



## COMMISSION REGULAR MEETING AGENDA

December 12, 2023

To be held virtually via MS Teams and in person at the Port of Seattle Headquarters Building – Commission Chambers, Pier 69, 2711 Alaskan Way, Seattle WA. You may view the full meeting live at [meetings.portseattle.org](https://meetings.portseattle.org). To listen live, call in at +1 (425) 660-9954 or (833) 209-2690 and Conference ID 597 162 535#

### ORDER OF BUSINESS

10:30 a.m.

#### 1. CALL TO ORDER

2. **EXECUTIVE SESSION** – *if necessary, pursuant to RCW 42.30.110 (executive sessions are not open to the public)*

#### ► 12:00 noon – PUBLIC SESSION

Reconvene or Call to Order and Pledge of Allegiance

3. **APPROVAL OF THE AGENDA** (*at this time, commissioners may reorder, add, or remove items from the agenda*)

#### 4. SPECIAL ORDERS OF THE DAY

#### 5. EXECUTIVE DIRECTOR'S REPORT

#### 6. COMMITTEE REPORTS

7. **PUBLIC COMMENT** – *procedures available online at <https://www.portseattle.org/page/public-comment-port-commission-meetings>*

During the regular order of business, those wishing to provide public comment on items related to the conduct of the Port will have the opportunity to:

**1) Deliver public comment via email:** All written comments received by email to [commission-public-records@portseattle.org](mailto:commission-public-records@portseattle.org) will be distributed to commissioners and attached to the approved minutes.

**2) Deliver public comment via phone or Microsoft Teams conference:** To take advantage of this option, please email [commission-public-records@portseattle.org](mailto:commission-public-records@portseattle.org) with your name and the topic related to the conduct of the Port you wish to speak to by 9:00 a.m. PT on Tuesday, December 12, 2023. (***Please be advised that public comment is limited to topics related to the conduct of the Port only.***) You will then be provided with instructions and a link to join the Teams meeting.

**3) Deliver public comment in person by signing up to speak on your arrival to the physical meeting location:** To take advantage of this option, please arrive at least 15 minutes prior to the start of any regular meeting to sign-up on the public comment sheet available at the entrance to the meeting room to speak on items related to the conduct of the Port.

**For additional information**, please contact [commission-public-records@portseattle.org](mailto:commission-public-records@portseattle.org).

**8. CONSENT AGENDA** (*consent agenda items are adopted by one motion without discussion*)

- 8a. Approval of Minutes of the Regular Meeting of November 21, 2023. **(no enclosure)** (p.4)
- 8b. Approval of the Claims and Obligations for the Period November 1, 2023, through November 30, 2023, Including Accounts Payable Check Nos. 950741 through 951272 in the Amount of \$8,006,681.15; Accounts Payable ACH Nos. 060277 through 061298 in the Amount of \$53,245,162.58; Accounts Payable Wire Transfer Nos. 016169 through 016191 in the Amount of \$14,821,854.22; Payroll Check Nos. 209830 through 210257 in the Amount of \$127,847.63; and Payroll ACH Nos. 1165573 through 1170277 in the Amount of \$15,074,200.30, for a Fund Total of \$91,275,745.88. **(memo enclosed)** (p.11)
- 8c. Monthly Notification of Prior Executive Director Delegation Actions November 2023. **(memo enclosed – No action, for information only)** (p.14)
- 8d. Authorization for the Executive Director to Advertise and Execute a Major Public Works Contract to Construct Portions of the Surface Area Management System Project at Seattle-Tacoma International Airport; to Amend the Contract with SAAB, Inc. to Increase the Contract Value Up to \$512,000 for Additional Services and Equipment; to Increase the Project Budget by \$2,494,000 for a New Total of \$15,865,000; and to Execute a Project Labor Agreement. (CIP #800650) **(memo and presentation enclosed)** (p.16)
- 8e. Authorization for the Executive Director to Proceed with the Airport Networks and Storage Refresh Project; to Execute Contract(s) for Software, Equipment, Vendor Implementation Services, and Seven Years of Support and License Fees; and to Use Port Staff for Implementation, in the Requested Amount of \$3,400,000 and an Estimated Seven-Year Support and License Agreement in the Amount of \$1,400,000. (CIP #C801321) **(memo enclosed)** (p.32)
- 8f. Authorization for the Executive Director to Execute One Indefinite Delivery/Indefinite Quantity Contract to Perform Surface Water Monitoring and Permit Support with a Total Value of \$5,500,000 and a Contract Ordering Period of Up to Six Years if all Options are Exercised at the Seattle-Tacoma International Airport. **(memo and presentation enclosed)** (p.37)
- 8g. Authorization for the Executive Director to Execute Two Indefinite Delivery, Indefinite Quantity Contracts for the Duwamish Valley Community Equity Program to Promote Port-Community Capacity Building and Green Career Pathways with a Total Estimated Value of \$1,450,000 and Contract Periods of Up to Five Years. **(memo enclosed)** (p.48)
- 8h. Authorization for the Executive Director to Execute Change Orders to Contract MC-0320697 to Reduce Impacts Resulting from Regulatory Compliance Requirements; to Approve a Change of Scope to Design, Acquire Permits, and Construct a New Fire-Rated Roll-Up Door to Meet Regulatory Requirements Related to the Installation of Electrical Equipment Required for Future Expansion of Vessel Shore-Power; to Approve the Use of Port Construction Services and/or Marine Maintenance Labor; and to Increase Project

Authorization in the Amount of \$2,226,000, for a Total Project Authorization of \$6,701,000, for the P69 Underdock Utilities Replacement Project. (CIP # C801102) ([memo enclosed](#)) (p.57)

- 8i. Authorization for the Executive Director or General Counsel to Execute a Sixth Amendment to the Administrative Order on Consent with the U.S. Environmental Protection Agency, King County, City of Seattle, and the Boeing Company for the Lower Duwamish Waterway Superfund Site. ([memo and amendment enclosed](#)) (p.59)
- 8j. Authorization for the Executive Director to Approve Funding and Procurement for Design, Acquisition, Fabrication, and Installation of Public Art at Seattle-Tacoma International Airport for the 2024 Portion of the 2022-2026 Public Art for Airport Projects CIP in the Amount of \$5,850,000 from the Total Art Pool Budget of \$27,523,820. ([memo and presentation enclosed](#)) (p.70)
- 8k. Authorization for the Executive Director to Increase the Project Budget Not-to-Exceed \$3,500,000 for Executing a Change Order for Upland Disposal of a Portion of the T5 Dredging Project Under Port of Seattle Management, Master Identification No. U00680. ([memo and presentation enclosed](#)) (p.79)

## 10. NEW BUSINESS

- 10a. Authorization for the Executive Director to Contract for Services Associated with Curbside Management of the On-Demand Taxi/Flat-Rate For-Hire Program at the Seattle-Tacoma International Airport for a Total Cost of up to \$14,000,000 and a Term of up to Five Years. ([memo, Motion 2019-03, Order 2023-03, and presentation enclosed](#)) (p.93)
- 10b. Authorization for the Executive Director to Conduct a Request for Proposal with Recommended Adjustments per the November 14, 2023, Commission Briefing and to Execute a Lease and Concession Agreement with Selected Proposers for the Thirteen Locations Known as CCE-RFP at Seattle-Tacoma International Airport Associated with the New Concourse C Expansion Project. ([memo and presentation enclosed](#)) (p.112)

## 11. PRESENTATIONS AND STAFF REPORTS

- 11a. Draft 2024 State Legislative Agenda Briefing. ([memo and presentation enclosed](#)) (p.129)
- 11b. 2023 Public Art Program Annual Report. ([memo and presentation enclosed](#)) (p. 152)

## 12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS

## 13. ADJOURNMENT



P.O. Box 1209  
Seattle, Washington 98111  
www.portseattle.org  
206.787.3000

**APPROVED MINUTES  
COMMISSION REGULAR MEETING**

**November 21, 2023**

The Port of Seattle Commission met in a regular meeting Tuesday, November 21, 2023. The meeting was held at the Seattle-Tacoma International Airport Conference Center located at: 17801 International Blvd, Seattle WA, Mezzanine Level, Seattle, Washington, and virtually on Microsoft Teams. Commissioners Cho, Calkins, Felleman, Hasegawa, and Mohamed were present.

**1. CALL to ORDER**

The meeting was convened at 10:34 a.m. by Commission President Cho.

**2. EXECUTIVE SESSION pursuant to RCW 42.30.110**

The public meeting recessed into executive session to discuss one matter regarding litigation/or potential litigation/or legal risk, per RCW 42.30.110(1)(i) for approximately 30 minutes, with the intention of reconvening the public session at 12:00 p.m. Following the executive session, the public meeting reconvened at 12:01 p.m. Commission President Sam Cho led the flag salute.

**3. APPROVAL of the AGENDA**

The agenda was approved as amended without objection, with Agenda Items 8f and 8g pulled from the Consent Agenda to be discussed separately.

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**4. SPECIAL ORDERS OF THE DAY**

No Special Orders of the Day were presented.

**5. EXECUTIVE DIRECTOR'S REPORT**

Deputy Executive Director Goon previewed items on the day's agenda and made general and meeting-related announcements.

**6. COMMITTEE REPORTS**

There were no committee reports to present.

**7. PUBLIC COMMENT**

Public comment was received from the following individual(s):

- The following people spoke in support regarding a failed port sound insulation package and requested relief: Randy Boucher.
- The following person spoke regarding security staff scheduling at the airport: Jimi Limric, ILWU Local 9 representative (*written comments attached*).
- The following person spoke regarding port land stewardship asking for the port to extend the comment period on the proposal, and also spoke regarding failed port sound insulation packages asking for assistance to those people with failed packages: JC Harris city of Des Moines Councilmember.

*[Clerk's Note: All written comments are combined and attached here as Exhibit A.]*

**8. CONSENT AGENDA**

*[Clerk's Note: Items on the Consent Agenda are not individually discussed. Commissioners may remove items for separate discussion and vote when approving the agenda.]*

**8a. Approval of Minutes of the Regular and Special Meetings of November 14, 2023.**

**8b. Authorization for the Executive Director to Execute a Contract to Renew the Microsoft Enterprise Software License Agreement in an Amount Not-to-Exceed \$14,000,000 for a Term of Five Years.**

Request document(s) included an agenda memorandum.

**8c. Authorization for the Executive Director to Proceed with the Portwide Physical Access Control System Upgrade Project; to Execute Contract(s) for Software, Equipment and Vendor Implementation Services; to Use Port Staff for Implementation; and to Execute a Contract for Up to Ten Years for Support and Maintenance Estimated at \$500,000, for a Total Requested Amount of \$2,000,000. (CIP #C801345)**

Request document(s) included an agenda memorandum.

**8d. Authorization for Additional Costs for Services Provided by SeaTac Municipal Court and the Public Defender Approved in the Three-Year Interlocal Agreement Approved by the Commission on September 28, 2021.**

Request document(s) included an agenda memorandum and previously adopted resolution.

**8e. Authorization for the Executive Director to Increase Funding for the Airfield Snow Equipment Replacement Project to Allow the Completion of Procuring Airfield Snow Equipment, in the Amount Requested of \$350,000 and a Total Estimated Project Cost of \$11,970,000. (CIP# C801227).**

Request document(s) included an agenda memorandum.

- ~~8f<sup>1</sup>. Commission Concurrence with the 2018 Port-SeaTac Interlocal Agreement Joint Advisory Committee's Recommendation to Continue and Complete the 2018 Agreement.~~

~~Request document(s) included an agenda memorandum, previously adopted resolution, letter, and summary.~~

- ~~8g<sup>2</sup>. Authorization for the Executive Director to Execute a Memorandum of Understanding with Maritime Blue, a Washington 501 C6 Nonprofit Organization, Surrounding Operation and Port of Seattle Participation in the Organization's Blue Wind Supply Chain Collaborative.~~

~~Request document(s) included an agenda memorandum, memorandum of understanding, procedures, and presentation.~~

- 8h. Authorization for the Executive Director to Execute a Project-Specific Design Services Contract and to Complete Preliminary Work for the Parking Garage Rehabilitation Project at Seattle-Tacoma International Airport, in the Amount Requested of \$2,100,000, and a Total Estimated Project Cost of \$55,709,000. (CIP# C801307)

Request document(s) included an agenda memorandum and presentation.

- 8i. Authorization for the Executive Director to Spend Environmental Remediation Funds for 2024 in the Amount of \$11,400,000 and to Approve a Five-Year Spending Plan for \$148,000,000 for the Environmental Remediation Liability Program for 2024-2028, of Which an Estimated Not-to-Exceed Amount of \$20,000,000 Will be Obligated During 2024 to be Spent in Future Years.

Request document(s) included an agenda memorandum, map 1, map 2, and map 3.

The motion for approval of consent agenda items 8a, 8b, 8c, 8d, 8e, 8h, and 8i carried by the following vote:

In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)

Opposed: (0)

#### ITEMS REMOVED FROM THE CONSENT AGENDA

- 8f. Commission Concurrence with the 2018 Port-SeaTac Interlocal Agreement Joint Advisory Committee's Recommendation to Continue and Complete the 2018 Agreement.

Request document(s) included an agenda memorandum, previously adopted resolution, letter, and summary.

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<sup>1</sup> Item 8f was pulled from the agenda and addressed separately.

<sup>2</sup> Item 8g was pulled from the agenda and addressed separately.

Presenter(s):

Clare Gallagher, Director, Capital Project Delivery and Strategic Initiatives, External Relations  
Dave Kaplan, Local Government Relations Manager, External Relations

Clerk Hart read Item 8f into the record.

Deputy Executive Director Goon introduced the item and presenters.

Clare Gallagher, Director, Capital Project Delivery and Strategic Initiatives, provided a report noting the provisions of the agreement.

Commissioner Felleman queried regarding the timeline of passing concurrence to continue the agreement.

Clare Gallagher advised that there were meeting calendaring delays.

Commissioner Felleman spoke to the special relationship the Port has with the city of Seatac and bringing it to public awareness.

**The motion, made by Commissioner Felleman, carried by the following vote:**

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**8g. Authorization for the Executive Director to Execute a Memorandum of Understanding with Maritime Blue, a Washington 501 C6 Nonprofit Organization, Surrounding Operation and Port of Seattle Participation in the Organization's Blue Wind Supply Chain Collaborative.**

Request document(s) included an agenda memorandum, memorandum of understanding, procedures, and presentation.

Presenter(s):

Matt Szymanowicz, Senior Environmental Management Specialist, Maritime Environment and Sustainability  
Dave McFadden, Managing Director, Economic Development Division

Clerk Hart read Item 8g into the record.

Deputy Executive Director Goon introduced the item and presenters.

Discussion ensued regarding:

- the memorandum of understanding detailing how the parties will collaborative work;
- siting vs. supply chain concepts regarding wind; and
- additional partner involvement in the collaborative.

**The motion, made by Commissioner Calkins carried by the following vote:**

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**10. NEW BUSINESS**

**10a. Adoption of Resolution No. 3814: A Resolution Adopting the Final Budget of the Port of Seattle for the Year 2024; Making, Determining, and Deciding the Amount of Taxes to Be Levied Upon the Current Assessment Roll; Providing Payment of Bond Redemptions and Interest, Cost of Future Capital Improvements and Acquisitions, and for Such General Purposes Allowed By Law Which the Port Deems Necessary; and Directing the King County Council As to the Specific Sums to Be Levied on All of the Assessed Properties of the Port of Seattle District in the Year 2024.**

**10b. Adoption of Resolution No. 3814: A Resolution Adopting the Final Budget of the Port of Seattle for the Year 2024; Making, Determining, and Deciding the Amount of Taxes to Be Levied Upon the Current Assessment Roll; Providing Payment of Bond Redemptions and Interest, Cost of Future Capital Improvements and Acquisitions, and for Such General Purposes Allowed By Law Which the Port Deems Necessary; and Directing the King County Council As to the Specific Sums to Be Levied on All of the Assessed Properties of the Port of Seattle District in the Year 2024.**

Request document(s) included an agenda memorandum 1, agenda memorandum 2, draft resolution 1, draft resolution 2, and presentation.

Presenter(s):

Dan Thomas, Chief Financial Officer, Finance and Budget  
Michael Tong, Director, Corporate Budget

Clerk Hart read Items 10a and 10b into the record.

Deputy Executive Director Goon introduced the item and presenters.

The presentation addressed:

- two additional items added to the budget since it's last presentation; and
- sustainability programs and how they are contained in operating budgets and are spread across programs.

Members of the Commission thanked the entire staff for their work in the budget process.

**The motion, made by Commissioner Mohamed, to adopt Resolution Nos. 3814 and 3815, carried by the following vote:**

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**10c. Introduction and Adoption of Resolution No. 3816: A Resolution Authorizing the Executive Director to Sell and Convey Port Personal Property in 2024 in Accordance with RCW 53.08.090 with a Value Not Greater than \$22,000 and Repealing Resolution No. 3808, Dealing with the Same Subject.** [Clerk's Note: Consolidation of readings (adoption on the same day as introduction) for this resolution is requested by staff.]



Request document(s) included an agenda memorandum and resolution.

Presenter(s):

Lisa Lam, Interim Director, Accounting and Financial Reporting

Clerk Hart read Item 10c into the record.

Deputy Executive Director Goon introduced the item and presenters.

Commission President Cho noted a request to consolidate the resolution readings on this item in concert with the Commission's Bylaws and Rules of Procedure. No objection to consolidation was noted and the resolution was considered for adoption on the same day it was introduced.

The presentation addressed:

- the request to adopt Resolution No. 3816, authorizing the Executive Director to sell and convey port personal property in 2024 in accordance with RCW 53.08.090 with a value not greater than \$22,000; and
- adjustment of the initial value of the statutory limit by the Washington State Department of Revenue based on the consumer price index available on December 1 of the current year from the prior year.

**The motion, made by Commissioner Hasegawa, to adopt Resolution No. 3816 carried by the following vote:**

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**10d. Authorization for the Executive Director to Approve Additional Construction Funding to Replenish Project Contingencies for the Fisherman's Terminal Redevelopment Program – Maritime Innovation Center and Site Improvements, in the Amount Requested of \$4,017,495 and a Total Project Authorization of \$36,608,000. (CIP# C801084 and C801211)**

Request document(s) included an agenda memorandum and presentation.

Presenter(s):

Kyra Lise, Director of Real Estate Development and Economic Development  
Kelly Purnell, Capital Project Manager IV, Waterfront Project Management  
Dave McFadden, Managing Director, Economic Development Division

Clerk Hart read Item 10d into the record.

Deputy Executive Director Goon introduced the item and presenters.

The presentation addressed:

- approving additional construction funding to replenish the project budget contingency;
- one qualified bidder for the project;
- construction schedule milestones;
- Fisherman's Terminal development schedule;
- design elements;

- proposed building improvements;
- site improvements; and
- commitment to Living Building Challenge sustainability.

Discussion ensued regarding:

- the successful bidder having prior Living Building Challenge credentials; and
- long-term value of the project outweighing the cost overrun.

**The motion, made by Commissioner Mohamed carried by the following vote:**

**In favor: Cho, Calkins, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**11. PRESENTATIONS AND STAFF REPORTS**

There were no presentations or staff reports.

**12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS**

None.

**13. ADJOURNMENT**

There was no further business and the meeting adjourned at 1:17 p.m.

Prepared:

Attest:

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Michelle M. Hart, Commission Clerk

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Fred Felleman, Commission Secretary

Minutes approved: November 21, 2023



**COMMISSION  
AGENDA MEMORANDUM**

Item No. 8b

**ACTION ITEM**

Date of Meeting December 12, 2023

**DATE:** December 5, 2023  
**TO:** Steve Metruck, Executive Director  
**FROM:** Eloise Olivar, AFR Senior Manager Disbursements  
**SUBJECT:** **Claims and Obligations –November 2023**

**ACTION REQUESTED**

Request Port Commission approval of the Port Auditor’s payment of the salaries and claims of the Port pursuant to RCW 42.24.180 for payments issued during the period November 1 through 30, 2023 as follows:

<b>Payment Type</b>	<b>Payment Reference Start Number</b>	<b>Payment Reference End Number</b>	<b>Amount</b>
Accounts Payable Checks	950741	951272	\$8,006,681.15
Accounts Payable ACH	060277	061298	\$53,245,162.58
Accounts Payable Wire Transfers	016169	016191	\$14,821,854.22
Payroll Checks	209830	210257	\$127,847.63
Payroll ACH	1165573	1170277	\$15,074,200.30
<b>Total Payments</b>			<b>\$91,275,745.88</b>

Pursuant to RCW 42.24.180, “the Port’s legislative body” (the Commission) is required to approve in a public meeting all payments of claims within one month of issuance.

**OVERSIGHT**

All these payments have been previously authorized either through direct Commission action or delegation of authority to the Executive Director and through his or her staff. Detailed information on Port expenditures is provided to the Commission through comprehensive budget presentations as well as the publicly released Budget Document, which provides an even greater level of detail. The Port’s operating and capital budget is approved by resolution in December for the coming fiscal year, and the Commission also approves the Salary and Benefit Resolution around the same time to authorize pay and benefit programs. Notwithstanding the Port’s budget approval, individual capital projects and contracts exceeding certain dollar thresholds are also subsequently brought before the Commission for specific authorization prior to commencement of the project or contract—if they are below the thresholds the Executive Director is delegated authority to approve them. Expenditures are monitored against budgets monthly by management and reported comprehensively to the Commission quarterly.

Meeting Date December 12, 2023

Effective internal controls over all Port procurement, contracting and disbursements are also in place to ensure proper central oversight, delegation of authority, separation of duties, payment approval and documentation, and signed perjury statement certifications for all payments. Port disbursements are also regularly monitored against spending authorizations. All payment transactions and internal controls are subject to periodic Port internal audits and annual external audits conducted by both the State Auditor’s Office and the Port’s independent auditors.

For the month of November 2023, over \$76,073,697.95 in payments were made to nearly 825 vendors, comprised of 2,793 invoices and over 11,500 accounting expense transactions. About 91 percent of the accounts payable payments made in the month fall into the Construction, Employee Benefits, Payroll Taxes, Contracted Services, Janitorial Services, Utility Expenses, Sales Taxes, Software, Insurance, Rebates, and other expense categories. Net payroll expense for the month of November was \$15,202,047.93.

**Top 10 Payment Category Summary:**

<b>Category</b>	<b>Payment Amount</b>
Construction	31,065,961.54
Employee Benefits	11,432,021.16
Payroll Taxes	8,594,017.93
Contracted Services	8,258,155.36
Janitorial Services	2,565,575.54
Utility Expenses	1,861,894.62
Sales Taxes	1,857,861.57
Software	1,313,211.01
Insurance	1,064,629.28
Rebates	965,103.21
<b>Other Categories Total:</b>	<b>7,095,266.73</b>
<b>Net Payroll</b>	<b>15,202,047.93</b>
<b>Total Payments:</b>	<b>\$91,275,745.88</b>

Meeting Date December 12, 2023

Appropriate and effective internal controls are in place to ensure that the above obligations were processed in accordance with Port of Seattle procurement/payment policies and delegation of authority.

