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COMMISSION

AGENDA MEMORANDUM Item No. 8f

ACTION ITEM Date of Meeting May 23, 2023

DATE: May 2, 2023

TO: Stephen P. Metruck, Executive Director

FROM: Sarah Cox, Director, Aviation Environment & Sustainability

Megan King, Senior Environmental Program Manager, Aviation Environment & Sustainability

SUBJECT: Environmental Monitoring and Hazardous Waste Construction Support Services
Indefinite Delivery, Indefinite Quantity (IDIQ) Professional Services Agreement

Amount of this request: \$0

Total requested project cost: \$6,000,000

ACTION REQUESTED

Request Commission authorization for the Executive Director to execute two professional services IDIQ contracts to perform Environmental Site Support Services (environmental monitoring and hazardous waste support to construction projects) with a total value of \$6,000,000 and a contract ordering period of five (5) years. No funding is associated with this authorization. These IDIQ contracts will replace two existing contracts executed in 2018 that will expire in 2023 at the end of their 5-year ordering period.

EXECUTIVE SUMMARY

The Aviation Environmental Compliance team proposes to advertise and select two qualified firms to provide environmental site support services. The two IDIQ contracts would provide environmental construction monitoring, hazardous waste compliance and site assessments for environmental due diligence to the Airport's Capital Improvement Program (CIP), daily operations, planning and development initiatives, and other strategic interests. The contracts would also be used by other Port Divisions as needed.

IDIQ contracts provide the Port with the flexibility to meet business requirements as they arise by issuing individual Service Directives to accomplish tasks within the general, pre-defined scope of work on an as-needed basis for a fixed period of time and a maximum contract amount. The funding for these service directives will come separately from either annual operating budgets or individual project authorizations.

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JUSTIFICATION

This contract will enable the Port to perform environmental construction monitoring, hazardous waste management compliance and environmental assessment support. Management of waste consistent with the Port's operational and construction monitoring work plans as well as federal and state regulations minimizes construction delays, limits adverse environmental impacts, reduces the Port's exposure to unacceptable liability, and avoids enforcement actions. Competitively bid IDIQ contracts are a widely used public sector contracting tool, consistent with the Port's General Delegation of Authority and governed by Central Procurement Office (CPO)-1 policy.

The contract will be procured according to CPO-1 procedures for Category III procurement. The Port will advertise and issue a request for qualifications (RFQ) that includes a Women and Minority Business Enterprise (WMBE) goal of sixteen percent (16%) for each contract awarded. An evaluation of the level of outside services required versus Port staff support was performed and is detailed in the Alternatives and Implications Considered section below. This evaluation considered cost as well as staff availability, impacts to work schedules, and level of in-house expertise. The evaluation concluded that ongoing environmental site support services will be most effectively met through continuing with a combination of existing Port staff supplemented by IDIQ contract support.

Diversity in Contracting

The scope of work document for this contract has been provided to the Diversity in Contracting Department, and they are conducting an evaluation to recommend women- and minority-owned business enterprise (WMBE) aspirational goals and inclusion plans. The aspirational goals recommended by the Diversity in Contracting Department will be applied to both contract

awards.

DETAILS

Port environmental staff is on-call 24/7 and responds as needed to monitor and coordinate environmentally related events, all spill response actions, and discovery of unanticipated contamination during construction and other Port activities. Annually, the Port manages hundreds of thousands of pounds of contaminated soil, hazardous waste and other regulated materials as well as responds to other environmental emergencies. A major portion of this work is monitoring construction activities for environmental contamination caused by historical operations and current-day spills of hazardous materials. In many cases, contaminated soils at these sites present no risk to human health or the environment while in place or below pavement. However, that same contaminated material must be properly managed and disposed of in accordance with federal and state requirements once excavated and removed from the site.

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In 2002, an environmental construction monitoring work plan was developed to document the coordination and oversight activities related to the discovery, evaluation, and disposal of contaminated materials encountered during Airport construction projects. This work plan has been approved by the Washington State Department of Ecology and is implemented as evidence that the Port is properly managing all contamination discovered and that known on-site contamination is not causing harm to human health or the environment. Continued implementation of this plan decreases the potential for independent cleanup projects that drastically delay and interfere with our capital improvement program. In addition to properly managing contaminants on-site, environmental construction monitoring ensures the Port properly disposes of contaminated material, preventing significant additional costs and cleanup liability.

In addition, Airport operations and maintenance activities generate hazardous waste which must be managed appropriately. These wastes include maintenance supplies, garden pesticides, building materials containing PCB's, mercury, and lead, underground storage tanks, and containers of unknown contents. Each of these materials requires special management to comply with the rules of multiple regulatory agencies.

Acquisitions of property previously used for residential, commercial, and industrial purposes also can contain hazardous wastes that need to be disposed of properly. These acquisitions require environmental assessments and other technical support services to determine if historical contamination is present and how the site should be properly characterized to meet environmental due diligence standards.

The current Environmental Site Support Contract has been in place since 2018 and will expire at the end of 2023 when the 5-year ordering period ends.

