



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8j

**ACTION ITEM**

**Date of Meeting** November 17, 2020

**DATE:** November 17, 2020

**TO:** Stephen P. Metruck, Executive Director

**FROM:** Luis Navarro, Director, Workforce Development, Consuelo Davis, Program Manager, Workforce Development, and LeeAnne Schirato, Commission Specialist

**SUBJECT:** Workforce Development Partnership Competitive Exemption

**Total contract amount:** \$500,000

**ACTION REQUESTED**

Request Commission authorization (1) for the Executive Director to enter into agreement with the City of Seattle to support the regional effort to improve apprenticeship retention and provide workforce development and Priority Hire programs for an amount not to exceed \$500,000 during a contract period not to exceed five years; and (2) that Commission exercise its authority under RCW 53.19.020(5) to determine a competitive solicitation process is not appropriate or cost effective.

**EXECUTIVE SUMMARY**

The Port recognizes that the City of Seattle is uniquely positioned to coordinate regional efforts to align construction career investments to promote training and career opportunities for residents of economically distressed areas and increase participation by underrepresented groups. Despite the successes attained by construction workforce diversity programs, racial, gender and economic disparities continue to exist in the construction trades industry and in our larger community. The City has issued a Request for Proposals (RFP) to competitively select firm(s) to provide these services and manage the contract(s) on behalf of the Port and Sound Transit. This partnership leverages the Port's investments in workforce development.

It is in the port's best interest to partner with the City of Seattle to develop, implement, and manage the program that aims to further equity in construction for Black, Indigenous and other people of color (BIPOC), women and residents of economically distressed ZIP codes.

**JUSTIFICATION**

Staff is recommending Commission determine that a separate Port-specific competitive solicitation process is not appropriate or cost effective in accordance with RCW 53.19.020(5) for this specific scope of work. Under this agreement:

1. The City of Seattle, a local municipality, will conduct a competitive RFP process to solicit firm(s) to provide the services on behalf of the Port and the other public partners. This

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reduces Port administrative costs in directly managing the contract performance of the selected firm(s) while providing services to the community.

2. The City of Seattle is the public agency with the capacity and ability to manage this regional effort based on historical background in managing workforce development services.

### **DETAILS**

Actions anticipated under this agreement may include, but are not limited to, the following:

1. The City has issued the competitive RFP and will provide the Port of Seattle an opportunity to participate in the evaluation committee to review and rank proposer(s), in accordance with the City's RFP selection process.
2. The City will, in its sole discretion, enter into contracts with the successful proposer(s) ranked highest by the evaluation committee.
3. The City will acknowledge the Port's participation in any resulting work product from this procurement and resulting contract(s).
4. The City and Port will each plan and facilitate at least one quarterly partnership meeting annually with all proposer(s) awarded under this RFP, unless otherwise mutually agreed upon. Quarterly partnership meetings will be designed to coordinate efforts, share best practices, align efforts, provide updates and document shared impacts and successes.
5. The City will collect and provide the Port reports in a mutually agreed format for non-pre-apprenticeship training contract(s) issued with joint funds under this RFP, including results, outcomes and performance evaluations for the life of the contract(s). Reports will be shared quarterly, unless another schedule is mutually agreed upon. Reports for pre-apprenticeship training contract(s) issued with joint funds will be obtained by each individual agency through the Washington State Department of Labor and Industries pre-apprenticeship database.

### **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1** – The Port solicits its own contract for apprenticeship retention and provide workforce development and Priority Hire programs; and directly manages the contract performance.

Cost Implications: not to exceed \$500,000 in un-leveraged funding during period not to exceed five years

#### **Pros:**

- (1) The Port directly enters into an agreement with the awarded firm(s) after conducting its own procurement process. This provides us with direct contract performance management versus working with a third-party, such as the City of Seattle.
- (2) This alternative does not require coordination with other public agencies.

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**Cons:**

- (1) The Port is limited to its own funding availability without the ability to leverage other public funds.
- (2) This alternative does not align with the Port’s Workforce Development Policy Directive goal to foster partnerships that will maximize the workforce development impact of the Port of Seattle.

This is not the recommended alternative.

**Alternative 2** – The Port does not fund apprenticeship retention or support workforce development and Priority Hire programs.

Cost Implications: no cost implications

**Pros:**

- (1) No cost implications for the Port of Seattle

**Cons:**

- (1) The Port does not advance its workforce development strategic plan
- (2) The Port does not leverage its partnerships to maximize regional workforce development impact.

This is not the recommended alternative.

**Alternative 3** – Commission exempts this agreement with the City of Seattle, exercising its authority under RCW 53.19.020(5), and determines a competitive selection process is not appropriate or cost-effective.

Cost Implications: not to exceed \$500,000 in leveraged funding during period not to exceed five years

**Pros:**

- (1) City of Seattle, the Port, and other public partners are leveraging public funds to provide services that aim to further equity in construction for Black, Indigenous and other people of color (BIPOC), women and residents of economically distressed ZIP codes. By consolidating public funds, the funding capacity for services into the community is greater than each public agency managing their own individual efforts.
- (2) The Port is able to advance its Workforce Development Policy Directive goal to leverage partnerships to maximize regional workforce development impact.
- (3) Community based organizations participating as contractors will not be required to report to several public agencies under separate contracts.

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Cons:

- (1) The Port does not have a direct contractual authority with the selected firm(s) delivering the services of apprenticeship retention, address workforce development and Priority Hire.

**This is the recommended alternative.**

**FINANCIAL IMPLICATIONS**

The total estimated services will not exceed \$500,000, for up to five years. \$100,000 to be paid in December 2020 using 2020 funding & \$100,000 payment in 2021. \$300,000 is for future funding opportunities to continue partnership beyond 2021. By structuring this as an open order type contract, the Port is able to issue service directives to fund with the remaining \$300,000 if allocated in the budget.

**ATTACHMENTS TO THIS REQUEST**

- (1) City of Seattle Construction Recruitment, Training, Job Readiness, and Retention Request for Proposals (RFP)

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

N/A