  
\_\_\_\_\_  
**Lisa Lam/Port Auditor**

At a meeting of the Port Commission held on December 12, 2023, it is hereby moved that, pursuant to RCW 42.24.180, the Port Commission approves the Port Auditor’s payment of the above salaries and claims of the Port:

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\_\_\_\_\_  
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\_\_\_\_\_  
**Port Commission**

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM  
FOR INFORMATION ONLY**

**Item No.** 8c  
**Date of Meeting** December 12, 2023

**DATE:** December 12, 2023  
**TO:** Stephen P. Metruck, Executive Director  
**FROM:** Karen R. Goon, Deputy Executive Director

**SUBJECT: Monthly Notification of Prior Executive Director Delegation Actions November 2023**

**APPROVAL SUMMARY**

This memo is presented for information only. Inclusion on the Consent Agenda is asking for Commission’s acknowledgement that the data has been presented to them and the public. This is notification of the following Executive Director delegated approvals that occurred in November 2023.

<b>Category of Approval</b>	<b>Request#</b>	<b>Description of Approvals November 2023</b>	<b>Category Amount</b>
Projects & Associated Contracts	970-2023	T106 W-2 Elec Upgrade	\$400,000.00
Projects & Associated Contracts	946-2023	FT Nordby Conference Room	\$1,200,000.00
Projects & Associated Contracts	919-2023	T91 Cruise Safety Radio Improvements	\$325,000.00
Projects & Associated Contracts	902-2023	SEA BIM Consultant	\$1,500,000.00
Projects & Associated Contracts	977-2023	N04454 MT4F-5F Chilled Water Project Amendment	\$135,000.00
Projects & Associated Contracts	981-2023	Enterprise Firewall Refresh Project Authorization	\$650,000.00
Projects & Associated Contracts	979-2023	AV Common Use System Upgrade	\$715,000.00
Projects & Associated Contracts	997-2023	Ramp Tower Voice Communications System Refresh	\$1,750,000.00
Projects & Associated Contracts	1001-2023	2 - CMP Decarbonization and Resiliency Study	\$1,500,000.00
Projects & Associated Contracts	986-2023	MT Exterior Wall Rehab Project	\$800,000.00

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Projects & Associated Contracts	940-2023	Salmon Bay Marina Docks A-C Roof Safety – Project Definition Alternative Assessment	\$600,00.00
Non-Project Procurement of Goods & Purchased Service Contracts, Other Contracts, & Tenant Reimbursement	951-2023	WSDOT Certification Acceptance Program	0.00
Real Property Agreements	N/A	No Approvals in November	
Utilization of Port Crews	N/A	No Approvals in November	
Sale of Surplus Port Property	N/A	No Approvals in November	
<b>Total Value of Executive Director Approvals</b>			<b>\$9,575,000.00</b>

**TRANSPARENCY:**

In approving the delegations for the Executive Director, the Commission requested that staff ensure transparency is built into the process. As a result, staff will make approvals visible to the public in two ways. First, these types of approvals will be made visible in public Commission meetings via monthly reporting like this one. Approvals are both timed and designed to be visible in a similar manner to the monthly Claims and Obligations reporting. Second, staff will publish these delegations in a PeopleSoft formatted report on the Port website in the same manner that all procurements, contracts, and other opportunities are made available to public communities.

**BACKGROUND:**

On January 24, 2023, the Commission approved and adopted Resolution No. 3810 that repealed related prior resolutions and increased the previously delegated Commission authority to the Executive Director and provided clarity in process directives to port staff. The approval made the Delegation of Responsibility and Authority to the Executive Director (DORA) effective on April 3, 2023.

The foundation for Resolution No. 3810 included significant data analysis, employee surveys, and internal audit recommendation. Resolution No. 3810 also aligns with the Port Century Agenda in that it helps make the Port a more effective public agency. Considerations and checks and balances have been built into the associated processes of Executive Director approvals including a high bar of transparency.

Following significant analysis and multiple Commission reviews, the Commission approved the DORA on January 24, 2023. That reporting memo is available for review on the Port website under the January 24, 2023, Commission public meeting, and it provides detailed reasoning and explanation of Resolution No. 3810.

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8d

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** December 1, 2023

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

**FROM:** Laurel Dunphy, Director Airport Operations  
Krista Sadler, Director ICT Technology Delivery

**SUBJECT: Surface Area Management Project Additional Authorizations (CIP #800650)**

**Amount of this request:** \$2,494,000

**Total estimated project cost:** \$15,865,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to (1) advertise and execute a major public works contract to construct portions of the Surface Area Management System project at Seattle-Tacoma International Airport; (2) amend the contract with SAAB, Inc. to increase the contract value up to \$512,000 for additional services and equipment; (3) increase the project budget by \$2,494,000 for a new total of \$15,865,000; and (4) execute a Project Labor Agreement.

**EXECUTIVE SUMMARY**

The Surface Area Management (SAM) project, first authorized in June 2019, has implemented a system to improve airfield situational awareness and provide forensic and analytic information on airfield operations at Seattle-Tacoma International Airport (SEA). The system provides information to improve aircraft flow and gate docking efficiencies, reduce aircraft holds, and support safety initiatives by providing more detailed information on incident causes and contributing factors. Integrating with several Port and external data feeds, the system provides a real-time, actionable picture of operations that is invaluable to Airport Operations, emergency response, security, and our airline partners.

The system is being implemented in multiple phases and portions are now used by Port staff, Federal Aviation Administration (FAA), and Airlines. The first three phases deployed the core system, video analytics capabilities, integration with other Port systems, and vehicle and equipment tracking. In parallel to the delivery of these phases, the project team progressed the design work for phase four, the installation of sensors and cameras used by the new system to provide more detailed situational awareness on the airfield. In February 2022, Commission authorized construction using Job Order Contracting (JOC) to complete construction. While the installation of critical sensors has proceeded using this contracting method, staff is now



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recommending that remaining sensors and cameras be delivered via a major public works contract.

Schedule delays to the design of the fourth phase of the project and the recommended change in contracting method have resulted in increased project costs estimated at \$2,494,000. Finally, an amendment to the contract with the project system vendor, SAAB, Inc. will provide additional contract capacity to provide additional sensors and equipment necessary to complete the system.

### **JUSTIFICATION**

The SAM system provides a holistic view or understanding of underlying reasons or root causes for delays, bottlenecks, or deficiencies and improve overall airfield efficiency at the Airport. Additional funding through this request will allow the system to be constructed as designed providing the greatest opportunity to provide this holistic view.

### ***Diversity in Contracting***

The project team has worked with the Diversity in Contracting Department to establish a 10% women- and minority-owned business enterprise (WMBE) aspirational goal for this construction contract.

### **DETAILS**

Since 2022 the project has encountered delays due to extensive site investigations during design and efforts to value engineer alternative locations, additional compliance measures identified later in the process and the resulting added design effort. These delays have resulted in additional staff costs and other soft costs. As design neared completion, it was determined that the JOC construction method approach initially planned for the entire project was no longer suitable for that entire scope. The JOC construction method utilizes established fixed period indefinite quantity indefinite delivery public works contracts to complete work in work orders of limited size. They often prove most useful for smaller scopes of work or repetitive construction of similar scopes of work.

While a useful tool under the right circumstances, JOC contracting has limitations that would have extended the delivery time for this project even further, and subsequently increased costs due to the longer delivery process. As the project team considered alternative delivery methods to complete construction, a need for more immediate installation of key sensors to address a critical shortfall of airfield awareness led the team to proceed with the construction of these critical sensors using the JOC method, while separating out the balance of the work to be delivered via a more traditional major works construction bid package. While this reduced the time taken to provide these critical sensors, it resulted in two construction packages and additional costs to manage both.

Lessons learned because of the challenges this project has faced include:

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- (1) Recognition that technology projects often lead to a more iterative and therefore lengthy design phase for the physical installation. Often technology projects incorporate emerging technologies that do not have historical practices on which to base a design schedule and budget.
- (2) Early collaboration among departments delivering technology projects to better scope the physical infrastructure requirements for such shared projects will allow for improved budgeting and scheduling of these unique projects.
- (3) Better understanding of the benefits and limitations of the utilization of JOC contracts at the Port will allow for a more informed decision when the Project Delivery Method is selected. The Port is limited in the number of JOC contracts it can utilize, and broad use of the JOC contract for other projects at the Port limited the contracting capacity available for this project.

***Scope of Work***

The Phase 4 project scope of work includes sensor and camera installation at various locations in the airfield to improve identification of targets for situational awareness and provide gate turn monitoring at all gates. The scope also includes the setup of the all the required Power and Communication Infrastructure for the sensors and cameras.

***Schedule***

*Activity*

Construction (Phase 4)	2024 Quarter 1
In-use date	2025 Quarter 2

***Cost Breakdown***

	This Request	Total Project
<b>Capital</b>		
Hardware/Software/Vendor Services	\$375,000	\$3,283,000
Port Labor		\$649,000
Sensor/Camera Installation	\$2,119,000	\$11,533,000
<b>Total Capital</b>	<b>\$2,494,000</b>	<b>\$15,465,000</b>
<b>Expense</b>		
Training		\$200,000
Spare Parts		\$200,000
<b>Total Expense</b>		<b>\$400,000</b>
<b>TOTAL PROJECT</b>	<b>\$2,494,000</b>	<b>\$15,865,000</b>

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

An alternative that would have provided three additional sensors adjacent to Runway 16R-34L was considered which would have increased the project cost by a further estimated \$400,000 in

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both direct and soft costs; however, it was deemed infeasible and not pursued due to the time required to seek and reach all required federal and local approvals.

**Alternative 1** – Reduce project scope to remain within existing project budget.

Cost Implications: \$0 additional cost

Pros:

- (1) Project remains within existing project budget.

Cons:

- (1) Resulting system is deficient and will not meet project goals and requirements.
- (2) Reduction of the system as designed would require additional time to revise the system and infrastructure design, which will delay system activation and in turn the productive use of the full capabilities of the system.

This is not the recommended alternative.

**Alternative 2** – Increase project funding to meet current scope.

Cost Implications: \$2,494,000 additional cost

Pros:

- (1) Resulting system meets project goals and requirements.
- (2) No delay in construction would be experienced as there would be no need to wait for the redesign to the reduced scope.

Cons:

- (1) Project would cost more than Alternative 1

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

<b><i>Cost Estimate/Authorization Summary</i></b>	Capital	Expense	Total
<b>COST ESTIMATE</b>			
Original estimate	\$6,200,000	\$400,000	\$6,600,000
Previous changes – net	\$6,771,000	\$0	\$6,771,000
Current change	\$2,494,000	\$0	\$2,494,000
Revised estimate	\$15,465,000	\$400,000	\$15,865,000
<b>AUTHORIZATION</b>			
Previous authorizations	\$12,971,000	\$400,000	\$13,371,000
Current request for authorization	\$2,494,000	\$0	\$2,494,000
Total authorizations, including this request	\$15,465,000	\$400,000	\$15,865,000
Remaining amount to be authorized	\$0	\$0	\$0

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***Annual Budget Status and Source of Funds***

This project, C800650 was included in the 2023-2027 capital budget and plan of finance for \$13,100,000. The capital budget increase of \$2,494,000 will be transferred from the Aeronautical Allowance C800753 resulting in no net change to the Aviation Division capital budget. The funding source would be the Airport Development Fund and revenue bonds. This project had prior airlines Majority in Interest (MII) approval of \$5M. The budget increase would utilize the MII Management Reserve which would not require additional MII approval.

***Financial Analysis and Summary***

Project cost for analysis	\$15,865,000
Business Unit (BU)	Airfield Movement Area
Effect on business performance (NOI after depreciation)	NOI after depreciation will increase due to inclusion of capital (and operating) costs in airline rate base
IRR/NPV (if relevant)	N/A
CPE Impact	\$0.07 in 2026

***Future Revenues and Expenses (Total cost of ownership)***

Previously authorized annual recurring maintenance and license costs for this system, estimated at \$1,620,000 are budgeted in the Aviation Operations and Aviation Maintenance operating budgets.

**ADDITIONAL BACKGROUND**

Since the deployment of phase 1 of the project, the Port and its partners have realized several benefits from using the new system.

- (1) Alaska Airlines leveraged information from the new system and implemented a change to its operations that that resulted in reduction of wait time for gates upon arrival.
- (2) Ramp Tower and FAA coordination significantly improved coordination during impacts of the 2021 Airport Improvement Project (AIP) work and International Arrivals Facility (IAF) construction taxi lane closures
- (3) Sixty-seven (67) gates are currently under turn monitoring surveillance providing time stamps of up to 36 critical milestones throughout the progression of a turn which establishes a record to gauge vendor performance and predict off-block times.

**ATTACHMENTS TO THIS REQUEST**

- (1) Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

February 8, 2022 – The Commission authorized construction using JOC, a budget increase and a contract amendment with the vendor SAAB, Inc.

June 11, 2019 –The Commission authorized proceeding with the project for \$4,782,000.

# Surface Area Management Project Additional Authorizations (CIP #800650)

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# Project Phases and Progress

- Phases 1 through 3 – Established the system, software and integration with other systems. Completed in 2021.
- Phase 4 – Sensor, Camera and Infrastructure Delivery. Broken into two packages: one underway and the remaining package to be bid in Q1 2024. This phase requires additional funding.

# Realized Benefits from Delivered Phases

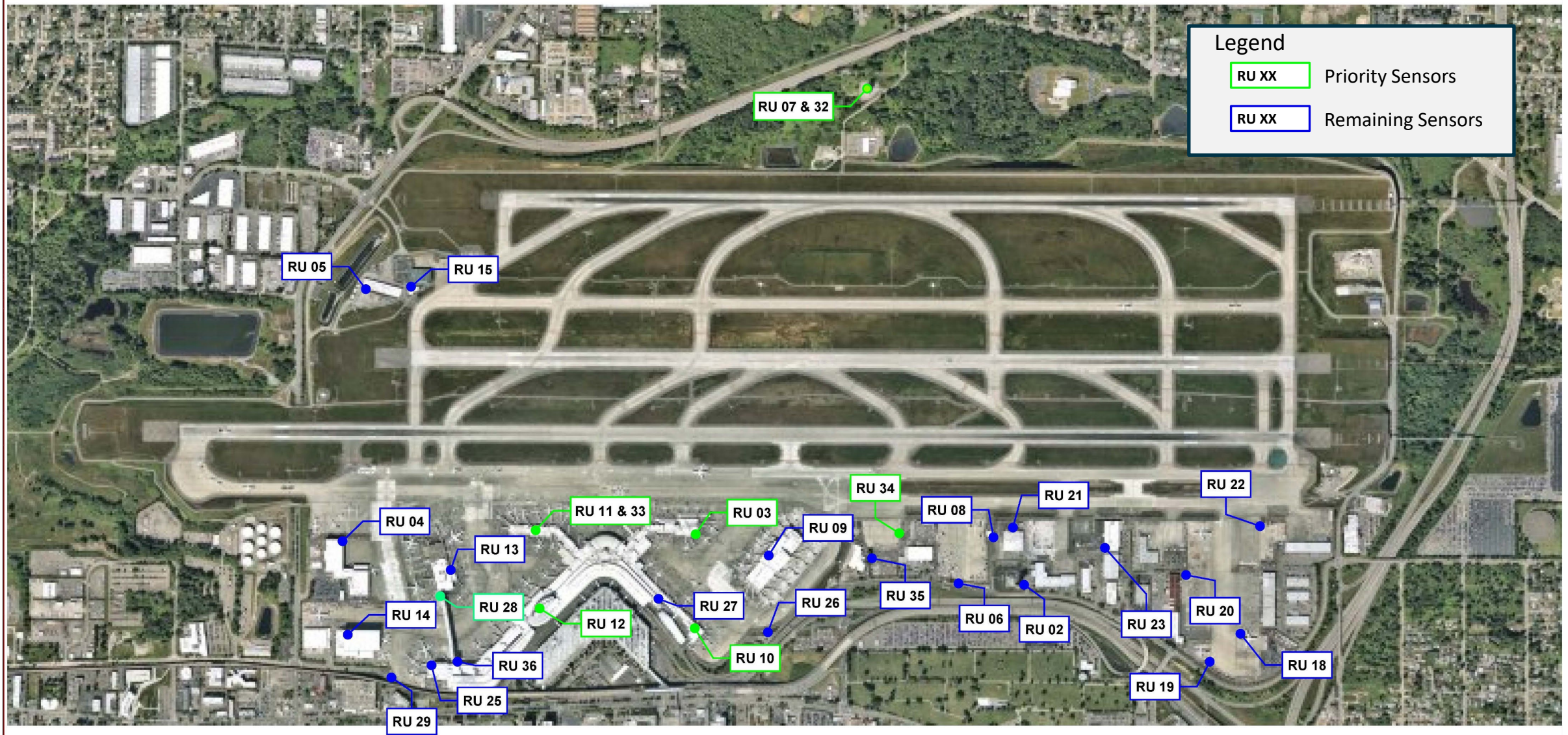
- Ramp Tower and Federal Aviation Administration (FAA) have significantly improved coordination during construction impacts to aircraft movement areas
- One airline has instituted a process change as a result of the gate hold reporting feature of the system leading to fewer airplanes waiting for gates upon arrival
- 67 of the Airport's 89 gates are currently under automated monitoring surveillance providing time stamps of up to 36 critical milestones throughout the progression of a turn which establishes a record to gauge vendor performance and predict when gates become available

# Phase 4 Infrastructure Delivery

- Delivery of infrastructure (structures, power, communications and hardware) to 21 locations to provide information to the Surface Area Management system.
- Broken into two Construction Packages
  - Priority Sensors to address critical need
    - Construction underway; anticipated complete in Q2 2024
  - Remaining Sensors to complete the system
    - Construction bids to be sought in Q1 2024; anticipated complete in Q2 2025



# Sensor Locations



# Project Delays During Design

Design took longer than anticipated

- Extensive site investigations
- Emerging compliance measures for safety and airfield adjacency took time to resolve
- Value engineering exercise
- Design Changes after 60% design
- An emerging and immediate need for aircraft position information led to breaking the construction into two packages
- Staffing changes and the impact of two construction packages

# Program Capital Budget Status

Cost Categories	Budget	Estimate at Completion	Variance
Port Labor	\$695,000	\$649,000	(\$46,000)
<b>Construction, CM and AVPMG</b>	<b>\$9,414,000</b>	<b>\$11,533,000</b>	<b>\$2,119,000</b>
Hardware Purchase	\$1,072,000	\$1,869,000	\$797,000
Vendor Services	\$620,000	\$724,000	\$104,000
3rd Party Vendor Integration	\$400,000	\$379,000	(\$21,000)
Software License	\$50,000	\$0	(\$50,000)
Technology Contingency	\$720,000	\$311,000	(\$409,000)
Totals	\$12,971,000	\$15,465,000	\$2,494,000
Total Request for Additional Project Budget			<b>\$2,494,000</b>

# Construction, CM and AVPMG Budget Status:

Cost Categories	Budget	Estimate at Completion	Variance
CONSTRUCTION	\$6,119,000	\$6,402,000	\$283,000
CONSTRUCTION MANAGEMENT	\$794,000	\$1,118,000	\$324,000
DESIGN	\$1,080,000	\$1,696,000	\$616,000
PROJECT MANAGEMENT	\$432,000	\$1,074,000	\$642,000
ENVIRONMENTAL	\$45,000	\$51,000	\$6,000
ADMINISTRATIVE	\$78,000	\$117,000	\$39,000
CONTRACT ADMINISTRATION	\$55,000	\$75,000	\$20,000
PROJECT CONTINGENCY	\$811,000	\$1,000,000	\$189,000
TOTALS	\$9,414,000	\$11,533,000	\$2,119,000

# Project Risks

Risks	Mitigations
Cost escalation and market conditions	Include sufficient budget contingency; include sufficient lead time for some materials and equipment
Construction bid climate	Include sufficient budget contingency
Vendor coordination during construction	Include sufficient contingency for additional effort to coordinate Vendor preparation and access to sites; include sufficient schedule duration to cover required effort
Weather impacts	Include sufficient schedule duration to cover inclement weather; include sufficient budget contingency to cover

# Lessons Learned

Lessons learned because of the challenges this project has faced include:

- Recognition that technology projects often lead to a more iterative and therefore lengthy design phase for the physical installation. Often technology projects incorporate emerging technologies that do not have historical practices on which to base a design schedule and budget.
- Early collaboration among departments delivering technology projects to facilitate better scoping of the physical infrastructure requirements for such shared projects will allow for improved budgeting and scheduling of these unique projects.
- Better understanding of the benefits and limitations of the utilization of Job Order Contracting (JOC) contracts at the Port will allow for a more informed decision when the Project Delivery Method is selected. The Port is limited in the number of JOC contracts it can utilize, and broad use of the JOC contract for other projects at the Port limited the contracting capacity available for this project.

# Questions?

[RETURN TO AGENDA](#)



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8e

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE :** December 1, 2023  
**TO:** Stephen P. Metruck, Executive Director  
**FROM:** Mike Tasker, Aviation Maintenance Director  
Krista Sadler, Technology Delivery Director  
**SUBJECT:** Airport Networks Refresh (CIP #C801321)

**Amount of this request:** \$3,400,000  
**Total estimated project cost:** \$3,400,000  
**Seven-year maintenance cost:** \$1,400,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to 1) proceed with the Airport Networks and Storage Refresh project; 2) execute contract(s) for software, equipment, vendor implementation services, and seven years of support and license fees and 3) use Port staff for implementation. The amount requested for project implementation under this authorization is \$3,400,000. The estimated seven-year support and license agreement is \$1,400,000.

**EXECUTIVE SUMMARY**

This project will refresh aging network switch and storage equipment and upgrade network management software for three critical Aviation networks that support hundreds of security cameras throughout the airport, flight information systems, common-use check-in kiosks, boarding pass printers and readers at airline gates, the baggage messaging system, and the Port free Wi-Fi system that provides internet access to the traveling public. Network equipment was last updated in 2016 and is at end-of-life.

The Aviation Maintenance (AVM) organization supports the Access Control System (ACS), Industrial Control System (ICS) and Terminal Wide Voice Paging System (TWVPS) networks. These networks provide the communications backbone for Security, Video Management System, Terminal Wide Voice Paging, Conveyor System and many other key systems at SEA. Without the switching backbone, none of these mission critical systems would be able to function. The network core, distribution and some edge switches are reaching end of support and need to be replaced. Requirements for these networks are increasing and additional capacity at the core and distribution layers is needed. In addition, the network storage system is also nearing end of support. Storage and storage network devices are closely coupled with the network core and



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distribution systems, so there’s labor efficiency to refresh the storage systems at the same time. New network devices are required to maintain support, accommodate system and data growth and to continue to receive critical security patches.

AVM, Information & Communications Technology (ICT) and Port Construction Services (PCS) will be involved in this project estimated at \$3,400,000. Annual recurring maintenance and support costs are estimated at \$1,400,000 for the seven-year term and are budgeted within the AVM department budget.

**JUSTIFICATION**

This Airport Networks Refresh project provides the following benefits:

- (1) Ensures continued support of critical security and operational systems at SEA.
- (2) Continued vendor support and security updates of critical network switching equipment and storage systems.
- (3) Frees up substantial fiber infrastructure between equipment rooms, distribution rooms and data centers that is becoming over utilized.

***Diversity in Contracting***

Project staff will work with the Diversity in Contracting Department to determine if a direct women-and-minority-owned business enterprise (WMBE) aspirational goal should be assigned.

