per bank cubic yard
Unit Price 09	4%	\$ 16.50	per bank cubic yard
Unit Price 10	5%	\$ 18.00	per bank cubic yard

Wilson Pacific Elementary & Middle School

Alternate Summary

Alternate No.	Alternate Description	Alternate Summary	Project Team Recommended Alternates
Site-01 & 01A	Synthetic turf Alt: BP02 alt pricing to export and dispose of soils to accommodate site elevation grades for installation of the Synthetic turf.	\$ 93,000.00	\$ 93,000.00
Site-02 & 02A	Synthetic turf Alt for Middle School: BP02 alt pricing to export and dispose of soils to accommodate site elevation grades for installation of the Synthetic turf.	\$ 10,000.00	\$ 10,000.00
Site-03	Rubberized play equipment safety surface tile in play areas	\$ 72,989.00	\$ -
Site-04	Not used	\$ -	\$ -
Site-05	Not used	\$ -	\$ -
Site-06 & 06A	Retaining walls for elementary school future portables	\$ 245,500.00	
Site-07 & 07A	Infrastructure for future portables at middle school and elementary school	\$ 255,500.00	
Site-08	Salvage and reuse of existing on-site concrete for use in new construction	\$ (50,000.00)	\$ -
Arch-01A	Aluminum storefront windows at both schools	\$ 1,212,231.00	\$ -
Arch-01B	Fiberglass windows at both schools	\$ 213,166.00	\$ 213,166.00
Arch-02A	Interface, Inc. carpet at both schools	\$ -	\$ -
Arch-02B	Mannington Commercial carpet at both schools	\$ -	\$ -
Arch-02C	Shaw Industries carpet at both schools	\$ -	\$ -
Arch-02D	Tandus Centiva (Collins & Aikman) carpet at both schools	\$ -	\$ -
Arch-03	Multi-ply roof membrane at both schools	\$ 397,736.00	
Arch-04	Music storage casework at both schools	\$ (9,945.00)	
Arch-05	Addl' 300 telescoping bleacher seating at middle school gymnasium	\$ 33,000.00	\$ -
Arch-06	Scoreboard and shot clocks at Middle School Only (bid as \$36,100 for both schools)	\$ 18,909.00	\$ 18,909.00
Arch-07	Solid plastic lockers at the middle school	\$ 102,000.00	\$ -
Arch-08	Sandblast concrete wall finish in lieu of smooth-rubbed finish at above grade exposed concrete retaining, foundation, stair and site walls at elementary school courtyards, elementary school SE site stairs and ramp walls	\$ 8,100.00	\$ 8,100.00
Arch-08A	Sandblast concrete wall finish in lieu of smooth-rubbed finish at Alt Site-06 & 06A	\$ 5,800.00	\$ -
Arch-09	Mineral wool in lieu of glass fiber batts at exterior walls	\$ 77,528.00	\$ -
Arch-10	Addl' storage casework at both schools	\$ 57,730.00	
Arch-11a	Concealed FCS fasteners at all panel locations	\$ 129,800.00	
Arch-11b	Exposed FCS fasteners at all panel locations	\$ (12,400.00)	
Elect-01	Stage lighting at both schools	\$ 101,506.00	\$ -
Elect-02	AV systems for elementary school dining commons and music room; and middle school chorus classroom, ensemble mixing rooms, band classroom, and practice rooms	\$ 190,202.00	\$ -
Elect-03	LED lighting at classrooms at both schools	\$ 245,154.00	\$ -
Elect-04	LED lighting at hallways/offices at both schools	\$ 71,775.00	\$ -
Elect-05	Energy display kiosk at both schools	\$ 1,500.00	\$ 1,500.00
Mech-01	Central heat pump at the elementary school	\$ 130,500.00	\$ 130,500.00
Mech-02	Central heat pump at the middle school	\$ 318,500.00	\$ 318,500.00
Mech-03A	Siemens DDC Controls (mandatory alt = incl in BP 15 base no.)	\$ 1,285,000.00	\$ -
Mech-03B	Johnson DDC Controls	\$ 314,000.00	\$ -
		\$ 5,518,781.00	\$ 793,675.00

APPROVED



School Board Briefing/Proposed Action Report

Informational (no action required by Board) **Action Report** (Board will be required to take action)

DATE: February 5, 2015
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Dr. Lester Herndon, Assistant Superintendent, Capital, Facilities and Enrollment Planning, (206) 252-0644, ltherndon@seattleschools.org

I. TITLE

BEX IV: Wilson-Pacific Elementary & Middle Schools: **For Introduction:** April 1, 2015
Approval of Memorandum of Agreement with Seattle **For Action:** April 22, 2015
Public Utilities (SPU) for Licton Springs Flood Reduction
Project

II. WHY BOARD ACTION IS NECESSARY

Per Board Policy No. 6220, Procurement, all contract modifications exceeding \$250,000 must be approved by the Board. Board approval of the Interlocal Cooperation Act agreement is also required.

