



**COMMISSION
AGENDA MEMORANDUM**

Item No. 6c

ACTION ITEM

Date of Meeting September 22, 2020

DATE: September 1, 2020

TO: Stephen P. Metruck, Executive Director

FROM: Tina Soike, Chief Engineering Director, Engineering Services
Janice Zahn, Assistant Engineering Director, Construction Services

SUBJECT: Project Labor Agreement (PLA) Drug and Alcohol Testing Services Agreement

Amount of this request: \$750,000.00

ACTION REQUESTED

Request Commission authorization for the Executive Director to execute a contract for Drug and Alcohol Testing Services in support of the Ports Project Labor Agreement (PLA) projects for an estimated amount up to \$750,000.00. Contract will have a base contract period of one year and three option years in which the services may be separately authorized.

EXECUTIVE SUMMARY

The Local Unions and the Port of Seattle have agreed to a Substance Abuse Program for application to all Service Provider craft personnel, union and non-union, working on a Port of Seattle Project Labor Agreement (PLA) project. The intention of this Program is to establish the projects as a drug and alcohol-free workplace in order to assure safe and productive working conditions with due regard for the personal privacy interests of project employees. Unauthorized use, possession or sale of controlled substances, including marijuana or alcohol on the projects is prohibited. Persons who violate this rule or who are convicted for selling, using, or possessing controlled substances off the job will not be permitted to work on the project.

JUSTIFICATION

The Port anticipates having at least 20 major construction projects over the next 3 -5 years which will include a Project Labor Agreement (PLA). One of the terms within the Project Labor Agreement is the Substance Abuse Program, which requires all contractor craft personnel, union and non-union, working on a Port of Seattle PLA construction project to be drug and alcohol tested. The Port will utilize an outside vendor to perform the testing functions to fulfill the PLA requirements.

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Diversity in Contracting

The Project Labor Agreement Manager will work with the Diversity in Contracting Department to determine participation opportunities and set goals for women and minority business enterprises (WMBE) attainment.

DETAILS

The Port anticipates issuing a contract to a company who can provide the Drug and Alcohol Testing Services on Port property, as defined in the PLA Substance Abuse Program.

Scope of Work

Controlled substance tests shall be by urinalysis and shall consist of two procedures, a screen test and if that is positive, a confirmation test. An alcohol test shall be given by breathalyzer.

Testing procedures, including controlled substances to be tested, specimen collection, chain of custody, and threshold and confirmation test levels shall comply with the Mandatory Guidelines for Federal Workplace Testing Programs established by the U.S. Department of Health and Human Services, as amended and the Federal Motor Carrier Safety Act regulations, where applicable. Controlled substance tests shall be conducted only by laboratories licensed and approved by the Substance Abuse and Mental Health Services Administration, which comply with the American Occupational Medical Association (AOMA) ethical standards.

FINANCIAL IMPLICATIONS

There is no budget requested as part of this authorization. The costs associated with this request are built into individual project budgets.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Alternative 1 – Allow existing Drug and Alcohol testing agreement to expire without procuring a new agreement.

Pros:

- (1) None.

Cons:

- (1) The terms within the PLA stipulates that Port projects with a PLA would have a third-party administer with a Substance Abuse Program in place. Without an outside vendor performing the drug and alcohol testing, the Port would not be in compliance with the PLA.

This is not the recommended alternative.

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Alternative 2 – Approve a Drug and Alcohol Testing Services Agreement.

Pros:

(1) This agreement will assure the Port is fulfilling the terms of the PLA.

Cons:

(1) None.

This is the recommended alternative.

ATTACHMENTS TO THIS REQUEST

None.

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

None.