**DETAILS**

***Scope of Work***

- (1) Replace all core, distribution and legacy edge switches in ACS, ICS and TWVPS networks reaching end of support in 2025 or sooner.
- (2) Upgrade network storage array and switching elements that support the ACS network hosting the video management and physical access control systems.
- (3) Provide power, conduits and circuitry to core and distribution switches and network storage components in main and communications equipment rooms.
- (4) Firewall upgrades at main and communications equipment rooms.
- (5) Utilize vendor services for system configuration and deployment assistance.

***Schedule***

*Activity*

Commission authorization	2023 Quarter 4
Procurement begins	2024 Quarter 1
Planning complete	2024 Quarter 2
In-use date	2026 Quarter 2

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<b>Cost Breakdown</b>	<b>This Request</b>	<b>Total Project</b>
Hardware, software and vendor services	\$2,700,000	\$2,700,000
Port labor	\$700,000	\$700,000
<b>Total</b>	<b>\$3,400,000</b>	<b>\$3,400,000</b>

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1** – Upgrade all ACS, ICS and TWVPS network switches reaching end of support through 2026.

Cost Implications: ~\$6,000,000

Pros:

- (1) Brings all core and distribution elements to latest releases to allow for 10-year service life.
- (2) Replaces all access layer switches with end of support of 2026 or earlier.

Cons:

- (1) Replaces access layer switches with up to 3 years of support remaining sooner than needed, increasing project and recurring costs.
- (2) Increases size and complexity of project.
- (3) Highest cost option.

This is not the recommended alternative.

**Alternative 2** – Replace equipment as it fails.

Cost Implications: \$0

Pros:

- (1) Capital funds are available for other projects.

Cons:

- (1) Allowing network systems to deteriorate puts mission critical systems at risk as components become unavailable.
- (2) Security updates will not be able to be applied to legacy equipment.

This is not the recommended alternative.

**Alternative 3** – Upgrade all ACS, ICS and TWVPS network core, distribution and legacy edge switches with end of support in 2025 or sooner and refresh network storage array and switching elements.

Cost Implications: \$3,400,000

Pros:

- (1) Continues vendor support for network switch and storage components.

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- (2) Frees up substantial fiber infrastructure between equipment rooms, distribution rooms and data centers.
- (3) Improves distribution of network routing loads.

Cons:

- (1) Requires Port staff support in an already project rich environment at the airport.

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

<b><i>Cost Estimate/Authorization Summary</i></b>	<b>Capital</b>	<b>Expense</b>	<b>Total</b>
<b>COST ESTIMATE</b>			
Original estimate	\$2,600,000		\$2,600,000
Budget increase	\$800,000		\$800,000
Revised estimate	\$3,400,000		\$3,400,000
<b>AUTHORIZATION</b>			
Previous authorizations	\$0		\$0
Current request for authorization	\$3,400,000		\$3,400,000
Total authorizations, including this request	\$3,400,000		\$3,400,000
Remaining amount to be authorized	\$0		\$0

***Annual Budget Status and Source of Funds***

This project was included in the 2023 – 2027 capital budget and plan of finance with a budget of \$2,600,000. The capital budget increase of \$800,000 was transferred from the Aeronautical Allowance CIP C800753 resulting in no net change to the Airport capital budget. The funding source is Airport Development Fund.

***Financial Analysis and Summary***

Project cost for analysis	\$3,400,000
Business Unit (BU)	Terminal Building
Effect on business performance (NOI after depreciation)	NOI after depreciation will increase due to inclusion of capital (and operating) costs in airline rate base.
IRR/NPV (if relevant)	N/A
CPE Impact	\$0.01 in 2027

***Future Revenues and Expenses (Total cost of ownership)***

Annual maintenance and support costs estimated at \$1,400,000 for the seven-year term will be budgeted in the Aviation Maintenance’s operating expense budget.

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**ATTACHMENTS TO THIS REQUEST**

None

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

None

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8f

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** November 14, 2023

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

**FROM:** Sarah Cox, Director, Aviation Environment and Sustainability  
John Evered, Senior Manager, Aviation Environmental Programs

**SUBJECT: Indefinite Delivery/Indefinite Quantity (IDIQ) contract to perform Surface Water Monitoring and Permit Support**

**Amount of this request:** \$0  
**Total requested project cost:** \$5,500,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to execute one (1) Indefinite Delivery/Indefinite Quantity (IDIQ) contract to perform Surface Water Monitoring and Permit Support with a total value of \$5,500,000 and a contract ordering period of up to six (6) years if all option years are exercised at the Seattle-Tacoma International Airport (Airport). No funding is associated with this authorization.

**EXECUTIVE SUMMARY**

The Aviation Environment and Sustainability Department proposes to advertise and select one qualified firm/team to provide surface water and toxicity testing sampling and support services. This IDIQ would be used to meet requirements of the SEA’s National Pollutant Discharge Elimination System (NPDES) permit and other environmental permits. As issues related to stormwater treatment systems, permit renewals, or permit related technical questions arise this IDIQ would provide support to Port staff for necessary studies and submittals. The IDIQ contract would also provide surface water monitoring and testing support to the SEA’s Capital Improvement Program (CIP), planning and development initiatives, and other strategic interests. IDIQ contracts provide SEA with 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 and a maximum contract amount. Service Directive funding will come from either annual operating budgets or individual capital project authorizations. This procurement will assist SEA with remaining in compliance and being proactive about the performance of our stormwater Best Management Practices (BMP’s) which aligns with the Port’s Century Agenda of being the cleanest and greenest Port, and specifically

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Objective 14 – Meet or exceed agency requirements for stormwater leaving Port-owned or operated facilities. This procurement also supports the Port’s strategy to manage our finances responsibly by providing a cost-efficient means to secure services for tasks which present variable workload, are often time-sensitive, and require specialized expertise that cannot be effectively provided by Port staff. The participation of women- and minority-owned business enterprise (WMBE) and establishment of WMBE aspirational goals has been discussed with the Diversity in Contracting group and an aspirational goal of 10% has been established for the IDIQ.

### **JUSTIFICATION**

The Aviation Environment and Sustainability Department at SEA is responsible for ensuring compliance with the Airport’s National Pollutant Discharge Elimination System (NPDES) permit and other environmental permits. The Airport operates under an individual NPDES permit that includes comprehensive monitoring and testing of stormwater runoff associated with Airport operations and construction activities. Runoff associated with these activities drains to 11 outfalls discharging to local streams that provide habitat to recovering salmon populations and other aquatic resources. The permit also regulates runoff associated with Airport fueling and deicing operations that discharge to Puget Sound. In addition to receiving water discharges, the permit requires monitoring and testing of industrial wastewater discharges to local sanitary sewer systems.

To effectively comply with these requirements, a variety of specialized environmental services are required including those related to environmental sample collection and testing, aquatic toxicology, stream hydrology, limnology, illicit discharge investigations, facility process analyses, mapping, and pollution fate and transport.

Remaining in compliance and being proactive about the performance of our stormwater Best Management Practices align with the Port’s Century Agenda of being the cleanest and greenest Port, and specifically Objective 14 – Meet or exceed agency requirements for stormwater leaving Port-owned or operated facilities.

Failure to comply with the conditions of the NPDES permit will result in permit violations and potential fines. Additionally, repeat violations can lead to increased sampling requirements that will increase the cost of the stormwater monitoring program and generate negative perception of the Port’s environmental efforts.

This procurement would support the Port’s strategy to manage our finances responsibly by providing a cost-efficient means to secure professional services for tasks which present variable workload, are often time-sensitive, and require specialized expertise that cannot be effectively provided by Port staff.

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***Diversity in Contracting***

The Diversity in Contracting Department has been contacted regarding this procurement and an aspirational goal of 10% has been established for the IDIQ contract.

**DETAILS**

This contract will enable the Port to meet the surface water-related monitoring and testing requirements of the Airport’s NPDES and other environmental permits. Failure to meet these requirements would be a direct violation of the permits and would subject the Port to enforcement actions. Individual service directives consisting of a scope, fee agreement, and schedule will be negotiated and processed before any work is performed. Service directives will span over the life of the contract, which is expected to be six years after all option years are exercised.

***Scope of Work***

The surface water management contract is a crucial component of the NPDES permit compliance efforts at the Airport. Work authorized under this contract is needed to meet field sampling and other monitoring and reporting requirements that are conducted at various times throughout the year on a 24/7 basis.

The Surface Water Monitoring Support Services Scope of Work consists of five principal tasks.

- (1) Non-construction surface water monitoring, testing and reporting.
- (2) Construction surface water monitoring, testing and reporting.
- (3) Municipal sewer system monitoring, testing and reporting.
- (4) Toxicity monitoring, testing and reporting.
- (5) Other surface water monitoring and studies.

***Schedule***

*Activity*

Commission authorization	2023 Quarter 4
Contract execution	2024 Quarter 3
Service directives issued	2024 Quarter 3

***Cost Breakdown***

	This Request	Total Project
From yearly expense budgets	\$0	\$5,100,000
From capital project budgets	0	\$400,000
<b>Total</b>	<b>\$0</b>	<b>\$5,500,000</b>

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

The regulatory requirements serviced by this contract must be completed so all alternatives outline staffing methods that allow the Port to remain in compliance.

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**Alternative 1 – Monitoring and Inspections Completed Primarily by Port Staff**

Most of the monitoring and inspection work would be completed by Port staff. Existing staff would be able to perform a small portion of the necessary work. There would be four additional Port positions necessary to provide the full staffing required for monitoring storm events and to be available 24-hours per day and weekends based on rain events.

Cost Implications: \$800,000 per year for staffing plus a yearly toxicity testing contract of \$50,000.

Pros:

- (1) Contract administration needs would decline.
- (2) Port would have a team of employees with flexibility to perform miscellaneous tasks.
- (3) Port Environmental team would increase their technical capacity.

Cons:

- (1) A contract for toxicity testing would still be needed at a significant cost.
- (2) New Port staff would not have full-time work in stormwater program due to variable effort and timing necessary for monitoring and inspections.
- (3) Extensive training would be required for telemetry/sampling equipment operations and maintenance.
- (4) Increased chance of permit violations during the training/ramp-up period.
- (5) Absence of third-party sample collection and data validation that provides a non-biased approach.
- (6) Technical expertise for sampling methodology and regulatory support lessened.

This is not the recommended alternative.

**Alternative 2 – All Monitoring and Inspections Completed Through IDIQ Contract.**

Cost Implications: \$850,000 per year

Pros:

- (1) Does not require the hiring of any additional Port staff.
- (2) Provides a flexible, contracted workforce.
- (3) Ability to hire sub-consultants that provide highly specific technical skills.
- (4) Third party sample collection and data validation provide a non-biased approach.

Cons:

- (1) Cost is greater than preferred alternative.
- (2) Does not utilize Port staff.
- (3) Reduced technical development opportunities for Port staff.
- (4) Consultant based team is focused on completing task and not focused on Port's holistic goals and strategic long-term planning such as Port's Century Agenda goals.

This is not the recommended alternative.



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**Alternative 3 – Monitoring and Inspections Completed Through IDIQ Contract and Port Staff.**

Existing Port staff would be used to supplement work primarily completed by outside contractor. Some set tasks would be assigned to Port staff, while remaining task and variable work would be completed by the contractor.

Cost Implications: \$800,000 per year

Pros:

- (1) Is the lowest cost alternative.
- (2) Provides a highly skilled workforce for varied stormwater requirements.
- (3) Allows Port staff to develop technical skills and stay fully utilized.
- (4) Provides neutral third-party validation of environmental data that is collected and submitted to regulatory agencies.
- (5) Work effort under contract aligns with Port Century Agenda goals and objectives.

Cons:

- (1) Requires additional coordination between contractor and Port staff to ensure Port utilization.
- (2) Reduced technical development opportunities for Port Staff.

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

<b><i>Cost Estimate/Authorization Summary</i></b>	<b>Capital</b>	<b>Expense</b>	<b>Total</b>
<b>COST ESTIMATE</b>			
Original estimate	\$400,000	\$5,100,000	\$5,500,000
<b>AUTHORIZATION</b>			
Previous authorizations	0	0	0
Current request for authorization	0	0	0
Total authorizations, including this request	0	0	0
Remaining amount to be authorized	\$0	\$0	\$0

***Annual Budget Status and Source of Funds***

Funding for service directives under this contract will be either from projects that have already been authorized or from annual authorized division operating expense budgets. Consequently, there is no direct funding request associated with this action.

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**ADDITIONAL BACKGROUND**

The Aviation Stormwater Program has used IDIQ contracts to assist with compliance of their National Pollutant Discharge Elimination System permit since 2004. If approved, this contract will be the sixth such contract. All previous contracts have used the collaborative approach proposed for this current action. This contract will replace an expiring \$3.5 million, 4-year IDIQ contract.

**ATTACHMENTS TO THIS REQUEST**

- (1) Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

None

Item No.: 8f supp

Date of Meeting: 12/12/2023

# **Commission Presentation for 2024 Aviation Surface Water Monitoring and Permit Support IDIQ Contract**

December 12, 2023

Josh Feigin, Sr. Environmental Management  
Specialist, AV Environmental Programs



# Stormwater Program and Contract Overview

Seattle-Tacoma International Airport holds an individual NPDES permit that covers management of industrial stormwater, industrial wastewater and construction stormwater. The permit and fact sheet documents are available at: [ecology.wa.gov](http://ecology.wa.gov). Permit number to search for is WA0024651 (Effective date 9/1/21).

Work authorized under this contract will fulfill needed field sampling and other monitoring and reporting requirements that are conducted throughout the year on a 24/7 basis.

Goal: to build strong working relationships in which consultants develop a thorough knowledge of the Airport's monitoring program, policies, programs, standards and practices, and a close working relationship with the Airport's environmental staff.

A variety of specialized environmental services are required, including those related to environmental (or stormwater) sample collection and testing, aquatic toxicology, stream hydrology, limnology, illicit discharge investigations, facility process analyses, mapping, and pollution fate and transport.

# Contract Overview Continued

- One contract for an initial period of three (3) years, with three (3) one-year options, for a total of six (6) years.
- The not-to-exceed amount for this contract is \$5,500,000.
- The Port intends to issue work through Service Directives (SDs).

# Scope Elements

## SDS Stormwater

- Quarterly Sampling with Telemetry and Autosamplers
- Sublethal, *In situ* and Acute Toxicity Sampling
- Priority Pollutants Sampling
- Technical Permit Support with SOP's, Source Tracing

## Industrial Wastewater and Sanitary

- Toxicity and Priority Pollutant Sampling
- Monthly Sample at Bus Facility

## Construction Stormwater

- Storm/Rainfall Monitoring
- Receiving Water Sampling
- Develop Monitoring Plans
- Project Tracking

## Technical Support

- Telemetry Programming
- QAPP Development
- GIS Support
- Data Hosting and Management
- Annual Summary Reports
- Regulatory Technical Support
- BMP Assessments

# Diversity in Contracting

- It is a priority for the Port to affirmatively expand its efforts to increase WMBE and other diverse participation in Port contracts.
- The Port strongly encourages consultants to work with diverse businesses to meet or exceed the aspirational goal listed in the solicitation.
- The Port's Diversity in Contracting aspirational goal for this procurement is **10%**. While this goal is aspirational, affirmative efforts to develop and achieve this goal is mandatory.

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8g

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** November 16, 2023

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

**FROM:** Peaches Thomas, Program Coordinator, Environmental Engagement  
Ramona Tellez, Habitat Stewardship Community Engagement Coordinator  
Sally del Fierro, Director, Community Engagement

**SUBJECT:** **Two Project Specific contracts to support Duwamish Valley Community Equity Program Activities Promoting Capacity Building and Green Career Pathways**

**Total estimated contract costs:** \$1,450,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to execute two indefinite delivery, indefinite quantity contracts for the Duwamish Valley Community Equity Program to promote Port-Community capacity building (“Contract 1”) and green career pathways (“Contract 2”) with a total estimated value of \$1,450,000 and contract periods of up to five years. No funding is associated with this authorization.

**EXECUTIVE SUMMARY**

Resolution 3767, the Duwamish Valley Community Benefits Commitment Policy Directive, guides the implementation of the Duwamish Valley Community Equity Program (DVCEP) and other Port activities that impact the Duwamish Valley Community (Community). These two contracts enable the Port to continue implementing two action areas stated in Resolution 3767’s Work Plan: “support formalization of PCAT structure, leadership development, and collaboration with the Port” and “continue the Port’s maritime habitat stewardship program.”

**JUSTIFICATION**

In 2011, the Port’s Century Agenda called for the Port of Seattle to create opportunity for all, steward our environment responsibly, partner with surrounding communities, and conduct ourselves with accountability and transparency. Since 2016, Port staff and Duwamish Valley community members have partnered to support these core values. These contracts enable Port staff to continue engaging the Duwamish Valley community using best practices in equity and inclusion that promote economic and environmental opportunities in near-Port communities.



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**Contract 1: Port-Community Capacity Building.** In 2017, the Port Community Action Team (PCAT) was established to ensure that representatives from the Duwamish Valley neighborhoods of South Park and Georgetown could meaningfully engage with the Port. PCAT members serve as community-based consultants and are compensated for contributing their lived-experience and community expertise. For example, the PCAT provides training and coaching to Port staff on inclusive engagement practices and cultural competencies that directly impact the effectiveness of achieving Century Agenda goals. The contract enables PCAT members to serve as liaisons for Port staff on various project areas such as Gateway Park North and Port park enhancements, Duwamish River Community Hub operations, and freight/transportation policy issues. This contract sustains the PCAT by providing critical wraparound services and thereby ensures the Port’s ability to continue equitable engagement best practices with community partners, as directed by Resolution 3767.

Since Resolution 3767 was adopted, and because of this contractual work, PCAT members have been engaged in decision making to direct DVCEP resource distribution, strategies, and impact evaluation. Some examples include overseeing the DVCEP budget and operations; advising on the Duwamish River Community Hub; engaging with, and building relationships with all levels of Port stakeholders including the Executive Leadership Team and Commissioners; advocating for sponsorship funding; recruiting for new members (onboarding nine new members in 2023); and improving equity in contract solicitation processes. In addition, the PCAT has developed an operating structure guided by their vision and values that informs program operations and ensures outcomes are centered in anti-racism and community leadership, resulting in better long-term health and viability of the partnership between the Duwamish Valley and the Port.

Over the last four years, Port staff and PCAT members have partnered to co-present at numerous regional, national and international conferences and workshops being recognized as a model of equitable engagement and best practices between Ports and near-port communities. Audiences have included the American Association of Port Authorities, Asian Pacific Economic Cooperation - Maritime Working Group, U.S. Department of Transportation, U.S. Coast Guard, Transportation Resource Board, EPA Ports Collaborative, International Association of Public Participation, and many others.

Another tangible result of PCAT engagement and capacity building has been their developed practice of advancing community-led activities to the Port for sponsorship using the Port’s authority granted under Trade Business and Community Development. These high-impact, community-led projects promote Port-related economic activity and public education about the Port while advancing community-identified benefits. Projects are chosen for funding consideration based on 1) alignment with the Port’s funding criteria as dictated by state statute, 2) project alignment with CBC goals and strategies, 3) impact in community, and 4) project feasibility and evaluation. Some project examples include a Solar Energy Education Youth Workshop resulting in the installation of solar-powered lights constructed by youth at Duwamish River People’s Park; a Youth-led Pedestrian and Bike Safety study that has informed Port, Northwest Seaport Alliance, and City collaborations on traffic safety improvements in the

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Duwamish Valley; an Economic Justice Storytelling Series organized by Duwamish Valley journalists to elevate stories of Black, Indigenous, and People of Color entrepreneurs in Port-related industries, including SEA Airport; and Gateway Park North Youth Cleanups at the Port shoreline-property and the only public access point to the river in the Georgetown community.

**Contract 2: Duwamish River Green Jobs Program.** The Duwamish River Stewardship and Inclusive Green Economy Project was a one-year pilot to support the Port’s Century Agenda environment and sustainability commitments to restore, create, and enhance an additional 40 acres of habitat in the Green/Duwamish Watershed and Elliott Bay, partner with near-Port communities, and provide economic opportunities for all. The pilot project, which launched on Earth Day 2019, resulted in over 90 youth and a dozen Duwamish Valley adult community members receiving hands-on training and mentorship on habitat stewardship skills and riparian shoreline restoration techniques. The pilot project was an anti-displacement and environmental stewardship innovation that sought to enable those that live nearest to the Duwamish River to gain the expertise needed to participate in a viable career pathway while restoring an ecologically critical area of the watershed.

In 2020, the Port contracted with DIRT Corps, a Georgetown-based WMBE, to lead the formation of the Port’s Duwamish River Green Jobs Program. DIRT Corps contracted with Duwamish Valley community-based organizations as well as a racial equity trainer to implement a complex scope of work including the development of a “coalition” mindset for the contractors, that focused on racial equity work. Coalition members include DIRT Corps, Duwamish Valley Youth Corps, ECOSS, Duwamish Tribal Services, and SM Watts Consulting LLC. After the first year of trainings that focused on exposure to port-related green jobs, the second year zoomed in on three specific career areas for curricula development: water-based environmental education, land-based shoreline restoration, and green stormwater infrastructure. These were careers within port-related sectors that were identified to be accessible for English Language Learners, those who experienced the criminal justice system, and Black/Indigenous/Youth of Color. The youth were recruited from the Duwamish Valley and included those with the most barriers to secure and safe employment, reaching the youth who would most benefit from the Port’s investment.

Each year, the Duwamish River Green Jobs Program hosts a summer youth training series and a fall adult training series. Activities organized by the program include career awareness through panel presentations and worksite tours, career exploration through networking and industry-based experiences, career preparation through worksite learning, and hands-on career skills training and mentorship. The number of youth and adults placed in internships and (or) jobs include: 2021- 15 youth, 10 adults. 2022- 11 youth, 10 adults. 2023 – 9 youth, 11 adults.

The Green Jobs Program has provided instruction and training at thirteen shoreline sites, including Lake Washington Ship Canal, Elliott Bay, and Duwamish Waterway locations. A total of nine public shoreline access/habitat restoration sites have been improved (ṭuʔəlalx<sup>w</sup> Village Park and Shoreline Habitat, həʔapus Village Park and Shoreline Habitat, sbəqwaʔ Park and Shoreline Habitat, ʔaʔaʔucid Park and Shoreline Habitat, Gateway Park North, Duwamish River People's

Meeting Date: December 12, 2023

Park, Salmon Cove/Turning Basin 3, Jack Block Park, and Centennial Park) and the program has conducted more than fifty events/site activities. Principal focus of many site improvements is establishing native vegetation as fundamental environmental resources, providing important habitat values as well as green/safe open space. More than 1,750 native trees and shrubs and 1,100 native marsh plants have been installed by trainees along with kelp propagation at three waterfront locations. Planting includes clearing areas of invasive vegetation, preparation of planting locations, plant installation, and ensuring plant survival. Site work has included installation of pedestrian shoreline access trails and bank-line steps, installation of protective waterfowl fencing, and removal of obstacles/debris for site safety.

As of 2024, the new procurement will continue and advance the racial equity and environmental justice focus areas of the Duwamish River Green Jobs Program. The three sectors will remain as primary training topics (water-based environmental education, land-based shoreline restoration, and green stormwater infrastructure). Improvements to the next iteration of the contract include more racial equity best practices to be implemented as well as increased focus on follow-up job placement and retention tasks.

***Diversity in Contracting***

The Diversity in Contracting Department has been contacted regarding these procurements and Contract 1 and 2 are under review, but are seeking an aspirational goal of ten percent established for women- and minority-owned business enterprise. The reason for a lower percentage in this metric is because a significant amount of the budget is expected to be distributed to non-profit organizations based in the Duwamish Valley. Non-profit organizations are not considered WMBEs, even if they are BIPOC or WMBE led organizations.

