

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

Item No. 6b

Date of Meeting September 22, 2009

DATE: August 25, 2009

TO: Tay Yoshitani, Chief Executive Officer

FROM: Stephanie Jones Stebbins, Senior Manager, Seaport Environmental Programs
Kathy Bahnick, Environmental Program Supervisor, Seaport Environmental Programs

SUBJECT: Procurement of multiple Indefinite Delivery, Indefinite Quantity (IDIQ) Project-Specific Professional Service Agreements for Long-term Commitment consultant services.

REQUESTED ACTION

Authorization for the Chief Executive Officer to execute up to four individual indefinite delivery, indefinite quantity (IDIQ) project-specific contracts for consultant support for long-term commitment, environmental services in support of remediation activities at four sites. The four contracts will cover the following locations: (1) Harbor Island (includes Terminals 10 and 18); (2) Terminal 5; (3) Terminal 91; and (4) Terminal 117.

The port anticipates awarding up to four (4) IDIQ project-specific contracts. The sum of the contracts will not to exceed \$2,500,000. Contract duration will not exceed three (3) years for two of the contracts (T91 and T117) and five (5) years for the other two (Harbor Island and T5). The value of each IDIQ contract for services will vary but will not exceed \$1,050,000 for any individual contract.

SYNOPSIS

Seaport Environmental Program generally provides and manages remediation liability and environmental regulation support services for the Seaport, Real Estate and Capital Development divisions. In particular, the Program provides these services for a number of ongoing federal and state remediation projects at upland, port-owned property.

Existing open-order environmental services agreements are due to expire on December 31, 2009. In order for the Seaport Environmental Program to continue to provide these services, new contracts with environmental technical and consultant services providers are needed.

This request is only for contracting authority; funding will be authorized by the Commission under the regular environmental reserves authorization process or through project specific authorizations.

We are reviewing the contract scope of work with the Office of Social Responsibility (OSR) to identify small business subcontracting availability for these contracts. Small business subcontracting goals will be established and stated in the request for qualifications (RFQ).

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SCOPE OF WORK

The purpose of these proposed professional service contracts is to provide timely, cost-efficient consulting services necessary to perform remediation-related activities that are required under existing agreements with either the state or federal environmental regulatory agency (Washington State Department of Ecology or United States Environmental Protection Agency, respectively). The requested services and activities include, but are not limited to:

- cap inspection and repair support
- required documentation and reporting
- regulatory support
- groundwater monitoring (sampling and laboratory analysis)
- landfill gas monitoring (sampling and laboratory analysis)
- recovery, storage, and disposal of waste materials
- construction support

IDIQ contracts provide the Seaport Environmental Program with flexibility to meet the requirements in the approved site operation and maintenance plans, and groundwater monitoring plans as well as reporting requirements, the ability to address unexpected impacts due to new construction, and to identify and manage the operation and maintenance repair activities as they arise. Issuing individual Service Directives on an as-needed basis, within a general pre-defined Scope of Work for a fixed period-of-time and a maximum contract amount, will enable the Port to accomplish these tasks. Competitively bid IDIQ contracts are a widely used public sector contracting tool, consistent with the Resolution 3605 and governed by the CPO-1 policy.

ALTERNATIVES CONSIDERED/RECCOMENDED ACTION

1. Undertake procurement of up to four Category III contracts for long-term commitment consultant services. The process required to procure a Category III contract ensures a competitive process, encourages small business participation, and provides staff with the tools needed to respond in a timely manner to request for service. **This is the recommended alternative.**
2. Prepare a separate procurement each time when remediation and environmental regulation support services are needed. This option would not be the most efficient use of Port resources, as it would result in multiple low-dollar contracts for similar services. There is also the potential that the procurement process would require so much time that the work would not be conducted according to the schedule required by the regulatory agency, with a risk of enforcement action. This is not the recommended alternative.
3. Conduct the activities described above using Port resources, without outside consultant assistance. There are insufficient staff resources and expertise to conduct these environmental management tasks without consultant and laboratory support. Relying on in-house staff would likely result in the work not being conducted according to the schedule required by the regulatory agency, with a risk of enforcement action. This is not the recommended alternative.

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FINANCIAL IMPLICATIONS

There is no funding request associated with this authorization. The funding source is the Environmental Reserve Budget. Individual Service Directives will be executed to authorize the consultant to perform any specific work on the contract against approved project authorizations.

PROJECT SCHEDULE

This authorization will allow the initiation of a Category III procurement process in the fourth quarter of 2009, so that the contracts will be executed prior to expiration of the existing open order contracts on December 31, 2009. Individual Service Directives executed under these approved contracts will specify the specific schedule, scope and budget for the work.