Scope of Work

The scope to be conducted under this contract includes:

- (1) Environmental construction monitoring of capital and operational projects for facility construction, repair, decommissioning, and other subsurface construction projects.
- (2) Hazardous waste management support to implementation of the Hazardous Materials Reduction and Stormwater Pollution Prevention programs.
- (3) On-call response support services to construction and non-construction related spills, investigation and assessment of underground storage tanks, and other pollution generating activities.
- (4) Site management under various regulatory authorities.
- (5) Analytical laboratory and data coordination.
- (6) Environmental project cost estimation.
- (7) Graphics Production; and
- (8) Support of Port cost recovery.

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Schedule

Commission authorization May 23, 2023

Contract RFP Advertisement June 2023

Contract Execution November 2023

Expiration of previous (current) contract December 2023

Expiration of new contract November 2028

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Four alternatives for meeting the Airport's Environmental Site Support Services requirements were evaluated. The alternatives evaluated methods of performing environmental construction monitoring tasks through contracted services, Port staff, construction contractor, or combination of all three. Annual costs for each alternative were evaluated based on the anticipated demand for environmental construction monitoring during a construction season.

Although the level of required services may vary year to year, the relative costs for each alternative was shown to remain the same and therefore did not affect the evaluation of the alternatives presented below. Hazardous waste compliance and site assessments must be performed through contracted services due to technical expertise needed for these tasks. Cost for these tasks was therefore the same in each alternative.

Alternative 1 – Environmental Monitoring & HW Support Services completed through IDIQ contract only:

Cost Implications: Estimated Annual Costs: \$1,261,000.

Pros:

- (1) Contractor only gets paid for work performed; no payment is given for being on-call.
- (2) Does not require additional Port staff.
- (3) Provides flexibility of contracted work force.
- (4) Provides consistent reporting and documentation.
- (5) Direct control of contamination and low potential for compliance violations or environmental liability.

Cons:

- (1) Increased costs as compared to Alternative 3 and 4.

This is not the recommended alternative.

Alternative 2 – Environmental Monitoring & HW Support Services performed by Construction Contractor only.

Cost Implications: Estimated Annual Costs: \$1,425,000.

Pros:

- (1) Reduces AV/ENV staff costs for contract administration.

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[Annotation] Sandra Kilroy

This should be deleted. This shows as the lowest cost alternative not greater. I would expect there to be more cons here. otherwise this appears to be the best choice.

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Cons:

- (1) Increases environmental liability due to lack of direct control of waste designation.
- (2) Increases AV/ENV staff time to track, compile and manage contractor reports.
- (3) Prime contractor would charge premium up to 25% markup to manage these services under force account.
- (4) Potential overpayment for mischaracterized soil.
- (5) Costs greater than the other alternatives.

This is not the recommended alternative.

Alternative 3 – Environmental Monitoring & HW Support Services completed by Port Staff only.

Cost Implications: Estimated Annual Costs: \$980,600.

Pros:

- (1) Reduces AV/ENV staff costs for contract administration.
- (2) Provides Port workforce that can increase or decrease service level of effort as needed.
- (3) Provides trained Port workforce with specific technical expertise.
- (4) Provides consistent reporting and documentation.
- (5) Direct control of contamination and low potential for compliance violations or environmental liability.

Cons:

Servicing peak seasonal demand requires hiring multiple additional full-time employees resulting in unutilized labor through the majority of the year.

This is not the recommended alternative.

Alternative 4 – Environmental Monitoring & HW Support Services completed by IDIQ Contract and Port Staff.

Cost Implications: Estimated Annual Costs: \$1,000,000.

Pros:

- (1) Provides contracted and Port work force that can increase or decrease service level of effort as needed.
- (2) Utilizes existing trained Port staff with specific technical expertise.
- (3) Direct control of contamination and low potential for compliance violations or environmental liability.
- (4) Provides consistent reporting and documentation.
- (5) Reduces AV/ENV staff costs for contract administration.

Cons:

- (1) Coordination is required between Port Environmental Construction Manager and consultant.

This is the recommended alternative.

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FINANCIAL IMPLICATIONS

The contracts will have a total not-to-exceed amount of \$6,000,000. The Port will authorize work under individual Service Directives as specific work tasks are required and funding for that work is authorized by the Commission.

Individual Service Directives will be negotiated and processed before any work is performed.

Service Directives, consisting of a scope, fee agreement and schedule, will not be established until the project has been approved in accordance with the General Delegation of Authority to the Executive Director and Policy EX-2. There are no guarantees that the Port will initiate any Service Directive or that any related projects will be authorized by the Port Commission. The Port will not issue service directives in excess of the \$6,000,000 combined contract dollar value.

Contract payments are to be included in the annual operating budget as specific line items in the Aviation Operations Department budget.

ATTACHMENTS TO THIS REQUEST

None

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

October 13, 2015 – The Commission authorized an IDIQ contract to perform Environmental Field Support Services at the airport with a total value of \$2,300,000 and a contract ordering period of five years.

June 26, 2018 – The Commission authorized an IDIQ contract to perform Environmental Site Support Services at the airport with a total value of \$5,000,000 and a contract ordering period of five years.

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