**DETAILS**

The two contracts allow the Port to continue implementation of the Duwamish Valley Community Benefits Commitment, which ensures that the Port’s collaboration with the Community achieves three shared goals:

- Goal 1: Community and Port Capacity Building for Ongoing Collaboration
- Goal 2: Healthy Environment and Communities
- Goal 3: Economic Prosperity in Place

Contract 1 consultant will provide capacity building trainings for community partners and Port staff, technical assistance, and translation services, facilitate community events and meetings, support community leaders and organizational development for the PCAT, and assist community members’ equitable participation in shared decision-making processes with the Port.

Contract 2 enables the Port to continue implementing the Port’s successful Duwamish River Green Jobs Program. This contract’s consultant builds on a multi-year initiative, increases diverse workers’ access to green jobs by providing on-the-job training, and provides intentional outreach

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focused on the recruitment and training of youth, women, people of color, LGBTQAI+, veterans, and other underserved community members.

After the last three years of experience in contracting this procurement using service directives, CPO and the Project Management Team have identified that this contract is better suited to being categorized as a “Project Specific Contract.” This will reduce administrative burden on Port staff and the contractor and allow greater flexibility in how the contractor can spend funds in alignment with Port objectives. This will serve the lifespan of both contracts, expected to be up to five years.

***Scope of Work***

Contract 1 enables Port staff to continue collaborating with key Community stakeholders to achieve mutual benefit. The scope of work consists of four principal tasks:

- (1) Strategic consultation to the Port and the PCAT
- (2) PCAT coordination and community engagement activities
- (3) PCAT leadership and organizational development
- (4) Implementation of Resolution 3767 – Duwamish Valley Community Benefits Commitment

Contract 2 supports Port staff in building the inclusive green economy as it relates to multiple maritime environmental strategies (i.e. land-based habitat restoration, water-based environmental education, and green stormwater infrastructure). The scope of work consists of four principal tasks:

- (1) Project management
- (2) Habitat steward recruitment, training, and career development
- (3) On-site field training for youth and adults
- (4) Problem solving and program innovation

***Schedule***

*Activity*

Commission authorization	2023 Quarter 4
Contract execution	2024 Quarter 3

***Cost Breakdown***

	<b>This Request</b>	<b>Total Project</b>
From yearly expense budgets	\$0	\$1,450,000
Contract 1: Port Community Capacity Building		\$650,000
Contract 2: Duwamish River Green Jobs Program		\$800,000
<b>Total</b>	<b>\$0</b>	<b>\$1,450,000</b>

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**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1** – Port staff conduct all community engagement and job training activities.

The Port’s Community Engagement Team would conduct all trainings, project management, leadership development, PCAT support, habitat stewardship planning, curricula development, hands-on training, green career pathway development, recruitment event planning and execution, and other program activities. Existing staff would only be able to perform a small portion of the necessary work. There would be at least one additional Port position needed to provide the full staffing required.

Cost Implications: \$200,000 - \$300,000 per year. At least one additional full-time staff would be needed to ensure the Port’s adequate implementation of action items stated in Resolution No. 3767. Significant increase in external Category 1 contracts would be necessary to execute activities.

Pros:

- 1) Internal staff capacity building to understand and implement Resolution No. 3767.
- 2) New employees will gain community engagement experience and relations in Duwamish Valley.

Cons:

- (1) In both contracts, the equitable engagement model championed by the DVCEP would not be able to function in the same way, as Port staff need the flexibility of external consultants to serve the PCAT using equity and inclusion best practices. Further, the Community prefers working through a non-Port staff external advisor, it reduces the risk of bias towards the Port and improves trust in the partnership.
- (2) Port staff taking on all roles of the DVCEP on behalf of the Community is unsustainable and undermines equity principles. A core tenant of Resolution 3767 is that the Duwamish Valley partners represent themselves and participate in an equitable way.
- (3) In both contracts, Port staff would not have capacity to ensure high-quality internal and inter-agency alignment with stated goals.
- (4) For Contract 2, the Port does not have existing staff with the level of experience and knowledge for what is needed: a combination of technical ecological knowledge about habitat stewardship and the equitable community engagement strategies that serve as foundation for the DVCEP.
- (5) This alternative is more costly than other alternatives.

This is not the recommended alternative.

**Alternative 2** – Port provides multiple Category 1 contracts to multiple consultants for limited scopes of work.

Cost Implications: Multiple consultants would take on a limited scope of the work, costing up to \$50,000 every year per consultant. At least one additional part-time staff would be needed to fill the administrative and project management gaps, which may cost between \$50,000 to \$80,000 per year).

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Pros:

- (1) The consultants would take on limited scopes of work which may result in a higher quality of deliverables.
- (2) This alternative creates opportunities to outreach for WMBE, non-profit, and Duwamish Valley contractors.

Cons:

- (1) This alternative requires Port staff to significantly increase administrative oversight and coordination of multiple disparate contractors that seek to achieve common outcomes.
- (2) Contract administration needs would increase. This alternative creates inefficiencies for Port staff to train up and onboard new consultants to take on and close out specific deliverables every year.
- (3) Managing multiple consultants conducting limited scopes of work increases strain on limited community capacity to engage with the Port. This alternative can undermine equity principles.
- (4) Port staff would not have capacity to ensure high-quality internal and inter-agency alignment with stated goals.
- (5) This alternative is more costly than other alternatives.

This is not the recommended alternative.

**Alternative 3** – Scope of work completed through two contracts in coordination with Port staff teams.

Cost Implications: \$1,450,000 for up to five years.

Pros:

- (1) Existing Port staff would be able to focus on the Port’s institutional implementation of Resolution 3767, while the consultants would be able to do complementary work needed to sustain community participation.
- (2) The equitable engagement model championed by the DVCEP would be able to function in the same way, as Port staff need the flexibility of an external consultant to serve the PCAT using equity and inclusion best practices. Further, the community advisory group prefers working through a non-Port staff external advisor, it reduces the risk of bias towards the Port and improves trust in the partnership.
- (3) This alternative creates opportunities to outreach for WMBE, non-profit, and Duwamish Valley prime and sub-contractors.
- (4) Contract administration is more efficient and requires less staff resources compared to other alternatives.

Cons:

- (1) Capacity building would be needed to educate Community partners on IDIQ processes and accounting.
- (2) Requires ongoing coordination between consultant and Port staff so outcomes are met.

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*This is the recommended alternative.*

**FINANCIAL IMPLICATIONS**

<b><i>Cost Estimate/Authorization Summary</i></b>	Capital	Expense	Total
<b>COST ESTIMATE</b>			
Original estimate	\$0	\$1,450,000	\$1,450,000
<b>AUTHORIZATION</b>			
Previous authorizations	0	\$850,000	\$850,000
Current request for authorization	0	\$1,450,000	\$1,450,000
Total authorizations, including this request	0	0	0
Remaining amount to be authorized	\$0	\$2,300,000	\$2,300,000

***Annual Budget Status and Source of Funds***

Funding for this contract will be sourced from multiple departments. Contract 1 is sourced from the External Relations Duwamish Valley Community Equity Program. Contract 2 is sourced from a combined External Relations Duwamish Valley Community Equity Program, Office of Equity Workforce Development Department, and Maritime Environment and Sustainability. Consequently, there is no funding request associated with this authorization.

**ATTACHMENTS TO THIS REQUEST**

None

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

- October 25, 2022 – Commission briefing on the DVCEP and Duwamish River Green Jobs Program at The Museum of Flight
- January 26, 2021 – Commission authorization to lease the Duwamish River Community Hub
- October 27, 2020 – Commission adoption of New Names for Duwamish River Parks and Shoreline Habitat
- December 10, 2019 – Category 3 Duwamish Valley contract authorization and Commission adoption of Resolution 3767 the Duwamish Valley Community Benefits Commitment Policy Directive
- November 19, 2019 – Commission introduction of Resolution 3767, Duwamish Valley Community Benefits Commitment Policy Directive
- October 29, 2019 – Energy and Sustainability Committee approves Introduction of the Policy Directive to the full Commission
- May 28, 2019 – Commission establishment of Motion 2017-07, Duwamish Valley Community Equity Program

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April 10, 2018 – Commission authorization for funding to continue EPA Pilot Project activities with Community

**RETURN TO AGENDA**





**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8h

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** November 3, 2023  
**TO:** Stephen P. Metruck, Executive Director  
**FROM:** Nick Milos, Manager, Corporate Facilities  
Rod Jackson, Capital Project Manager

**SUBJECT: P69 Underdock Utilities Replacement: Roll-Up Door, Change Orders, Time Extension, and Additional Funding Request (C801102)**

**Amount of this request:** \$2,226,000  
**Previously authorized:** \$4,475,000  
**Total estimated project cost:** \$6,701,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to: (1) Execute change orders to contract MC-0320697 which will reduce the contractor’s scope of work and avoid equipment delays, additional contract suspension charges, and other impacts due to unforeseen regulatory compliance requirements. (2) Approve a change of scope to design, acquire permits, and construct a new fire-rated roll-up door to meet regulatory requirements related to the installation of electrical equipment required for future expansion of vessel shore-power. (3) Approve the use of Port Construction Services (PCS) and/or Marine Maintenance labor to install the new electrical equipment, the fire rated roll-up door and related structural components, fire rated gypsum wall board, and infill a concrete floor depression. (4) Increase project authorization in the amount of \$2,226,000 for a total authorization of \$6,701,000.

**SUMMARY**

The current contract scope of work includes installation of a larger electrical panel that will provide future expansion of shore power electrical service. During an inspection, the SDCl electrical inspector determined the new electrical panel would not meet code requirements due to proximity to the existing metal roll-up door which is not fire rated. The action requested will allow us to meet code compliance.

The additional funds requested will be used to cover the cost of change orders, design, construction, utilization of PCS and/or Marine Maintenance labor, soft costs associated with the extended contract duration, and will provide additional funds for project contingency. This work

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supports the Port’s asset preservation efforts and directly contributes to the Century Agenda objective to advance maritime industries through capable management of Port facilities.

**BACKGROUND**

The underdock utilities and associated on-dock utilities such as domestic water, fire protection water, electrical power/shore power, communications, and sanitary sewer systems at Pier 69 are vital to building and dock operations for both the Port and our tenants. Most of these utilities are 30 years old, well exceeding the typical 20-year design service life. This project replaces the aging utilities. The replacement systems are designed to provide reliable services for the next 30 years.

Replacement of the domestic water, fire protection water, communications, and sanitary sewer systems have been completed. This funding request will allow construction to continue to replace the electrical shore power. The target date for completion is now Q2/2024 with closeout scheduled for Q1/2025.

**ATTACHMENTS**

None.

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

March 28, 2023 – Change Order Time extension and Additional funding

March 8, 2022 – Irregular Bid authorization

November 16, 2021 – Construction funding authorization

December 8, 2020 – Design funding authorization

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8i

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE :** November 15, 2023

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

**FROM:** Sandra Kilroy, Sr. Director, Environment and Sustainability  
Sarah Ogier, Director, Maritime Environment & Sustainability  
Kathy Bahnick, Sr. Manager, Environmental Programs

**SUBJECT:** Lower Duwamish Administrative Order on Consent Amendment

**Amount of this request:** \$0

**Total estimated project cost:** \$0

**ACTION REQUESTED**

Request Commission authorization for the Executive Director or General Counsel to execute a Sixth Amendment to the Administrative Order on Consent (AOC) with the U.S. Environmental Protection Agency, King County (County), City of Seattle (City), and The Boeing Company (Boeing) for the Lower Duwamish Waterway (LDW) Superfund Site.

**EXECUTIVE SUMMARY**

Since 2001, the Port, City, County, and Boeing (referred to as the Lower Duwamish Waterway Group, or LDWG) have been working under an agreement with the U.S. Environmental Protection Agency (EPA) to perform cleanup *investigation* activities for the LDW. A consent decree for the next phase of cleanup *implementation* is expected in 2024. Once the consent decree is in place, the AOC will not be needed. This amendment clarifies that the obligations of the amended Remedial Investigation/Feasibility Study AOC will be incorporated into the consent decree and the AOC will terminate on the effective date of the consent decree.

**JUSTIFICATION**

The Duwamish is Seattle’s only river. It provides important community assets, recreational fishing, and tribal cultural heritage resources, and is a critical estuarine environment for salmon and wildlife. The Duwamish has also played a crucial role in developing our region’s economy for over a hundred years: today local maritime and industrial businesses employ over 100,000 people and support more than 25 percent of the manufacturing in King County.

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The Environmental Protection Agency (EPA) listed the Lower Duwamish Waterway as a Superfund site in 2001 as a result of contamination stemming from nearly a century of industrial activities (including ship and plane manufacturing) and toxic discharges to the river. Primary contaminants of concern are polychlorinated biphenyls (PCBs), carcinogenic polycyclic aromatic hydrocarbons (cPAHs), arsenic, and dioxin/furans. In 2014, the EPA developed a detailed and comprehensive cleanup plan, called a Record of Decision (ROD). Early Action area cleanups which included the Ports Terminal 117, reduced the surface concentrations of PCBs in the river by 50%. The work to be performed for the rest of the river is expected to reduce contamination levels by at least 90 percent.

In 2001, the Port initiated a groundbreaking partnership with King County, the City of Seattle, and The Boeing Company to investigate and address contamination at the Site in coordination with EPA. For over twenty years, the Port has provided extensive staffing and financial resources toward the cleanup actions in the interest of ensuring that this work advanced. While none of the Lower Duwamish Waterway's most contaminated areas is attributable to the Port or its tenants, the Port has made significant investments to improve conditions in the Duwamish River and the surrounding community.

Under the Superfund program alone, the Port of Seattle has spent more than \$80 million to date on Lower Duwamish Superfund projects, including soil and in-water sediments cleanup at Duwamish River People's Park (formerly known as Terminal 117) and subsequent habitat restoration; Lower Duwamish Waterway investigation and design; and cleanup and source control activities at adjacent upland facilities including Terminal 108, Terminal 115, and South Park Marina.

EPA is preparing a consent decree for the completion of the remedial design and for implementation of the LDW cleanup, which is expected to be effective in 2024. Remedial design work is currently being performed under the existing AOC. Because the obligations of the AOC will be incorporated into the consent decree, this amendment clarifies that the AOC will terminate on the effective date of the consent decree. This amendment allows for work on the Site to continue uninterrupted when EPA's administrative oversight process shifts from the AOC to the consent decree. The amendment has been agreed to in principle by EPA and the LDWG parties and, as with prior amendments, is expected to be signed by all five entities. By entering into a consent decree for the site, EPA is moving this site closer to cleanup.

***Diversity in Contracting***

N/A

**DETAILS*****Scope of Work***

No new scope of work is included in this amendment. The Port's obligations under the existing AOC will continue until the effective date of the consent decree. Once the consent decree is

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effective, the AOC will terminate. Any remaining scope of work that was under the existing AOC will continue under the consent decree.

***Schedule***

The exact date of the consent decree’s publication is unknown, but it is expected in 2024. Adoption of this amendment will allow for a seamless transition between administrative mechanisms.

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1 - Do not authorize entering into AOC Amendment.**

Cost Implications: \$0.

Pros:

1. None

Cons:

1. Could delay the consent decree, which would delay implementation of the cleanup.
2. Could result in confusion about which agreement (AOC or consent decree) governs which phase of work.

This is not the recommended alternative.

**Alternative 2 – Authorize entering into AOC Amendment.**

Cost Implications: \$0.

Pros:

1. Allows the consent decree to move forward and to begin implementation of the cleanup.

Cons:

1. None.

***This is the recommended alternative.***

**ATTACHMENTS TO THIS REQUEST**

- (1) Sixth Amendment to the Administrative Order on Consent

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

- June 8, 2021 – The Commission authorized the Executive Director to: (1) execute a Fifth Amendment to the Administrative Order on Consent with the U.S. Environmental Protection Agency for the Lower Duwamish Waterway (LDW) Superfund Site; and (2) execute a Seventh Amendment to the Lower Duwamish Waterway Group Memorandum of Agreement to contract for and perform cleanup design of the middle third of the LDW.

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- June 12, 2018 - The Commission authorized the Executive Director to execute the Fourth Amendment of the Lower Duwamish Waterway Administrative Order on Consent, Sixth Amendment of the Lower Duwamish Waterway Group Memorandum of Agreement.
- April 12, 2016 - The Commission authorized the Executive Director to execute the Third Amendment of the Lower Duwamish Waterway Administrative Order on Consent, Fourth Amendment of the Lower Duwamish Waterway Group Memorandum of Agreement.
- July 1, 2014 – The Commission authorized the Executive Director to execute the Second Amendment of the Lower Duwamish Waterway Administrative Order on Consent, Second Amendment of the Lower Duwamish Waterway Group Memorandum of Agreement.
- February 26, 2013 – The Commission authorized the Executive Director to execute the First Amendment to the Lower Duwamish Waterway Group Administrative Order on Consent.
- January 22, 2013 – The Commission authorized the Executive Director to execute the First Amendment to the Lower Duwamish Waterway Group Memorandum of Agreement.
- October 12, 2010 – Briefing on the Lower Duwamish Waterway Feasibility Study.
- May 5, 2009 – Briefing on the Lower Duwamish Waterway Feasibility Study.
- November 4, 2008 – Briefing on the Lower Duwamish Waterway Remedial Investigation and Feasibility Study.
- November 6, 2007 – Briefing on Lower Duwamish Sediment Superfund Site.

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

_____ )	
IN THE MATTER OF: )	U.S. EPA Region 10
)	CERCLA Docket No. 10-2001-0055
Lower Duwamish Waterway )	
Seattle, WA )	
)	
Port of Seattle, City of Seattle, )	
King County, The Boeing Company )	
)	
Respondents )	
)	
Proceeding Under Sections 104, 122(a) )	SIXTH AMENDMENT
and 122(d)(3) of the Comprehensive )	
Environmental Response, Compensation, )	
and Liability Act, 42 U.S.C. §§ 9604, )	
9622(a) and 122(d)(3) )	
_____ )	

**Introduction**

In December 2000, the City of Seattle, King County, the Port of Seattle, and the Boeing Company (“Respondents”) entered into an *Administrative Order on Consent for Remedial Investigation/Feasibility Study*, U.S. EPA, Region 10 Docket No. CERCLA 10-2001-0055, Ecology Docket No 00TCPNR-1895 (12/20/2000) (the “RI/FS AOC”) with the United States Environmental Protection Agency (“EPA”) and the Washington State Department of Ecology (“Ecology”). Respondents performed a remedial investigation and feasibility study for the Lower Duwamish Waterway Superfund Site (“Site” or “LDW”) under the oversight of EPA and Ecology pursuant to the RI/FS AOC. The RI/FS AOC has been amended five times to provide for the performance of additional studies related to the Site. The First Amendment, effective March 19, 2013, provided for the performance of the Fisher Study for the LDW. The Second Amendment, effective July 17, 2014, provided for the performance of the Enhanced Natural Recovery (ENR)/Activated Carbon (AC) pilot study. The Third Amendment, effective April 27, 2016, provided for the performance of pre-remedial design studies. The Fourth Amendment, effective July 9, 2018, provides for remedial design (RD) of the LDW Upper Reach. The Fifth Amendment, effective July 8, 2021, provides for RD of the LDW Middle Reach. The Respondents continue to perform these studies pursuant to the terms of the amended RI/FS AOC.

The EPA issued a Record of Decision for the Site on November 21, 2014 (the “Lower Duwamish Waterway ROD”). The Lower Duwamish Waterway ROD selected remedial actions for the in-waterway portion of the Site.

Source control is an integral part of the strategy for addressing contamination throughout the Site. An objective of the source control endeavor is to find and sufficiently control sources upland of the waterway before commencing in-waterway remediation. Ecology is the lead agency for implementing source control actions and uses its existing regulatory authorities to control sources. For purposes of assessing adequacy of source control in the immediate source area to the LDW, Ecology has divided the LDW into three reaches: upper, middle, and lower. Consistent with Sections 4.2 and 13.2.7 of the LDW ROD, EPA intends to commence remedial action for the LDW Site or a segment thereof after a source control determination for the LDW Site or segment thereof is made.

The objective of this Sixth Amendment is to terminate the amended RI/FS AOC.

### **Sixth Amendment**

EPA, Ecology, and Respondents agree to amend and terminate the amended RI/FS AOC as follows:

1. With the exception of XVII (Record Preservation), Section XVIII (Dispute Resolution), Section XXII (Payment of EPA Oversight Costs) and Section XXIV (Other Claims) of the amended RI/FS AOC, the amended RI/FS AOC shall, despite the terms of Section XXVII (Termination and Satisfaction) of the amended RI/FS AOC, terminate on the date a consent decree that provides for implementation of remaining remedial design and remedial action for the LDW Site (RD/RA Consent Decree) is entered by the United States District Court for the Western District of Washington (hereafter the Effective Date). Under Section XXI.4 of the amended RI/FS AOC, the requirements of the amended RI/FS AOC will have been satisfied with respect to work performed up to the Effective Date and all remaining amended RI/FS AOC obligations to perform work will be subsumed into the RD/RA Consent Decree.
2. Section XVIII (Dispute Resolution), Section XXII (Payment of EPA Oversight Costs), and Section XXIV (Other Claims) of the amended RI/FS AOC shall terminate on the date Respondents pay EPA for all oversight costs that are incurred by EPA pursuant to the amended RI/FS AOC from October 1, 2022 up to the Effective Date. Payment of the oversight costs EPA incurs during this period shall be made pursuant to the terms of Section XXII (Payment of EPA Oversight Costs).
3. Section XXI (Reservation of Rights and Reimbursement of Costs) and Section XXIV (Other Claims) shall remain in effect after the Effective Date only for Respondents that do not sign the RD/RA Consent Decree.



4. The amounts paid by Respondents to the EPA Hazardous Superfund pursuant to this Sixth Amendment and the requirements of Section XXII (Payment of EPA Oversight Costs) of the amended RI/FS AOC shall be deposited by EPA into the Lower Duwamish Waterway Superfund Site Special Account pursuant to Section XXI (Reservations of Rights and Reimbursement of Costs) of the amended RI/FS AOC to be retained and used by EPA to conduct or finance response actions at or in connection with the Site. In addition, EPA has several other site-specific accounts related to the Site within the EPA Hazardous Superfund. Funds held in such site-specific accounts may be transferred to the Lower Duwamish Waterway Superfund Site Special Account if EPA determines that the funds are no longer needed to finance or otherwise support the implementation of response actions for which such site-specific account was created. After completion of response actions at or in connection with the Site, any funds remaining in the Lower Duwamish Waterway Site Specific Account may be transferred by EPA to the EPA Hazardous Substance Superfund.