III. FISCAL IMPACT/REVENUE SOURCE

Per the attached draft Memorandum of Agreement, SPU agrees to reimburse SPS for all work related to the improvement of Seattle Public Utilities owned infrastructure north of the project site, up to \$1,037,397 (MOA for details). This does not represent an increase to the Wilson Pacific project budget, or the overall BEX IV Program.

Expenditure: One-time Annual Other Source

IV. POLICY IMPLICATION

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

V. RECOMMENDED MOTION

I move that the School Board approve the Memorandum of Agreement for Wilson Pacific project team to work collaboratively with Seattle Public Utilities, and incorporate Seattle Public Utilities' design, required permits, and infrastructure improvement north of the project site within the Wilson Pacific project, with Seattle Public Utilities reimbursing Seattle Public Schools at cost for expenses directly applicable to the drainage system improvements, to mitigate the existing flooding problem and remove the risk to the project construction process, as described in the attached Memorandum of Agreement. See attached MOA for details. The superintendent and/or his delegate is authorized and directed to execute, acknowledge and deliver the Memorandum of Agreement, prior to commencement of the Work, in substantially

the form attached and to do all other things necessary and advisable to be done to accomplish the project in accordance with applicable law, including, but not limited to, obtaining a license or temporary construction easement for portions of the Work constructed or installed within the public right-of-way and dedicating the completed improvements to Seattle Public Utilities.

VI. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on March 19, 2015. The Committee recommended move forward to the full board with recommendation for approval.

VII. BACKGROUND INFORMATION

The drainage system along Woodlawn Ave. N. between N 95th St. and N 92nd St. immediately north of the Wilson Pacific (WP) project site, which is owned and operated by SPU, is capacity limited. The area experiences flooding several times a year during storm events, creating unsafe conditions for residents and occupants of the Wilson Pacific site. System upgrades will reduce the potential for localized flooding in the right-of-way, as well as flooding into the WP project site.

SPU is currently planning for improvements to address the neighborhood flooding through its “Localized Flooding Program” and through potential improvements to the environmental conditions upstream of the WP site at Licton Springs Park. The SPU project is referred to as the “Licton Springs Flood Reduction Project”.

Stormwater originating from locations off-site and upstream of the WP site is managed via underground pipes which cross through the WP site; while SPU claims no ownership or responsibility for the maintenance of such pipes, SPU and SPS intend to engage in discussions about SPU potentially acquiring the pipes along with associated easements for them in the future.

SPU recently built a computer model simulating the past 158 years of rainfall history in the general vicinity of WP site, including Licton Springs Park, and concluded that improvement of the inlets and conveyance systems north of North 92nd Street will increase the stormwater level of service (LOS). Subsequently, SPU completed an Options Analysis and identified drainage system improvements that will provide a 25-year flood level of service per SPU standards.

SPS requested SPU’s help to expedite the design and construction of the drainage system improvements to meet SPS’ WP project schedule.

SPU and SPS decided to work jointly and collaboratively to resolve the neighborhood flooding problem by incorporating or integrating effective solutions within the SPS new schools development project where feasible and cost effective.

The attached documents are prepared as a result of the collaboration efforts between SPU staff team, Wilson Pacific project team and SPS legal counsel for your approval.

VIII. STATEMENT OF ISSUE

Whether to approve the MOA with SPU for Licton Springs Flood Reduction Project.

IX. ALTERNATIVES

Do not approve the MOA with SPU for Licton Springs Flood Reduction Project. Risk to the district is the exposure of flood damage during and after the construction of the two new school buildings, caused by existing off-site conditions.

X. RESEARCH AND DATA SOURCES / BENCHMARKS

This agreement shall be governed by and controlled in accordance with the laws of the state of Washington. SPS and SPU have authority pursuant to the Interlocal Cooperation Act to make the most efficient use of their powers by cooperating with other municipal corporations on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with factors influencing the needs and development of local communities. (RCW 39.34.010) Appropriate action by the School Board is necessary before any such agreement may enter into force. (RCW 39.34.030(2)) Further, the School Board has exclusive control of all school property and may direct the management of such property. (RCW 28A.335.090) The Agreement enables SPS to complete improvements that will reduce risks of flooding to the Wilson Pacific site.

XI. TIMELINE FOR IMPLEMENTATION / COMMUNITY ENGAGEMENT

The scope of work delineated in the attached draft MOA will be implemented as part of the early works construction, which is scheduled to be completed before October, 2015.

XII. ATTACHMENTS

- Exhibit A Scope of Work (Draft)
- Exhibit B Memorandum Of Agreement No. 14-126-A (Draft)