It is so ORDERED AND AGREED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

By: \_\_\_\_\_  
Kira Lynch  
Chief, Remedial Cleanup Branch Unit Manager,  
Superfund and Emergency Management Division  
Region 10  
United States Environmental Protection Agency

DATE: \_\_\_\_\_

By: \_\_\_\_\_  
Kim Wooten, Manager  
Northwest Regional Office.  
Program Manager  
Toxics Cleanup Program  
Washington Department of Ecology

DATE: \_\_\_\_\_

Agreed this \_\_\_ day of \_\_\_\_\_, 2023  
For Respondent Port of Seattle

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agreed this \_\_\_\_ day of \_\_\_\_\_, 2023  
For Respondent City of Seattle

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agreed this \_\_\_ day of \_\_\_\_\_, 2023  
For Respondent King County

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agreed this \_\_\_ day of \_\_\_\_\_, 2023  
For Respondent The Boeing Company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**RETURN TO AGENDA**



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8j

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** December 12, 2023

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

**FROM:** Tommy Gregory, Senior Public Art Program Manager  
Annabelle Goavec, Public Art Program Coordinator

**SUBJECT: Public Art Program CIP Funding 2024 C102066**

**Amount of this request:** \$5,850,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to approve funding and procurement for design, acquisition, fabrication, and installation of Public Art at Seattle-Tacoma International Airport for the 2024 portion of the 2022-2026 Public Art for Airport Projects CIP in the amount of \$5,850,000 from the total art pool budget of \$27,523,820.

**EXECUTIVE SUMMARY**

This request is to approve funding and procurement for design, acquisition, fabrication, and installation of Public Art at Seattle-Tacoma International Airport in 2024 for a total authorization of \$5,850,000.

**JUSTIFICATION**

This project supports the following Century Agenda and Aviation Division strategic goals:

- Responsibly Invest in the Economic Growth of the Region and all its communities.
- Advance this region as a leading tourism destination and business gateway.
- Be a Highly Effective Public Agency.

Art plays a significant role in the customer experience Portwide. The addition of modern and diverse pieces into the collection brings opportunities to celebrate the cultural, historic, and environmental elements of the Pacific Northwest and across the globe while creating new experiences for travelers, customers, and the community.

Meeting Date: December 12, 2023

***Diversity in Contracting***

- Temporary exhibition celebrating Black History month.
- Acquisition of sculptures by two BIPOC Seattle based, nationally recognized artists: Barbara Earl Thomas and Marita Dingus.
- Acquire 22 artworks by 12 local and national artists in front of the D2 Restroom.
- Diversify selection panelists by always including a member of the community and/ or a local artist.
- DEI Contractors for nearly all our conservation projects.
- Worked with local small businesses to frame multiple artworks: Allison & Ross (WMBE).

We are currently creating criteria to expand Port wide opportunities in our regional cultural sectors.

**DETAILS**

- Regularly scheduled briefings will be made to the Port-Wide Arts and Culture Board. Selections will be in line with the Art Program’s strategic vision to “Expand the SEA art collection to be more inclusive, diverse and community driven.”
- This request is part of the “Public Art Program – 5 Year CIP Plan” that was briefed to the Commission in June 2022.

***Scope of Work***

Complete or advance the following Public Art works:

- A Concourse Lounges – Acquisitions, \$350,000
- Concourse C Expansion – Fabrication, \$2,000,000
- North Main Terminal – Design and Fabrication, \$3,000,000
- Widen Arrivals Roadway – Fabrication, \$500,000

***Schedule***

Each capital project has its own schedule. The Public Art Team will work closely with Project Managers to ensure design, acquisition, fabrication and installation of art is in line with project schedules.

Meeting Date: December 12, 2023

**FINANCIAL IMPLICATIONS**

<i>Cost Estimate/Authorization Summary</i>	Capital	Expense	Total
<b>COST ESTIMATE</b>			
Original Budget	\$27,144,820	\$0	\$27,144,820
Increase Budget	\$379,000		\$379,000
Revised Budget	\$27,523,820	\$0	\$27,523,820
<b>AUTHORIZATION</b>			
Previous authorizations	\$10,278,820	0	\$10,278,820
Current request for authorization	\$5,850,000	0	\$5,850,000
Total authorizations, including this request	\$16,128,820	0	\$16,128,820
Remaining Balance in Art Pool	\$11,395,000	\$0	\$11,395,000

***Annual Budget Status and Source of Funds***

This project, CIP C102066, was included in the 2023-2027 capital budget and plan of finance with a balance of \$27,523,820. The funding sources would be the Airport Development Fund (ADF) and revenue bonds.

The art pool funding is outlined in the Port of Seattle Art Program Policy and Guidelines.

Funding for the POS art program is initiated from capital projects approved by the Port Commission. The current airport art capital project budget is established based on a one percent (1%) of a 5-year total capital program spending in 2022-2026.

The current authorization requested for 2024 is \$5,850,000 of the total current Art Pool balance of \$27,523,820.

***Financial Analysis and Summary***

Project cost for analysis	\$27,523,820
Business Unit (BU)	Multiple cost centers
Effect on business performance (NOI after depreciation)	NOI after depreciation will increase due to inclusion of capital (and operating) costs in airline rate base.
IRR/NPV (if relevant)	N/A
CPE Impact	\$0.07 in 2027



Meeting Date: December 12, 2023

***Future Revenues and Expenses (Total cost of ownership)***

On-going maintenance for the art collection is budgeted in the Art Department’s annual operating budget.

**ATTACHMENTS TO THIS REQUEST**

- Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

November 19, 2019 – The Commission passed Resolution No. 3766, Port Wide Arts and Culture

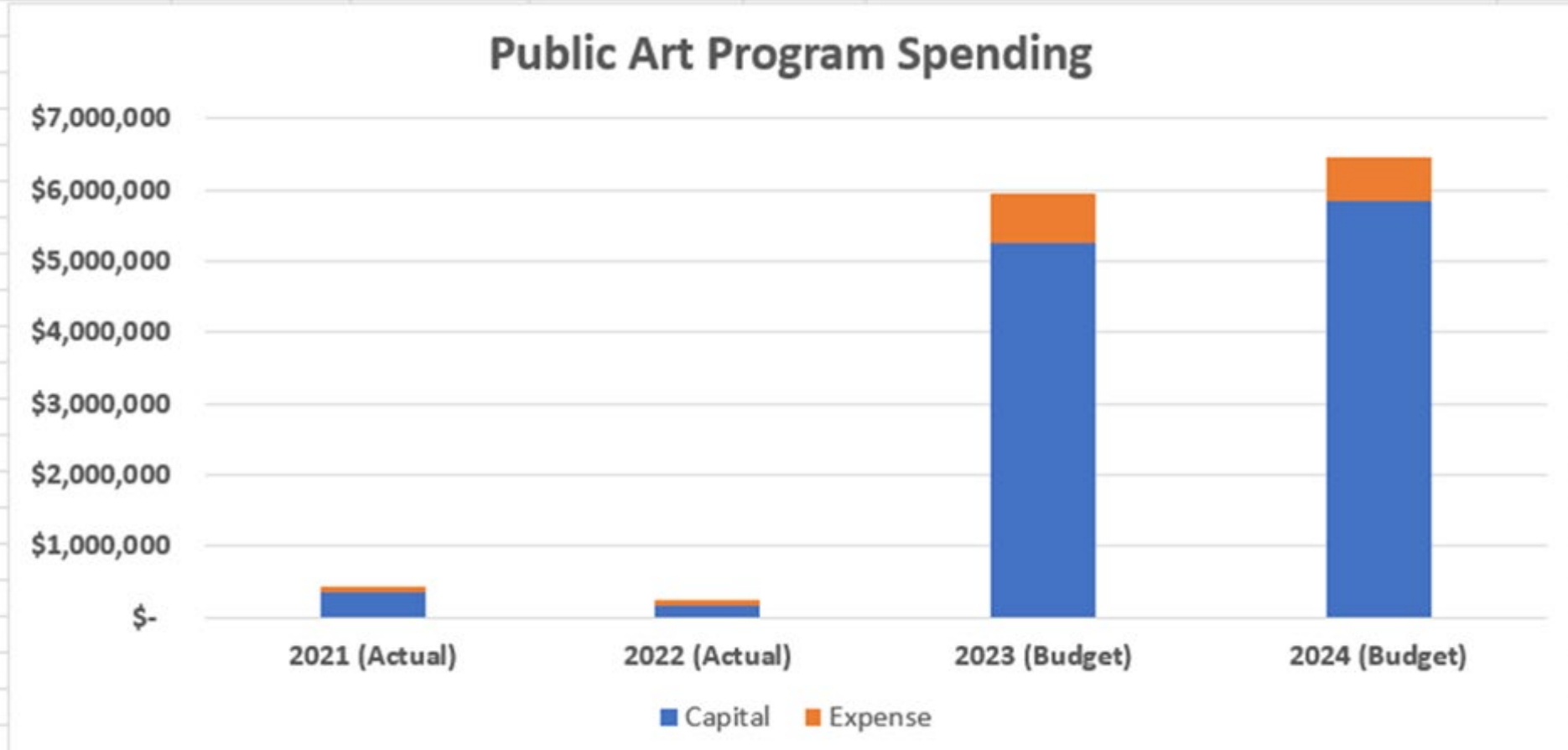
# Public Art Program CIP Funding 2024

# Action Requested

Approve funding and procurement for designs, acquisitions, fabrications and installations of Public Art at SEA for the 2024 portion of the 2022-2026 Art Pool CIP.

Request in the amount of  
\$5,850,000 of total 5-year program budget of \$27.5M.

	2021 (Actual)	2022 (Actual)	2023 (Budget)	2024 (Budget)	Comments
Capital	\$ 362,238	\$ 163,099	\$ 5,251,000	\$ 5,850,000	2023 art pool spending forecast is less than budget
Expense	\$ 71,103	\$ 84,560	\$ 695,000	\$ 620,000	
	\$ 433,341	\$ 247,659	\$ 5,946,000	\$ 6,470,000	



# Funds Will Be Used to Complete or Advance:

- **A Concourse Lounges** – Acquisitions, \$350,000
- **Concourse C Expansion** – Fabrication, \$2,000,000
- **North Main Terminal** – Design and Fabrication, \$3,000,000
- **Widen Arrivals Roadway** – Fabrication, \$500,000





**QUESTIONS?**

[RETURN TO AGENDA](#)



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8k

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE:** December 5, 2023

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

**FROM:** Arthur Kim, Capital Project Manager III, Waterfront Project Management  
Stephanie Jones Stebbins, Managing Director, Maritime

**SUBJECT: T5 Dredging Additional Funding**

**Amount of this request:** \$2,400,000

**Total estimated project cost:** \$3,500,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to increase the total costs not to exceed from \$1,100,000 to \$3,500,000 for executing a change order for upland disposal of a portion of the T5 Dredging Project under Port of Seattle management, Master Identification No. U00680.

**EXECUTIVE SUMMARY**

Project budget authorization increase is requested to issue a change order to Orion Construction to dispose of approximately 5,700 cubic yards (CY) of sediment at an authorized uplands disposal facility as it is not suitable for in-water disposal.

**JUSTIFICATION**

This project went from a single phase of construction to two due to unforeseen circumstances. The original project scope (Phase I) was to dispose of all dredged material identified during sediment characterization as unsuitable for open water disposal. During dredging of material that had been characterized as suitable for open water disposal, a sheen was discovered that resulted in approximately 3,200 CY of material disposed of at an approved upland disposal facility.

Upon completion of Phase I dredging, it was discovered that areas of the berth were under-dredged. All the approximate 2,500 CY of under-dredged material has been deemed unsuitable for in-water disposal by the regulatory agencies. Due to this, the dredged sediment will need to be disposed of at an approved upland facility. The under-dredge work will be completed by December 31, 2023, and are considered a part of Phase II of the T5 Dredging Project.

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Additional funding is being requested to complete the T5 Berth Dredging. This request is to finalize Phases I & II.

***Diversity in Contracting***

The contractor will self-execute the work. On a 3% Women & Minority Business Enterprise (WMBE) goal, WMBE firms are currently approximately 10% of the current paid work. The Diversity in Contracting Department does not anticipate this change order to impact Orion’s WMBE commitments.

**DETAILS**

This project is associated to the T5 Berth Modernization Project (U00100). Because legacy contaminated soil is considered a Homeport responsibility per section 3.2(a) of the NWSA Charter, U00680 was created for upland disposal separate from the Northwest Seaport Alliance T5 Modernization Project. This project will be booked as operating expense to Port of Seattle Joint Venture as it is separate from the NWSA T5 Modernization Capital Project.

***Scope of Work***

Change orders will be processed to Orion Marine Contractors, Inc. on the major construction contract to perform the following:

- Take approximately 2,500 CY (Phases II) of contaminated sediment that is not suitable for in-water disposal and dispose of it upland at an approved facility.
- Cover the overages of approximately 3,200 CY from unforeseen conditions as part of Phase I work.

***Schedule***

Commission construction authorization	November 2021
Construction start	December 2022
In-use date	January 2024

***Cost Breakdown***

	This Request	Total Project
Design	\$0	\$50,000
Construction	\$2,400,000	\$3,450,000
<b>Total</b>	<b>\$2,400,000</b>	<b>\$3,500,000</b>

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1 – Do nothing.**

Cost Implications: No additional funds committed.

Pros:

- (1) Reduced cost to the Port.



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Cons:

- (1) T5 Berth Deepening will not be completed and the lease obligations to the Tenant cannot be fulfilled.
- (2) Potential legal impacts for not completing the scope of the Terminal 5 Berth Deepening.
- (3) Potential repercussions from outside public agencies.

This is not the recommended alternative.

**Alternative 2** – Continue with Phase II contaminated sediments portion of the Terminal 5 Berth Deepening and cover upland disposal overages from Phase I.

Cost Implications: Additional funding of \$2,400,000 to the project.

Pros:

- (1) Complete the project according to the full committed scope of the T5 Berth Deepening.
- (2) Meets required regulatory standards.
- (3) Protects the environment from potential contamination.

Cons:

- (1) Additional funding of \$2,400,000 is required.

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

<i>Cost Estimate/Authorization Summary</i>	Capital	Expense	Total
<b>COST ESTIMATE</b>			
Original estimate	\$0	\$700,000	\$700,000
Previous changes – net	0	\$400,000	\$400,000
Current change	0	\$2,400,000	\$2,400,000
Revised estimate	0	\$3,500,000	\$3,500,000
<b>AUTHORIZATION</b>			
Previous authorizations	0	\$1,100,000	\$1,100,000
Current request for authorization	0	\$2,400,000	\$2,400,000
Total authorizations, including this request	0	\$3,500,000	\$3,500,000
Remaining amount to be authorized	\$0	\$0	\$0

***Annual Budget Status and Source of Funds***

The Port of Seattle’s Environmental Remediation Liability (ERL) has allocated \$3,500,000 for this project. Funding will come from the Environmental Legacy Fund.

***Financial Analysis and Summary***

Project cost for analysis	\$2,400,000
---------------------------	-------------

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Business Unit (BU)	Joint Venture
Effect on business performance (NOI after depreciation)	N/A
IRR/NPV (if relevant)	N/A
CPE Impact	N/A

**ATTACHMENTS TO THIS REQUEST**

- (1) Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

January 4, 2023 – The Managing Members (POS only vote) authorized an additional \$400,000 for change order execution.

November 2, 2021 – The Managing Members (POS only vote) authorized \$700,000 for change order execution.

Item No.: 8k\_supp

Date of Meeting: December 12, 2023

# T5 Dredging Additional Funding

# T5 Dredging Additional Funding

- Request Commission authorization for the Executive Director to increase the total costs not to exceed from \$1,100,000 to \$3,500,000 for executing a change order for upland disposal of a portion of the T5 Dredging Project under Port of Seattle management, Master Identification No. U00680.

# Project Location



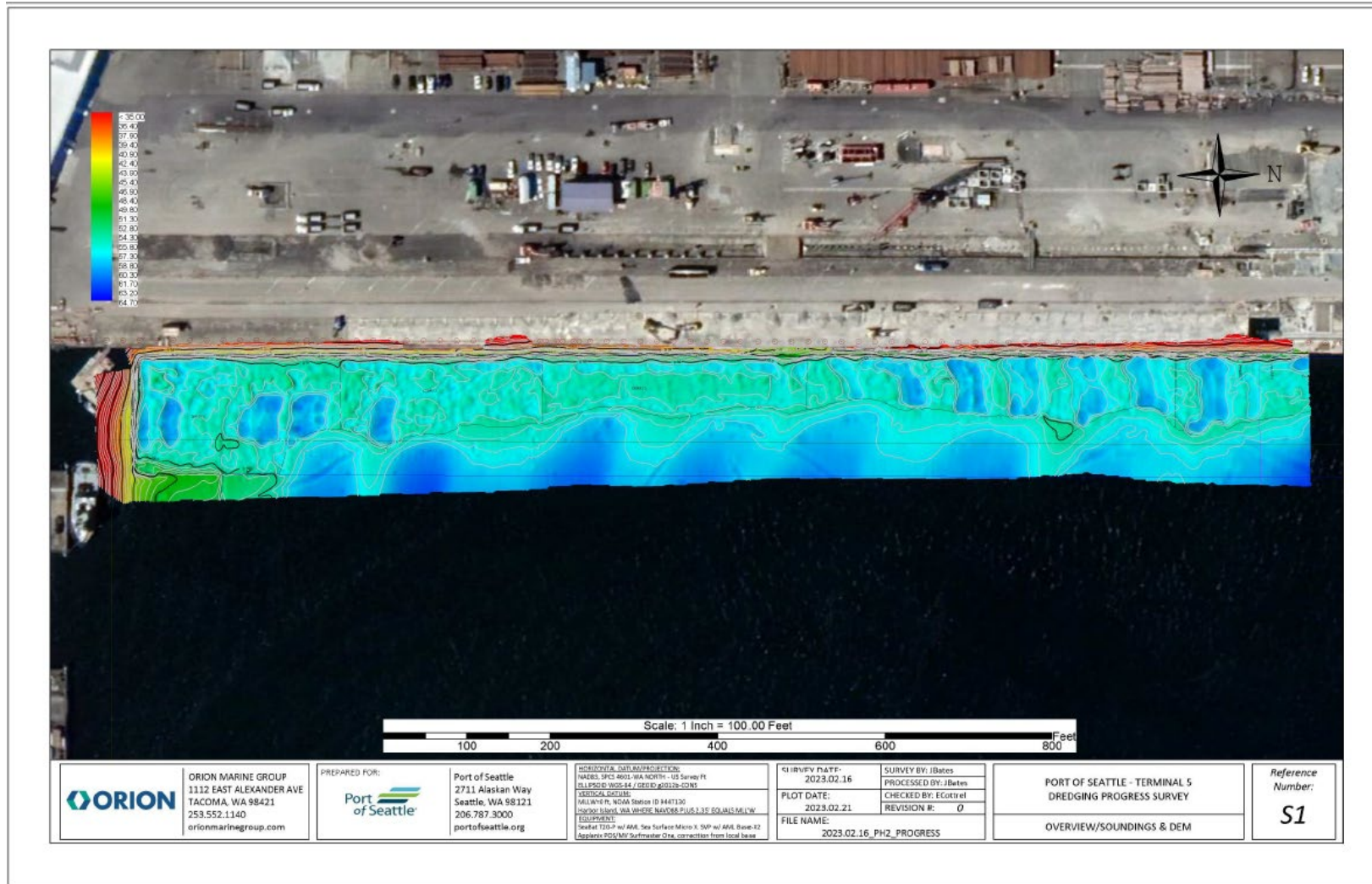
# Background

- This project is associated to the T5 Berth Modernization Project (U00100). Because legacy contaminated soil is considered a Homeport responsibility per section 3.2(a) of the NWSA Charter, U00680 was created for upland disposal separate from the Northwest Seaport Alliance T5 Modernization Project. This project will be booked as operating expense to Port of Seattle Joint Venture as it is separate from the NWSA T5 Modernization Capital Project.

# Background cont.

- Unexpected sheen was discovered resulting in an additional 3,200 CY of dredged material for upland disposal.
- Another 2,500 CY of dredging required due to under-dredging and will be required to go to an upland disposal facility.

# Areas of Under-Dredge





# Schedule

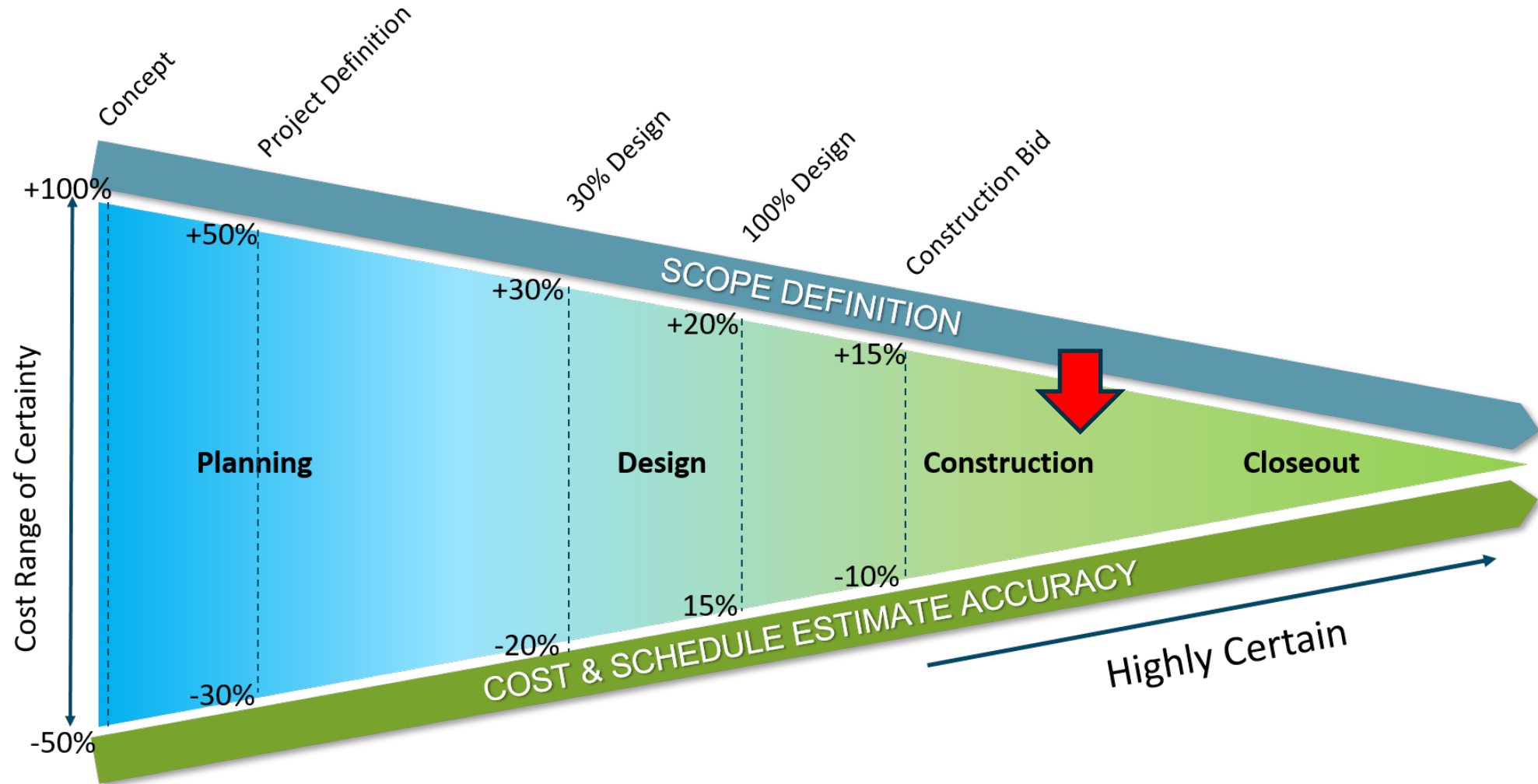
<b>Commission Construction Authorization</b>	November 2021
<b>ERL Construction Start</b>	December 2022
<b>Commission Authorization Additional Funds</b>	December 2023
<b>Phase III Dredging Start</b>	December 2023
<b>Substantial Completion</b>	December 2023

# Authorization Summary

## AUTHORIZATION

Previous authorizations	0	\$1,100,000	\$1,100,000
Current request for authorization	0	\$2,400,000	\$2,400,000
Total authorizations, including this request	0	\$3,500,000	\$3,500,000
Remaining amount to be authorized	\$0	\$0	\$0

# Cone of Certainty



# Authorization Request/Next Steps

Total amount of this request: \$2,400,000

## Next Steps:

- Complete Phase II Dredging
- Complete by December 31, 2023

[RETURN TO AGENDA](#)



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 10a

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE :** October 5, 2023

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

**FROM:** Jeffrey Wolf, Director, Aviation Commercial Management  
Geoffrey Foster, Sr. Manager, Aviation Commercial Management  
Jason Berg, Property Manager, Aviation Commercial Management

**SUBJECT: Curbside Management Contract Procurement**

**Amount of this request:** \$14,000,000

**ACTION REQUESTED**

Request Commission authorization for the Executive Director, or designee, to contract for services associated with curbside management of the On-Demand Taxi/Flat-Rate For-Hire (On-Demand or Taxi) program at the Seattle-Tacoma International Airport (SEA or airport) for a total cost of up to \$14,000,000 for a term of up to five years.

**EXECUTIVE SUMMARY**

The current Curbside Management Services contract associated with managing the curbside and holding lot for the On-Demand services at SEA is set to expire on October 31, 2024. Upon approval, Staff will begin a procurement for continued curbside management services directed by the Port of Seattle’s (Port) Central Procurement Office (CPO). Staff anticipates selecting a curbside management provider and completing contract negotiations for a November 1, 2024 start date.

**JUSTIFICATION**

On February 14, 2023, Commission passed Order 2023-03 which established a more permanent On-Demand program at SEA. Within that same order, Commission directed Staff to continue to contract with and pay for curbside management services designed to continue management of the On-Demand program.

***Diversity in Contracting***

There will be a 3% WMBE aspirational goal associated with this contract based on an evaluation by Diversity in Contracting staff.

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**DETAILS**

The purpose of this procurement is to continue the curbside management function of the On-Demand services at the airport’s designated operating area(s) within the parking structure and holding lot.

***Contract Components***

This contract is primarily comprised of labor-related activities associated with the safe and orderly operation of the On-Demand Taxi curbside at SEA and includes:

- Manage passenger loading into taxi vehicles.
- Dispatching of taxi vehicles, to include charging of the per-trip fee, based on supply and demand to the active pick-up area.
- Management of a taxi vehicle holding lot and operational queueing in operating areas.
- Ensuring the safe and orderly operation of the taxi curbside.

Updates to the Scope of Work for this procurement will also incorporate the following:

- Additional focus on customer service, relationship management and conflict resolution training standards.
- Improved reporting of customer service and conflict resolution training requirements.
- Collaboration with Port on outreach, education, and consultation with taxi driver community.
- Updated standards for maintaining the 160<sup>th</sup> Street lot facility, which includes cleaning and providing adequate supplies for restrooms and breakroom.

The updates to the contract’s scope were developed over the pilot program through on-going feedback and conversations on the On-Demand program with the Voluntary Organization (VO) and the taxi driver community.

***Schedule***

*Activity*

Commission authorization	2023 Quarter 4
Procurement RFP released	2024 Quarter 1
Procurement complete	2024 Quarter 3
Curbside Management Implementation	2024 Quarter 4

Meeting Date: December 12, 2023

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1** – Allow current Curbside Management Agreement to expire on October 31, 2024.

Cost Implications: Up to \$14,000,000 in savings over a 5-year period.

Pros:

- (1) Contract savings of up to \$14,000,000 over a 5-year period.

Cons:

- (1) Discontinued management of On-Demand Taxi/Flat-Rate For-Hire program at the airport that will degrade the customer experience at SEA.
- (2) Discontinued management of the 160<sup>th</sup> Holding Lot, to include the facility, and vehicle queueing operating areas.
- (3) Increased staffing needs for ensuring safe and orderly curbside.

This is not the recommended alternative.

**Alternative 2** – Transfer Curbside Management function to GT Staff.

Cost Implications: Approximately \$12,000,000 over a 5-year period of pay and benefits for 23 Full-Time Employees (FTEs) to perform the curbside management function and manage the 160<sup>th</sup> Holding Lot facility for a 24/7 operation.

Pros:

- (1) Port would have full operational oversight and management of On-Demand Taxi program without the need to enforce or amend a contract.
- (2) Implementation of changes to the operation due to changing needs/requirements would be quicker/easier without having to amend a contract.

Cons:

- (1) Requires the need to recruit, hire, train and pay 23 FTEs to fulfill this curbside management role at a cost of approximately \$12,000,000 over a 5-year period. This does not include associated costs for continuous training, hiring, equipment, etc., which would vary year-to-year.

This is not the recommended alternative.

**Alternative 3** – Approve authorization to procure Curbside Management services for a term of up to five years at a total cost of up to \$14,000,000.

Cost Implications: Up to \$14,000,000 over a 5-year period

Pros:

- (1) Continued management of On-Demand Taxi/Flat-Rate For-Hire curb ensuring passengers are assisted into taxis providing an elevated customer experience at SEA.
- (2) Continued management of 160<sup>th</sup> Holding Lot, to include the facility, and vehicle queueing in operating areas.

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- (3) Continued monitoring of vehicles and drivers ensuring compliance with Port rules and regulations.

**Cons:**

- (1) Port would not have direct say over means and methods of curbside management.
- (2) Implementation of changes to the operation due to changing needs/requirements may require the need to amend the contract and incur additional costs.

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

Commission authorized \$12,500,000 back on March 26, 2019, for the current curbside management agreement. This new Agreement will be in effect from November 1, 2024 to October 31, 2029 with a total estimated five-year cost to the Port of up to approximately \$14,000,000 with anticipated increases mainly due to inflationary impacts on labor costs.

***Annual Budget Status and Source of Funds***

The Curbside Management Services Agreement budget is included in the 2024 Ground Transportation baseline budget in the amount of \$1,895,460. If this request is approved, the 2025 Ground Transportation baseline budget would be increased to align with the amount authorized in this request.

***Financial Analysis and Summary***

Contract cost for analysis	\$14,000,000 (five years)
Business Unit (BU)	Aviation Commercial Management
Effect on business performance (NOI after depreciation)	No additional revenue will be generated by this service. However, the Curbside Management Service is a key support component of the approximately \$3,500,000 in non-aeronautical revenue associated with the On-Demand line of business.
IRR/NPV (if relevant)	N/A
CPE Impact	N/A

***Future Revenues and Expenses (Total cost of ownership)***

The Curbside Management Service supports the On-Demand Taxi/Flat-Rate For-Hire program, which yields approximately \$3,500,000 in revenue annually. This Curbside Management Service does not directly generate revenue.

**ADDITIONAL BACKGROUND**

As part of the continued Curbside Management Services function associated with the On-Demand system, set to begin on November 1, 2024, there may be additional costs associated with an increased scope of work. The costs, which include on-going expense reimbursables, as



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well as a management fee, will be finalized through the procurement process and associated negotiations with the selected provider. Due to the uncertainty of total costs, Staff is requesting authorization of up to \$2,800,000 per contract year. This estimate compares to the current rate of around \$2 million per year for services. The anticipated increase is due to general inflationary impacts, generally associated with the cost of labor. The estimated cost for a two-year procurement with three additional one-year extension options totals up to \$14,000,000. These costs will be included as part of the baseline budget for Ground Transportation.

**ATTACHMENTS TO THIS REQUEST**

- (1) Motion 2019-03 – Establishment of a Two-Year On-Demand Taxi Pilot Program
- (2) Order 2023-03 – Establishment of On-Demand Taxi/Flat-Rate For-Hire Program for a Period of Up to Five Years
- (3) Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

February 14, 2023 – The Commission approved Order 2023-03 establishing a more permanent program for On-Demand service at SEA for a period of up to five years. This Order also directed Staff to contract with and pay for curbside management associated with the On-Demand program.

May 28, 2019 – The Commission approved Motion 2019-03 establishing a two-year pilot program for On-Demand service at SEA. This Motion also directed Staff to contract separately for curbside management services associated with the On-Demand pilot program.

March 26, 2019 – The Commission authorized the Executive Director to execute contract documents for curbside management associated with On-Demand services at SEA for a total cost of \$12,500,000 for a term of two years with three, one-year extension options.

**MOTION 2019-03:  
A MOTION OF THE PORT OF SEATTLE COMMISSION**

establishing a two-year pilot program for on-demand taxi/flat-rate for-hire service at Seattle-Tacoma International Airport.

**AMENDED AND ADOPTED  
MAY 28, 2019**

**INTRODUCTION**

The Port of Seattle has utilized exclusive agreements to provide on-demand taxi and for-hire ground transportation services at Seattle-Tacoma International Airport for many years. The current agreement with the exclusive provider expires September 30, 2019. Port staff has explored new options for service and recommend a pilot program based on the policy framework of guiding principles for ground transportation services at Sea-Tac. These guiding principles are to support customer choice; provide social equity; ensure accessibility; and generate revenue for a sustainable airport, while reducing environmental impact and roadway congestion.

The recommended approach balances equity issues, existing environmental and congestion relief goals, and a minimum level of revenue to the port. During the two-year pilot program, port staff will further study a broad-based program across all surface transportation modes at the airport.

The Port of Seattle Commission is committed to making Sea-Tac the most accessible airport in the nation. With continued passenger growth at Sea-Tac, increasing population in the county, and an aging population, the Port of Seattle must ensure reliable, predictable, and high-quality wheelchair accessible services at Sea-Tac.

To support this new relationship with the industry, the commission finds that both the port and the on-demand taxi/flat-rate for-hire owner and operator community will benefit from a facilitated relationship that highlights driver voices and establishes direct and regular communication and consultation on operation of the on-demand transportation system. The input received can help resolve the day-to-day issues that arise and inform the development and outcomes of the pilot project.

### TEXT OF THE MOTION

The Port Commission hereby directs the Executive Director to establish a two-year pilot program for on-demand taxi/flat-rate for-hire service at Seattle-Tacoma International Airport to include the following elements:

- (1) Vehicle owners currently offering on-demand taxi and flat-rate for-hire services will be retained during the pilot program through September 30, 2021.
- (2) The number of wheelchair-accessible vehicles shall be increased from 18 to 23. Additional wheelchair-vehicle operators will be chosen by lottery. The total number of vehicles will be limited to no more than 410.
- (3) Permits for every medallion will be issued by the Port of Seattle and will not be transferable. Prior to issuance of permits, the Port will obtain, maintain, and update complete vehicle ownership information on every vehicle.
- (4) Owners may associate with any dispatch company.
- (5) The port will collect an all-inclusive, per-trip fee of \$6/trip.
- (6) The port will contract separately for curbside management services, which includes passenger loading assistance, holding lot and queue management, equal access to rotation of shifts among on-demand operators as outlined in current operating procedures, and oversight of adherence to vehicle and operating rules and requirements by owners/drivers.
- (7) The Executive Director shall report to the commission within 30 days of adoption of this motion on airport signage, physical accessibility and wayfinding (both digital and print formats) to ground-transportation services for disabled passengers, and the status of implementation of the primary recommendations of the 2017 Open Doors report. Full implementation of the 2017 Open Doors Primary Recommendations of pages 70-71 of the report shall be made a high priority for completion within 18 months from adoption of this motion.
- (8) The port shall develop a reporting system with the ground-transportation curbside manager to compile records of complaints and other service comments for operations within the airport, including information on actions taken in response to complaints and comments.
- (9) The port will work with King County to install signage in vehicles operating in the airport on-demand fleet that lists contact information for reporting of complaints and other service comments directly to the port and assure that all complaints are reported to the Port of Seattle.

- (10) There shall be quarterly outreach to owners and drivers for feedback and input on the pilot program.
- (11) The curbside manager will track and maintain records of the following:
  - (a) Wait time sampling of vehicle pick-ups
  - (b) Number of accessible trips and wait times
  - (c) Number of trips per operator
  - (d) Complaints lodged against operators and disposition
  - (e) Passenger service comments
- (12) The Executive Director shall report to the commission on the operation of the pilot program, including customer service and provision of accessible services, outreach to people with disabilities and the general public, and any recommendations for revisions, in one year from adoption of this motion.
- (13) To improve accessible services, the port will develop a plan for wheelchair-accessible transportation services at the airport to increase awareness and use of the on-demand fleet and conduct research on potential improvements of accessible transportation services to and from the airport, including collection of data on pre-arranged airport transportation services.
- (14) The commission directs the Port of Seattle Executive Director to engage with the on-demand taxi/flat-rate for-hire owner and operator community at Seattle-Tacoma International Airport to develop an agreement or memorandum of understanding that will recognize a voluntary organization with at least five years of experience as a not-for-profit organization operating in the state of Washington, that has an established process for worker involvement in decision making, and that can demonstrate support of at least 60 percent of operators included in the pilot project.
- (15) The voluntary organization and the port, along with other interested drivers and owners, will explore the development of a process, available to all drivers and owners, for input on the pilot program on items such as performance of the permit relationship between the port, its curbside manager, and the owner/driver community, including scheduling, compliance, dispute resolution, and other issues related to management of the system.

#### **STATEMENT IN SUPPORT OF THE MOTION**

The port has extensively researched options for on-demand systems at the airport. The port conducted and participated in three major multi-year, consultant-supported ground transportation studies from 2015-2018 (Leigh Fisher – 2015, Transportation Research Board – 2015, Ricondo – 2017/2018). The Leigh Fisher and Ricondo work were supported by significant

stakeholder outreach and identified best practices for ground transportation models across the country and included recommendations for Sea-Tac Airport.

The port also held three public presentations on October 25, 2018, and two public presentations on February 15 and one on February 28, 2019. Stakeholder representation included multiple owner-operators, drivers, transportation network companies (TNCs, or rideshares), dispatch companies, Teamsters, and other industry representatives.

**ORDER 2023-03**  
**AN ORDER OF THE PORT OF SEATTLE COMMISSION**

To establish a program for on-demand taxi/flat-rate for-hire service at Seattle-Tacoma International Airport, for a period of up to five years.

**ADOPTED**  
**FEBRUARY 14, 2023**

**INTRODUCTION**

Following a three year pilot project, the Port of Seattle Commission has engaged in robust oversight and stakeholder outreach with the taxi/flat-rate for-hire pilot program drivers. The following Order lays out the elements of the proposed program, including the new items such as education and outreach on the virtual queue option; emphasizes curbside manager customer service training and enforce compliance; and exploration of a driver training and development programs.

**TEXT OF THE ORDER**

The Port Commission hereby directs the Executive Director to establish the program for on-demand taxi/flat-rate for-hire service at Seattle-Tacoma International Airport to include the following elements:

- The Port will enter into new operating agreements with medallion owners associated with the current On-Demand Taxi/For-hire Pilot Program; medallion owners will be retained through March 1, 2028.
- Transfer of operating agreements will be allowed only for legitimate purposes, with aviation staff to provide guidance for drivers on how such purposes are defined.
- The Port will collect an all-inclusive, per-trip fee of \$6/trip with a direct payment from the driver to SEA.
- The Port will explore virtual queue options with operators through outreach, education, and consultation with the driver community, with the understanding that implementation of any virtual queue option requires Commission action.
- The Port will contract with and pay for curbside management.
- The Port will continue quarterly stakeholder outreach.
- The Port will continue to recognize the Voluntary Driver Organization authorized by Motion 2019-03 to facilitate driver feedback on the taxi/flat-rate for-hire program and will continue meeting on a regular basis with the Voluntary Driver Organization.  
The Port shall explore and develop a driver training and workforce development program for interested drivers.

- The Port Commission Aviation Committee, or designees, shall review the ground transportation dispute resolution system at the airport for improvement with drivers and the Voluntary Driver Organization, and report the results to the Commission by August 30, 2023. The Committee, or designee, shall also explore marketing alternatives for the taxi/flat-rate for-hire program, or designee.
- The Port shall also review and emphasize contractual customer service standards for the curbside manager to ensure compliance and provide a report to the Commission on compliance within six months of passage of this Order.

Per the letter from the Port of Seattle to King County Council urging adoption of a minimum fare for taxi/for hire trips from SEA, the Executive Director shall report to the Commission within 90 days of the adoption of this Order on the status of King County’s proposed changes to taxi/for-hire trips throughout King County. If King County does not institute a countywide minimum fare solution by the end of 2023, the Commission will consider a minimum fare that only applies to the taxi/for-hire drivers permitted to pick up on-demand passengers at SEA.

#### **STATEMENT IN SUPPORT OF THE ORDER**

As presented to the Commission by the Executive Director and staff, implementation of the taxi/for-hire program includes ongoing, robust, and good faith dialogue with operators, drivers, and medallion owners to identify and mitigate issues and concerns as they arise. The airport taxi/for-hire program currently includes a structured process to facilitate ongoing and regular dialogue with drivers, operators, and representatives through the Voluntary Driver Organization, as well as the role of the Port in the oversight of the curbside management contractor and conflict resolution.

Program implementation will include collaboration by the Port with drivers and operators in identifying workforce development programs that may be beneficial to drivers, including programs requiring a commercial drivers’ license (CDL) and pathways to other ground transportation, truck transport, logistics, or other family wage trade and transportation-related career fields.

Included in the implementation is a review by the Port of the requirements of the contract for curbside management services, current training requirements for conflict resolution for curbside manager employees, and the evaluation of training requirements in future contracts to ensure training and management of curbside services.

# Curbside Management Contract Procurement

Jason Berg, Property Manager  
Aviation Commercial Management

Geoffrey Foster, Senior Manager  
Aviation Commercial Management



# Agenda

- Background
- Current Agreement
- New Agreement



# Curbside Management Background

- Mar 2019 – Commission authorized Executive Director to execute a Curbside Management contract associated with the establishment of an On-Demand Taxi Pilot Program
- May 2019 – Commission approved Motion 2019-03 establishing 2-year On-Demand Taxi Pilot Program
- Feb 2023 – Commission approved Order 2023-03 establishing permanent On-Demand Taxi Program
  - Order directed Staff to continue to contract and pay for Curbside Management services

# Current Agreement

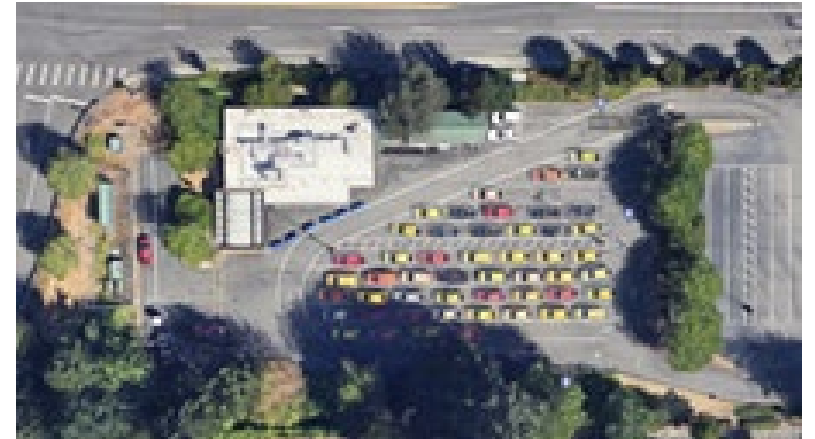
- Initial Term with renewal options
  - 2 years with 3 one-year options, effective from November 1, 2019
- Expires October 31, 2024
- Total Cost (including initial term and all three option periods – 5 years total)
  - \$9.1 Million



# Current Agreement

## Curbside Management Covers:

- General management of taxi holding lot and operational queueing areas
- Dispatching taxi vehicles from holding lot to the parking garage
- Manage passenger loading into taxi vehicles at designated pick-up areas
- Ensure safe and orderly operation of a taxi curbside



# New Agreement

## Curbside Management will cover:

- All current contract requirements, plus:
  - Additional focus on customer service, relationship management and conflict resolution training standards
  - Improved reporting of training statuses to ensure compliance
  - Increased collaboration with Port on outreach
  - Updated janitorial standards for facility management at 160<sup>th</sup> Lot Facility; bringing in-line with SEA standards

# New Agreement

- Initial Term with renewal options
  - Negotiable initial term, effective from November 1, 2024
  - One-year optional extension periods not to exceed five years
- Expiration
  - October 31, 2029
- Total Cost Request: Up to \$14 Million
  - Includes initial term + optional extension periods (5 years)
  - Includes additional requirements
  - Accounts for inflationary and wage increases

Thank You for Your Time!

Questions?

[RETURN TO AGENDA](#)



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 10b

**ACTION ITEM**

**Date of Meeting** December 12, 2023

**DATE :** November 14, 2023

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

**FROM:** Jeffrey Wolf, Director, Aviation Commercial Management  
Khalia Moore, Senior Manager, Airport Dining and Retail

**SUBJECT: Lease and Concession Request for Proposal for Eight Various Food and Beverage Locations and Five Various Retail Locations Within the New Concourse C Expansion and Surrounding Areas at Seattle-Tacoma International Airport (SEA)**

**ACTION REQUESTED**

Request Commission authorization for the Executive Director to (1) conduct a Request for Proposal (RFP) with recommended adjustments per the November 14, 2023, Commission Briefing and noted in the Executive Summary below and (2) execute a Lease and Concession Agreement with selected proposers for the 13 locations known as CCE-RFP. The following locations that are within the CCE-RFP in the eight (8) food and beverage and five (5) retail opportunities associated with the new Concourse C Expansion (CCE) project:

Food and Beverage locations: CC-26, CC-28, CC-30, CC-37, CC-38, CC-40, CC-41, and NE03.

Retail locations: CT-08, CT-07, CT-27, CC-25, and CC-27 .

**EXECUTIVE SUMMARY**

The continued redevelopment of the Airport Dining and Retail (ADR) Program offers an excellent opportunity to advance the Port’s Century Agenda goals by enhancing the Airport’s profile as the preferred gateway to the Pacific Northwest, by promoting job growth, by creating new opportunities for small, local, and disadvantage businesses, and by meeting the expectations of the traveling public for quality food service, retail products, and personal services.

The ADR program is an important element of the Port’s ongoing efforts to provide outstanding customer service and improve the traveling experience. In addition, the businesses generate significant revenue that is reinvested to support airport operations and capital improvements.

This request is for new ADR locations that are being constructed as part of the CCE Project to be released for concessions bidding opportunities at SEA. This is the last new space opportunity within the ADR program until the potential new retail opportunities associated with the South Concourse renovation project. All other ADR RFPs will be associated with the natural expiration of current locations lease terms.



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Staff will utilize the same RFP process that reflect Commission’s guidance used in past ADR Program redevelopment Lease Groups 2 – 5 with a change to small business exemption for Labor Harmony Agreement. Previously, small business firms with 35 or more employees were required to obtain an LHA. As part of this RFP, the requirement will change to small business firms having three or more units being required to obtain an LHA. Firms with less than three units will be exempt from this requirement.

In the event that the timing of the Labor Harmony Agreement is adjusted in the future, the Executive Director will administer an amendment to the RFP.

**JUSTIFICATION**

The CCE project is the latest and one of the last projects to add new ADR locations into the overall ADR inventory. The approval of these proposed RFP opportunities continues to support the Port’s Century Agenda to create 100,000 new jobs and provide opportunities for small, local, and disadvantaged businesses.

The RFP bidding opportunities will be comprised of both single unit and multi-unit packages. There will be one food and beverage package and one retail package, and both will consist of two locations. There will be at least one (1) location specifically identified for small business proposals only. Currently, all locations are designated as open concept categories to allow for greater variety of proposals and staff is still evaluating concept specific needs on a space-by-space basis.

***Diversity in Contracting***

The ADR program is governed by the Federal Aviation Administration (FAA) and will include Airport Concession Disadvantage Business Enterprise (ACDBE) aspirational goals in line with the Aviation Business Goals and Objectives. Current 2023 goals for ACDBE participation stands at 23.5%.

**DETAILS**

***Schedule***

Preliminary RFP Schedule for the RFP:

Commission authorization to release RFP	December 2023
Release RFP Documents	Q1 2024
Written Proposals Due	Q2 2024
Award and Lease Agreement Execution	Q3 2024

***Business Terms***

Food and Beverage Lease and Concession Agreements will be for a period of twelve (12) years. Retail Lease and Concession Agreements will be for a period of ten (10) years. The previous standard for contract lease terms has been eight (8) years for retail and ten (10) years for food

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and beverage. Increased costs to build and the impact those increased costs have had on the time in which a return on investment is realized, has been a point of focus for Staff. Staff recommends extending the standard term for retail from eight (8) years to ten (10) years and food and beverage from ten (10) years to twelve (12) years. This move aligns with rightsizing of contract terms and providing the spaces in a demoed condition as staff recommended to Commission on March 8, 2022.

There are multiple locations within the Concourse C Expansion project that are not a part of this RFP release as there are extenuating circumstances regarding the leasing of those locations: six (6) introductory kiosk locations, which have a limited contract term and space CC-29, which is allocated as a contractually required replacement space for a displacement.

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

**Alternative 1** - Directly negotiate all thirteen (13) opportunities individually.

Pros:

- (1) Doesn't require the Port to undergo the RFP process.

Cons:

- (1) Inhibits the process of fair competition.
- (2) Port will not get the benefits of a competitive process and innovations available with each of these RFPs.

This is not the recommended alternative.

**Alternative 2** – Issue competitive RFPs for the thirteen (13) opportunities.

Pros:

- (1) Allows for fair competition.
- (2) Creates additional opportunities for new small, WMBE and ACDBE businesses and the introduction of new innovations in technology as identified in the RFP proposals.

Cons:

- (1) Due to the current economic environment, the Port may receive limited responses to the RFP.

***This is the recommended alternative.***

**FINANCIAL IMPLICATIONS**

The additional thirteen (13) units will provide an increase in new non-aeronautical revenue at SEA estimated to range from \$15 -\$20 million per year depending on final mix of uses (food and beverage vs. retail), lease terms, and passenger demand.

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On October 24, 2023, the Commission approved termination agreements of the current Concourse C operations and net book value buyout (NBV) for three (3) locations impacted by the Concourse C construction. The value of the NBV buyouts is approximately \$2.5 million.

Project cost for analysis	\$0
Business Unit (BU)	Aviation Commercial Management
Effect on business performance (NOI after depreciation)	NOI will increase with new non-aeronautical revenue from 13 additional ADR units but be offset by the NBV buyout of the three locations impacted by the construction of the new Concourse C facility.
IRR/NPV (if relevant)	N/A
CPE Impact	N/A

**ATTACHMENTS TO THIS REQUEST**

(1) Presentation

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

March 8, 2022: ADR Tenant Build-Out Analysis

October 24, 2023: Commission approved Lease and Concession Termination Agreements for Airport Dining and Retail (ADR) locations affected by the Concourse C Expansion Project (CCE) and Concourse A Duty-Free (Duty-Free) Construction in the amount of \$2,479,145.

# Concourse C Expansion RFP Briefing

## Commission Presentation

December 12, 2023

Jeff Wolf, Director, Aviation Commercial Management

Khalia Moore, Senior Manager, Airport Dining and Retail



# CONCOURSE C EXPANSION RFP



DINING

BAR

KIOSK



# Concourse C RFP Timeline

- CCE RFP release is aligned with the completion of Concourse C Expansion (estimated completion Q2 2026).
- This release must take place in Q1 2024 as CCE locations will have staggered construction start times to accommodate for tenant specific needs.
  - This is a lesson learned from the construction of recent mezzanine level concessions spaces.
- Concessions Timeline:
  - RFP process including contract negotiation: ~9 months
  - Design and Construction Process: ~12-18 months



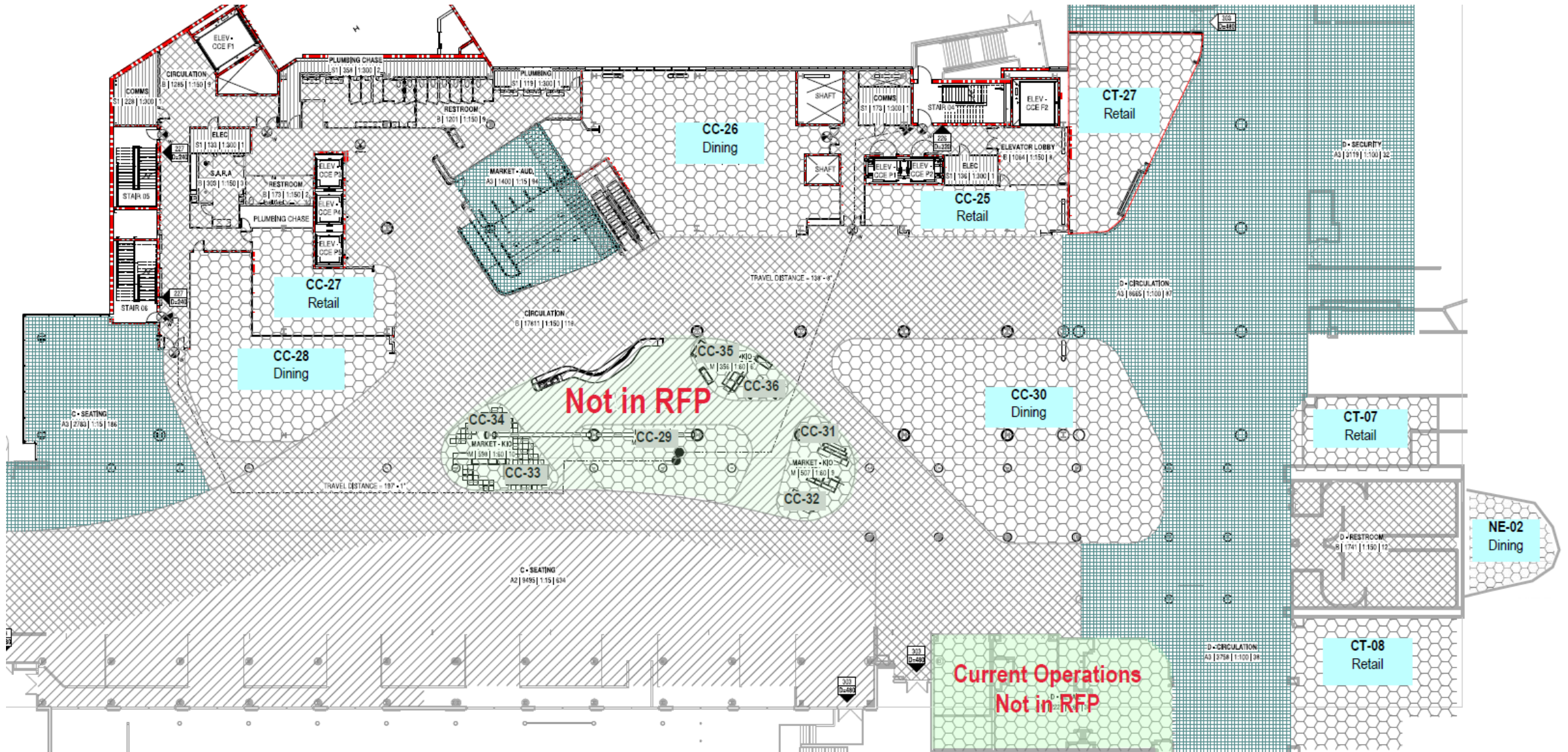
# Concourse C Expansion RFP Details

- Total of 13 spaces will be released including the CCE
  - Seven **(7)** Food and Beverage locations within Concourse C Expansion
  - One **(1)** Pre-Security Food and Beverage location in an area adjacent to Concourse C
  - Three **(3)** Retail locations within Concourse C Expansion
  - Two **(2)** Retail Locations surrounding the Concourse C Expansion
- Of the 13, intend to allocate one (1) retail and one (1) food and beverage for small business participation only.

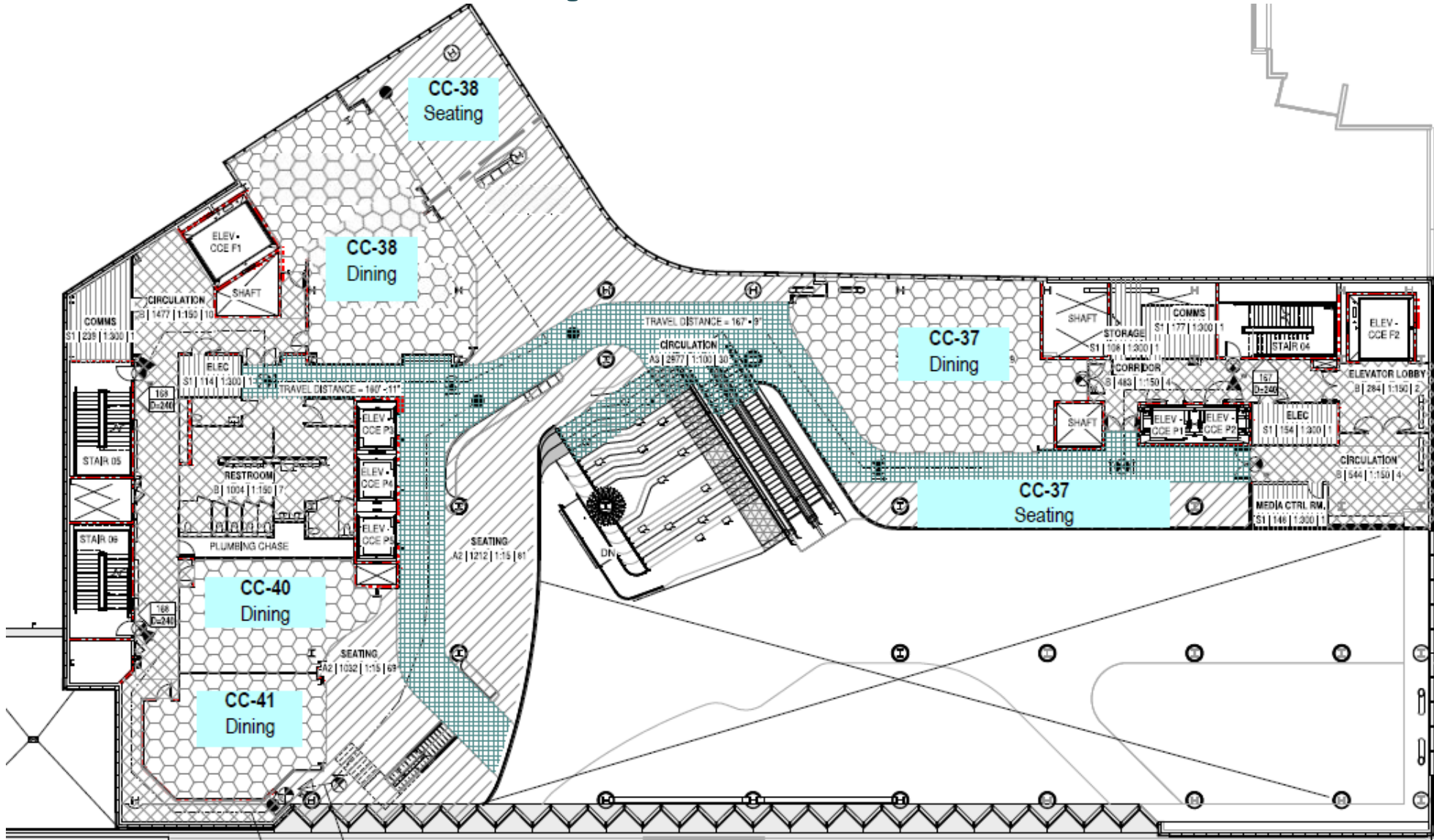
# Concourse C Expansion RFP Details

- There will be one (1) retail package and one (1) food and beverage package within the RFP.
  - Both packages will consist of two (2) units.
  - All other locations will be released as individual locations.
- Any operator, regardless of business structure, may be awarded a maximum of three (3) locations.
  - This ensures that opportunities are not cannibalized by any one operator.
- Concourse C Expansion locations not included in this RFP:
  - Six (6) Introductory Kiosk locations
  - CC-29: Space is allocated for a required tenant relocation

# Concourse C Expansion RFP At-A-Glance



# Concourse C Expansion RFP At-A-Glance



Mezzanine Level

# Concourse C RFP Business Terms

- Proposed Business Terms:
  - Food and Beverage: Twelve (12) years
  - Retail: Ten (10) years
- Staff is recommending these new contract terms in response to:
  - Increased costs to design and build at SEA, as increased operational costs due to Port initiatives and city requirements and tenant feedback.
- Labor Harmony Agreement (LHA) requirement will apply for firms with three (3) or more locations

# First Time Bidders Class Details

- Demystifying the RFP Process at SEA
- Classes will be hosted on multiple days in the month prior to the CCE RFP release.
  - Classes will take place in both the morning and evening on each available day.
- Sign up for more information at <https://exploreseas.org/concession-inquiry/>
- Questions can be sent directly to [adrrfp@portseattle.org](mailto:adrrfp@portseattle.org)

# Next Steps/Schedule

- RFP authorization- 12/12/23
- First Time Bidders Classes-Q1 2024
- RFP release- Q1 2024
- RFP selection/negotiation- 2024/2025
- Construction- through Q2 2026 (targeted opening before World Cup 2026)

**QUESTIONS?**







**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 11a

**BRIEFING ITEM**

**Date of Meeting** December 12, 2023

**DATE:** November 16, 2023  
**TO:** Stephen P. Metruck, Executive Director  
**FROM:** John Flanagan, Senior State Government Relations Manager  
**SUBJECT:** **Draft 2024 State Legislative Agenda**

**EXECUTIVE SUMMARY**

Since the end of the 2023 state legislative session in Olympia, staff from the Government Affairs team has been working with subject-matter experts across the Port, members of the Executive Leadership Team, staff from the Commission office, and the Commissioners themselves to develop a draft legislative agenda for the 2024 legislative session. This is the initial staff briefing for commissioners, with any proposed changes discussed in public session to be adopted on January 9, 2024.

**DRAFT 2024 State Legislative Agenda**

**Priority Agenda Items**

***Innovative, Equitable, and Diversified Economy***

Given the unprecedented availability of state and federal resources geared towards the Green Economy, pursue establishment of new state-level programming to further incentivize the creation of a diverse Green Jobs Workforce, encouraging climate-focused innovation in port-related sectors, and benefitting a wide-array of workers and communities.

- Support the application of state resources towards maximizing use and availability of new federal programming and investments including those associated with the Bipartisan Infrastructure Law, the Inflation Reduction Act, the CHIPS and Science Act, and any other relevant legislation.

Advocate for renewed investments in existing economic development programs that champion innovation, aid the global competitiveness of the region, and provide critical support to international business.

Engage in, and monitor, ongoing efforts regarding the State’s treatment of tourism and related industries, including:

- Pursuing increased investments in the tourism economy and policy proposals benefitting statewide tourism, with the goal of establishing parity with comparable jurisdictions;

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- Seeking changes that will fairly and reasonably benefit the private sector and tourism communities alike;
- Regional tourism coordination.

Generally, support state-level efforts to increase workers' access to equitable benefits. This includes monitoring opportunities to:

- Increase access to childcare for Port employees, and actively engaging in state-level efforts that may benefit the Port's ongoing work to increase childcare opportunities for employees at all Port facilities;
- Broadly address issues affecting pay equity, and supporting policies that conform with or benefit internally adopted pay equity philosophies;
- Reasonably and responsibly increasing equitable healthcare outcomes for Port employees.

Monitor and support ongoing state-level efforts to increase diversity and opportunity in contracting, including support for changes necessary to demonstrably increase the share of grants and contracts awarded to traditionally marginalized populations.

***Port Decarbonization, Climate Action, and Environmental Justice***

In furtherance of the Port's ongoing plans to establish several 'green corridors', advocate for dedicating state funds towards the development of a regional clean maritime fuels collaborative, with a near-term focus on capacity-building and organization of relevant stakeholders.

To support the continued decarbonization of maritime, aviation, and other port-adjacent priority sectors, encourage enactment of necessary programmatic adjustments to the state's existing cap-and-trade policy (CCA), and encourage use of CCA revenue for programs benefitting port districts generally, including environmental justice programs.

- Support minor adjustments to cap-and-trade program recommended by Ecology, and efforts to join the existing cap and trade market with other domestic carbon markets (California and Quebec);
- As necessary, increase existing investments in shore power to ensure that projects are implementable in the face of project cost increases;
- Explore opportunities for additional investments in shore power benefitting cruise;
- In tandem with the Northwest Seaport Alliance, monitor and support anticipated outcomes of ongoing medium and heavy duty zero-emission vehicle (MHD ZEV) studies, prioritizing drayage truck owner/operator access to available funding, and supporting programs to build electric-vehicle infrastructure.
- Support creation of a statewide "Community Decarbonization" program, including establishing a state-level environmental justice navigators-style program.
- Support use of CCA revenue to mitigate impacts to near-port communities.

Support next steps on state-level clean energy siting policy with a focus on efforts to streamline and simplify the siting, challenge, and approval processes related to clean energy facilities.

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Similarly, support efforts to responsibly and incrementally phase-down the use of more carbon-intensive forms of energy;

Support land use proposals that adequately balance economic benefit, environmental sustainability, benefits to Puget Sound ecosystem health, resource stewardship, and environmental justice;

Advocate for additional dedicated resources for remedial action grants benefitting environmental stewardship and ensure that stormwater assistance and other MTCA funds remain un-diverted;

Monitor and encourage ongoing legislative and programmatic efforts to sustainably handle waste, increase producer responsibility, and reduce the prevalence of single-use plastics.

***Protecting Transportation Investments***

Due to a myriad of factors, transportation project-cost-increases are escalating rapidly and it is highly unlikely that additional transportation revenue will be generated during the 2024 legislative session. Given this environment, advocate for:

- Any necessary policy or budgetary changes to ensure final delivery of the Puget Sound Gateway project without further delays or extension of current timelines;
- Preserving (i.e., not re-directing) existing state-level investments in innovative transportation projects.

**Notable Issue Area 1: Economic and Workforce Development**

Continue to support economic and workforce development proposals that are consistent with Goals 1, 2, 3, 5, and 6 of the Port’s Century Agenda with a focus on policies and programs that prioritize equity, foster innovation, and create quality and sustainable jobs in the region.

Advocacy will include support for:

- Partnerships that benefit the growth of port-related industries and expansion of state-level worker training programs in those industries;
- Career-connected learning and work-based learning programs that seek to expose K-12 students to professions in port-related industries, including ongoing support for CORE PLUS programming;
- Continuation and expansion of pre-apprentice and apprenticeship programs;
- Efforts to expand the trucking and logistics workforce, including increasing the supply of Commercial Driver’s License (CDL) holders and drivers, with a specific focus on those serving port operations;
- Programs that prioritize equitable recruitment, training, and retention of workers representing diverse populations;
- Policy solutions that connect port-adjacent communities to economic opportunity and ‘prosperity-in-place’;

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- The continued enforcement of responsible labor standards;
- Increased state-level investments to promote and grow the tourism industry in Washington;
- Investments in broadband infrastructure including the use of state funds as ‘match dollars’ for federal programs and ongoing efforts to end the digital divide;
- Rural economic development initiatives, including those that benefit small manufacturers and domestic manufacturing generally, investments in freight corridors serving rural areas, rural tourism, and support for associate development organizations;
- Proposals that reduce structural barriers, prioritize equitable working conditions, promote the success of small businesses, and benefit minority and women-owned enterprises;
- The repeal of I-200, efforts to implement Executive Order 22-02, and outcomes resulting from the ongoing work of the Governor’s Statewide Diversity, Equity, and Inclusion Council;
- Statewide contracting practices and programs that increase flexibility for public owners while also supporting small, minority, and women-owned businesses, and increasing opportunity and access for those businesses;
- Creating state-level programs geared towards assisting BIPOC and rural small businesses that traditionally struggle to access available public resources.

Additionally, the Port will continue monitoring developments around programs that divert Port revenues to other uses, opposing changes that further increase diversion of Port revenue, or are otherwise inconsistent with underlying tax law.

### **Notable Issue Area 2: Energy, Climate, Environment, and Habitat**

Continue to support state-level policies regarding energy, environment, sustainability, climate, and habitat that serve Goals 4 and 5 of the Port’s Century Agenda. Advocate for policy and budgetary solutions that promote the adoption and implementation of clean energy, phase-down the State’s reliance on fossil fuels, reduce emissions, and improve environmental outcomes.

Advocacy will include support for:

- Promotion of the use of low- and zero-carbon fuels for transportation, providing low or zero emission transit options, and otherwise aiding the continued reduction in the cost of low- and zero-carbon energy sources;
- Policies that promote the use of clean energy technology, promote the development of in-state renewable energy, build energy efficiency, and support a statewide reduction in greenhouse gas emissions as well as statewide goals for clean power, and that can be implemented in ways that leverage our state’s competitiveness, maintain the efficient operation of essential public facilities such as airports and seaports, and support equity in the private sector;
- Proliferation of sustainable aviation fuels, including support for SAF infrastructure programs and any necessary adjustments to existing incentives;

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- On-dock decarbonization programs and incentives;
- Programs and policies geared towards ‘Scope 3 emissions’;
- Programs benefitting Puget Sound health, including water quality, habitat restoration, cleanups, stormwater, underwater noise reduction, and those related to Orca recovery, including support for the Quiet Sound program and protection of Quiet Sound appropriations made in the enacted biennial budget;
- Maintaining funding for programs associated with the Model Toxics Control Act (MTCA) that assist the Port in its efforts to promote environmental stewardship, including cleanup grants, public participation grants to community organizations, and benefitting voluntary, expeditious cleanup of habitat restoration and/or shoreline public access projects in underserved communities;
- Streamlining and providing robust funding for the Department of Ecology’s wetland mitigation banking program so that cost-effective and large-scale compensatory mitigation projects can be built in advance of permitted impacts;
- Efforts to increase climate resiliency, including resilience in the transportation network serving ports, in collaboration and partnership with local governments;
- Policies that reduce air emissions and pollution for passengers and employees traveling to and from Port facilities, including promoting and improving the efficiency of public transportation and public transit;
- Continuing state partnerships to reduce emissions from waterfront operations while maintaining an international competitive edge, including partnerships to support electric transmission infrastructure development, regarding innovation in the clean maritime sector, and in the State’s ongoing Maritime Blue 2050 initiative;
- Responsible and thoughtful implementation of statewide environmental justice standards, including support for state-agency efforts to build intersectionality directly into programming, establish adequate enforcement mechanisms, and provide necessary resources; and
- The Washington Climate Corps Network, including exploration of opportunities to integrate Climate Corps volunteers into Port operations and programs.

**Notable Issue Area 3: Transportation**

Support transportation policy that is consistent with Goals 1, 2, and 4 of the Port’s Century Agenda, emphasizing the importance of proposals supporting freight mobility, enhancing competitiveness, aiding multimodal transportation, and continuing to decarbonize.

Advocacy will include support for:

- Investments in transportation networks serving essential public facilities with specific emphasis on funding needed for upgrades to State Route 518 (per the State’s finalized and published recommendation);
- Proposals speeding the movement of freight and passengers from origin to destination through seaport and airport facilities, and improving trade competitiveness of the state and the Port’s gateway;

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- Continued promotion of Washington as an international trading partner, including support for the state’s exporters and ensuring that transportation facilities supporting trade are modern, world-class, and operate efficiently;
- Proposals to clarify and affirm the authority of the Port Commission to control access to port facilities by all transportation modes (including private vehicle access, commercial ground transportation providers, and public transportation providers), and promoting fairness and equity among transportation service providers, in support of responsible operation in all areas of regulation, including insurance, monitoring, safety, and environmental standards;
- State engagement relating to increasing passenger vessel routes operating in Puget Sound, provided that any increased vessel traffic is accompanied by mitigation;
- Regional conversations related to innovative transportation partnerships that will help alleviate congestion on roadways and in airports, and reduce emissions associated with the transportation sector;
- Coordinated approaches to regional transportation planning, including aviation planning;
- Continued progress regarding airport siting or expansion and the efforts of the Commercial Aviation Work Group (CAWG);
- State-level actions to advance planning for major transportation projects, provided that planning efforts account for impacts to the broader transportation network and consider effects to adjacent areas;
- Investments in multimodal and active transportation infrastructure that prioritize safety and efficient movement of freight; and
- Promotion of state agency efforts benefitting REAL ID compliance.

Participate in, and monitor, conversations regarding transportation revenue and revenue-generating policies, advocating that policies prioritize and uphold economic competitiveness and do not disadvantage the efficient movement of goods. Likewise, the Port will continue to advocate that broader transportation implications continue to be a central consideration of major transportation projects.

#### **Notable Issue Area 4: Land Use**

Continue to advocate for land use policies benefitting goals 1, 3, 4, and 5 of the Port’s Century Agenda, with a specific focus on zoning issues that may affect port competitiveness.

Advocacy will include support for:

- Proposals that reflect the “Guiding Principles: Stewardship, Enhancement, and Protection of Maritime and Manufacturing Lands” document that was adopted by the Northwest Seaport Alliance on November 1, 2016;
- Proposals that aim to reduce pressure on critical industrial lands by focusing dense residential development into existing residential areas that have typically been characterized by low-density single-family development;
- Efforts to acknowledge and define Manufacturing and Industrial Centers (MICs) as resource lands of statewide economic significance;

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- Proposals that recognize the role industrial resource lands play in global port competitiveness and in supporting job retention in diverse economic sectors; and
- Proposals that seek to strengthen the Container Ports Element of the Growth Management Act.

Monitor actions related to the Department of Commerce’s Interbay Public Development Advisory Committee, and any other legislative changes that may impact the efficient functioning of statewide essential public facilities.

**Other Notable Issue Areas: Tax, Governance, Technology, Trafficking, Civil Asset Forfeiture**

***Taxation:***

Support state-level tax policies that foster the economic health of port-related businesses and activities, including:

- Policies that promote the efficient movement of freight and support communities that contain warehousing and distribution infrastructure, especially those facilities and communities benefitting agriculture, manufacturing, and trade sectors; and
- Policies that reduce manufacturing costs in port-related sectors, including businesses that support the efficient functioning of SEA international airport, and incentivizing construction of fishing vessels within Washington State.

Pending action by the Department of Revenue that is currently stalled, consider legislative solutions to clarify the application of Leasehold Excise Tax for certain port-related businesses.

***Governance:***

- Oppose legislation that would create an imbalance of representatives between the two homeports in the governance of the Northwest Seaport Alliance.
- Monitor legislative proposals that would alter the governance structure of either NWSA homeport, and if proposed, advocate for ratification by citizen vote within the respective homeport district(s).

***Technology:***

- Monitor proposals related to the use of biometric technology, such as facial recognition, with particular attention to those that address protection of individual privacy, equity, and compliance with federal and state regulations.
- Continue to express concerns related to establishing a Washington State Digital ID intended for general use including at airport facilities.
- Monitor state-level regulation of artificial intelligence (AI), and seek to form relevant partnerships with state and local government agencies regarding the use of AI.

Meeting Date: December 12, 2023

***Trafficking:***

- Continue to engage state agencies, the legislature, and external partners in Port-sponsored efforts to combat human trafficking at port facilities, including the airport, seaport, cruise terminals, and marina properties. Explore additional opportunities to deepen partnerships and align ongoing efforts happening elsewhere.

***Civil Asset Forfeiture:***

- Support for legislative efforts to expand the Port’s existing civil asset forfeiture authority at the state-level, with the goal of giving the Port additional flexibility with related resources.

**ATTACHMENTS TO THIS BRIEFING**

- (1) Presentation slides

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

November 8, 2022 – The Commission voted to adopt the Final 2023 State Legislative Agenda

October 25, 2022 – The Commission was briefed on the Draft 2023 State Legislative Agenda





# Draft 2024 State Legislative Agenda

Briefing to Port of Seattle Commission | December 12, 2023

**John Flanagan**, Sr. State Govt. Relations Manager

**Eric ffitch**, Executive Director, Washington Public Ports Association

**Dave Mastin**, VP Government Affairs, Assoc. of Washington Business



# OVERVIEW



## Preview – What to expect

Short (60-day) session

Supplemental budget

CCA Revenue & Repeal Initiative



## Agenda Development Process

Successes from 2023 session

Unfinished business

Ongoing work & core priorities



## Next Steps

Incorporate feedback

Seek adoption of Final Agenda

# PRIORITY AREA | INNOVATIVE, EQUITABLE & DIVERSE ECONOMY

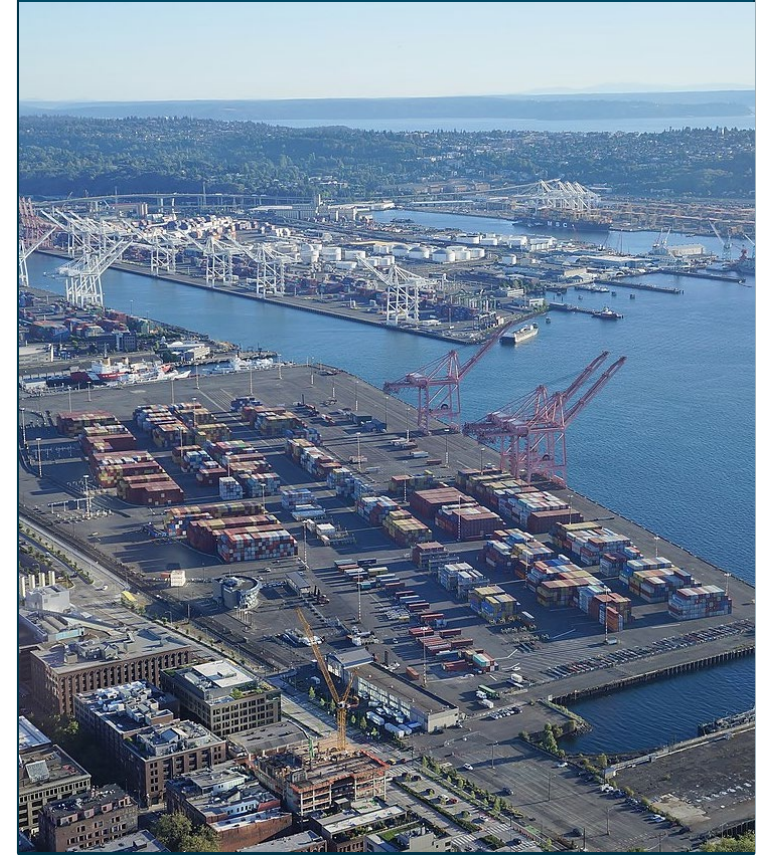
## Green Jobs & Workforce



## Tourism Administration & Resources



## Funding Economic Development Programming



# PRIORITY AREA | INNOVATIVE, EQUITABLE & DIVERSE ECONOMY

Increasing equitable access to benefits  
(childcare, healthcare, pay equity)



Diversity in Contracting



# PRIORITY AREA | PROTECTING TRANSPORTATION INVESTMENTS

Puget Sound Gateway Project (167 / 509)



Innovative Transportation Projects



# PRIORITY AREA | DECARBONIZATION & CLIMATE ACTION



## SHARED INTERESTS | WPPA

- Transition away from leaded aviation fuel – taking a “West Coast First” approach
- Energy supply and clean energy development
- Port decarbonization funding - \$26.5M grant in 2023 session
- MTCA funding – preserve solvency, oppose funding sweeps
- Railroad infrastructure modernization tax credit
- Supply chain funding – promoting freight mobility
- Support for port member priorities and funding requests



# SHARED INTERESTS | AWB

- Increasing access to childcare
- Linking Washington to other cap and trade programs (California and Quebec)
- Clean energy siting and permitting improvements
- Creating a comprehensive career connected workforce training system that includes business, K-12, and postsecondary institutions
- Increasing housing supply & preserving industrial lands
- Expanding manufacturing in Washington





# Legacy Issue Area 1

## Economic & Workforce Development

### Worker training programs in port-related industries

- Career-connected and work-based learning programs for K-12
- Pre-apprentice and apprenticeship programs
- Trucking, increasing supply of CDL holders
- Equitable recruitment, training, and retention of a diverse workforce

### Connecting port-adjacent communities to economic opportunity ('prosperity in place')

### Responsibly enforcing labor standards

### Promote and grow tourism in Washington

### Broadband and ending the 'Digital Divide'

### Rural initiatives (manufacturing, rural freight, rural tourism, support for ADOs)

### Repeal I-200 and addressing structural barriers

### Promoting success of SMWBEs (Contracting, Capacity Building, etc.)

### Flexibility in contracting to public owners

# Legacy Issue Area 2

## Energy, Climate, Environment, and Habitat

Promote low- and zero-carbon fuels in transportation & transit

Use of clean energy technology, development of in-state renewables, increasing energy efficiency, reducing statewide emissions, and supporting goals for use of clean power

Growth of sustainable aviation fuels

Waterfront electrification, and decarbonization of on-dock infrastructure

Climate Corps Network

Puget Sound health

- Underwater noise, Orca recovery, and Quiet Sound

Programs funded through the Model Toxics Control Act (MTCA)

- Stormwater, Remedial Action Grants

Wetland mitigation banking

Climate resilience

- Including resilience in transportation networks

Environmental justice

- Near-port communities

# Legacy Issue Area 3

## Transportation

Invest in transportation networks serving essential public facilities

- Upgrades to State Route 518 (joint study recommendations)

Speed movement of freight and passengers from origin to destination including increased access to transit

Improve trade competitiveness of the State and the Port's gateway

Promotion of Washington as an international trading partner

Affirm Port's authority to control access to port facilities by all transportation modes

REAL ID compliance

New transportation revenue & revenue-generating policies

Passenger vessel operations in Puget Sound (and commensurate mitigation)

Regional partnerships and use of emerging technologies to alleviate overall congestion

Coordinated regional transportation planning (including aviation)

Progress on airport siting or expansion (CAWG)

Planning for future major transportation projects

- Account for impacts to broader transportation network, consider effects to adjacent areas

Multimodal and active transportation

- Safety and efficient movement of freight

# Legacy Issue Area 4

## Land Use

Proposals that reflect the NWSA document “Guiding Principles: Stewardship, Enhancement, and Protection of Maritime and Manufacturing Lands”

Spur dense residential development in existing areas to reduce pressure on industrial lands

Acknowledge that Manufacturing and Industrial Centers (MICs) are resource lands of statewide economic significance

Recognition of the contribution of industrial lands towards global competitiveness

Strengthening the Container Port Element of the GMA

Interbay Public Development Advisory Committee

# Other Legacy Issue Areas: Tax, Governance, Technology, Trafficking, Asset Forfeiture

## Taxation:

- Promote efficient movement of freight
- Benefit communities where warehousing and distribution infrastructure is located
- Reduce manufacturing costs in port-related sectors
- Clarify the application of Leasehold Excise Tax for certain port-related businesses

## Governance:

- Oppose legislation that would create an imbalance of representatives between the two homeports in the governance of the Northwest Seaport Alliance

## Technology:

- Monitor use of biometric technology
- Discourage establishing a Washington State Digital ID
- Monitor Artificial Intelligence regulation

## Trafficking:

- Combat human trafficking at port facilities

## Civil Asset Forfeiture / Forfeited Property Reform:

- Expand existing civil asset forfeiture authority, with the goal of creating the additional flexibility with related resources

# NEXT STEPS

**Today – January 9<sup>th</sup>**

- Incorporate feedback
- Distribute high-level DRAFT agenda
- Continue meetings with key state legislators

**January 8<sup>th</sup>**

First day of 2024 state legislative session

**January 9<sup>th</sup>**

Seek commission adoption of final agenda

**March 7<sup>th</sup>**

Estimated conclusion of 2024 state legislative session (sine die)



# Questions?



Thank you for your engagement in our expansive advocacy work

**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 11b

**BRIEFING ITEM**

**Date of Meeting** December 12, 2023

**DATE:** November 14, 2023  
**TO:** Stephen P. Metruck, Executive Director  
**FROM:** Tommy Gregory, Senior Public Art Program Manager  
 Annabelle Goavec, Public Art Program Coordinator  
 Pete Fleming, Public Art Technician  
 Christine Lee, Public Art Contract Specialist

**SUBJECT: 2023 Public Art program Annual Report**

**EXECUTIVE SUMMARY**

In compliance with the public Art program’s strategic plan, this is a briefing on the annual report for the Executive Director and Commissioners. In our briefing we will discuss our goals, the delivery of major construction projects, and collection restoration and asset management.

**Budget versus Actual spend to date for all Art projects.**

	<b>Budget</b>	<b>Actual to Date</b>	<b>Variance</b>
<b>Fire Department Artwork</b>	\$182,383	\$182,383	\$0
<b>NSAT Boundary</b>	\$107,841	\$107,841	\$0
<b>IAF Indigenous</b>	\$325,324	\$325,324	\$0
<b>Widen Arrivals</b>	\$1,000,000	\$34,162	\$965,838
<b>Restroom Renovation</b>	\$1,168,000	\$360,838	\$807,163
<b>C Concourse Expansion</b>	\$1,789,676	\$69,954	\$1,719,723
<b>SEA Gateway/ NMTP</b>	\$1,000,000	\$0	\$1,000,000
<b>Checkpoint 1</b>	\$2,500,000	\$327	\$2,499,673
<b>Total</b>	<b>\$8,073,225</b>	<b>\$1,080,829</b>	<b>\$6,992,396</b>

**Status of the C102066 Art pool funds**

The current Art budget is \$27,523,820.22 actual spending to date of \$1,080,829.

**Status of the C801332 Waterfront Art Pool**

The current Art budget is \$ 1,868,000.00, actual spending to date of \$0.



Meeting Date: December 12, 2023

**Cultural Programing-** Will be reviewed upon approval of updated policy and guidelines. Working with cultural partners in the Puget Sound region to elevate our internal partnership with the Port’s music program.

**Conservation & Maintenance efforts** (*including deferred conservation and maintenance of existing art*)

- “Spinning Our Wheels” by Linda Beaumont- Contractor is under contract and will start working on repairing the artwork in the upcoming weeks.
- “Pantopol V” by Ted Jonsson- was removed from A Concourse due to upcoming expansion project and will be re-installed December of 2023.
- “Northwest Garnering” by William Morris was temporarily removed due to Checkpoint 1 construction impact.
- “Chalchiuhtlicue” by Marela Zacarías: the artwork on Baggage claim 18 and 19 will be getting some repairs done.
- “Clearing” by Erin Shie Palmer: removed due to Checkpoint 1 construction impact.
- Organization and updating of public art program storage areas.

**Capital Projects/Commissions**

- Restroom Phase 4:
  - Restroom B9: Maja Petric, “We The Stars” was installed January 2023.
  - Restroom C2/C3 South: “Point of Origins, Tides” by Emily Tanner McLean will be installed by the end of the year.
  - Restroom D2 all gender: 22 artworks by 12 artists were acquired and installed.
- Restroom phase 5:
  - Restroom B3: Minhi England and Bill FitzGibbons are in the design phase.
  - Restroom D3: Shuli Sade just completed the design phase and is about to start the fabrication of her artwork.
  - Restroom C16: artist was selected mid-November.
  - Restroom D1: artist was selected mid-November.
  - Restroom D11: artist was selected mid-November.
- Widen Arrivals project: Working closely with Sabine Marcelis and Brian Sanchez.
- C Concourse expansion project: 9 artists are under contract.
- North Main Terminal: 8 artists have been selected and two are already under contract.
- Bollard project: Two artists will be selected early December.

**Temporary Art**

- Aviation:

Meeting Date: December 12, 2023

- For Black History Month the Public Art program featured the first African American artist in the collection, James Washington Jr, and displayed some works made by the renowned Robert Pruitt.
- Temporary vinyl mural install in the GML Hall: this was a collaboration between Students Rebuilt (program of the Bezos Family Foundation), Alaska Airlines and the Port of Seattle.
- Glass artists under contract for the North Main Terminal Project and the C Concourse Expansion project have some artworks on display as part of Refract.

Maritime:

- Temporary art exhibition at Pier 66 and Pier 69 with Schmidt Ocean Institute from October 2022 to April 2023.
- Temporary art exhibition at Pier 69: Morgan Madison from July 2023 to November 2023.
- Mural project at Fishermen’s Terminal: Patrick Nguyen (aka Dozfy) created the first hand-painted mural ever done at the Port of Seattle. Artist was also present during Fishermen’s Fall Festival.
- Temporary art exhibition at Pier 69: Grace A. Flott December 2023 to February 2024.

Other

- Looking forward to growing the Public Art team to maintain success on this projects
- A Waterfront Art Pool has been created.
- Daphne Maiden (Public Art college intern) has been creating and sharing portwide the Public Art Quarterly Newsletter.
- Attend the AAAE Arts in the Airport Conference in October in Chicago.
- Use a Port-wide database (Fulcrum) to keep track of Port assets at the airport. This project started early 2021.
- Bi-monthly content updates to our Public Art Program External website.
- Implementing more art beacons at the airport.

Equity, diversity and inclusion principles initiatives/execution

- Temporary exhibition celebrating Black History month.
- Acquisition of sculptures by two BIPOC Seattle based, nationally recognized artists: Barbara Earl Thomas and Marita Dingus.
- DEI Contractors for nearly all our conservation projects.
- Worked with local small businesses to frame multiple artworks: Allison & Ross (WMBE).

Public Art Program

- Christine Lee (July)- Contract Specialist FTE.
- Tamar Benzikry, New Public Member on the Public Art Board.

**COMMISSION AGENDA – Briefing Item No. 11b**

Page 4 of 4

Meeting Date: December 12, 2023

- Mara Mersei- High School intern, Summer 2023.

**ATTACHMENTS TO THIS BRIEFING**

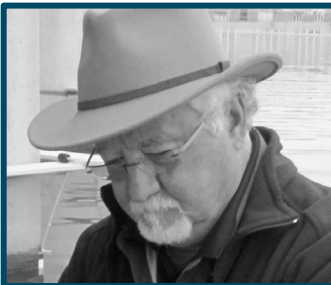
- (1) Presentation slides

# PUBLIC ART PROGRAM 2023 ANNUAL REPORT

# Capital Projects



Anna Mlasowsky



Bill FitzGibbons



Brian Sanchez



Crystal Worl



Dan Mirer



Fumi Amano



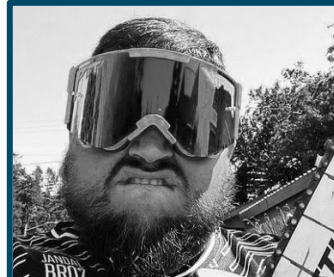
Becca Feather



Marco Brambilla



Shogo Ota



Ty Juvinel



Rebecca Bird



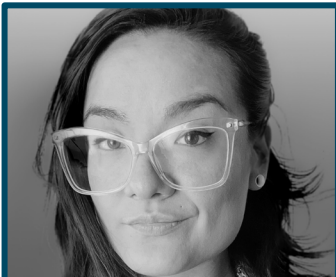
Barry Johnson



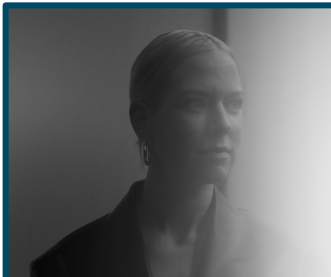
Jaq Chartier



June Sekiguchi



Minhi England



Sabine Marcelis



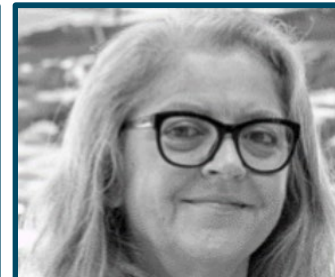
Shuli Sadé



Sarah More



Soo Sunny Park



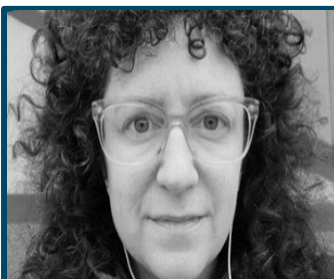
Pae White



Morgan Madison



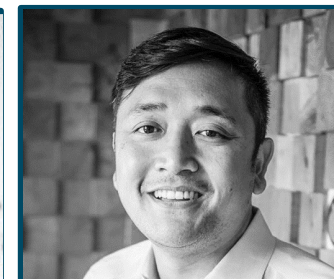
Jennifer Steinkamp



Julie Alpert



Matthew Szosz



Patrick Nguyen



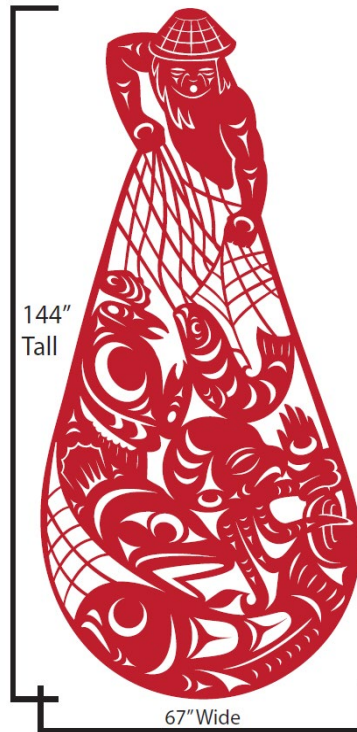
Mary Coss

C Concourse Expansion project:  
Residency at Pilchuck Glass School, Summer 2023



# Maritime Innovation Center (MInC)

Ty Juvinel



“Beach seining is a design I have held onto for almost a decade because I want it to be big enough, and to fit the area it calls home. *Beach Seining* is a depiction of a Salish fisherman pulling in the bounty of the local water, various salmon and other seafood can be seen within the net too.” (Artist’s statement)

Shogo Ota



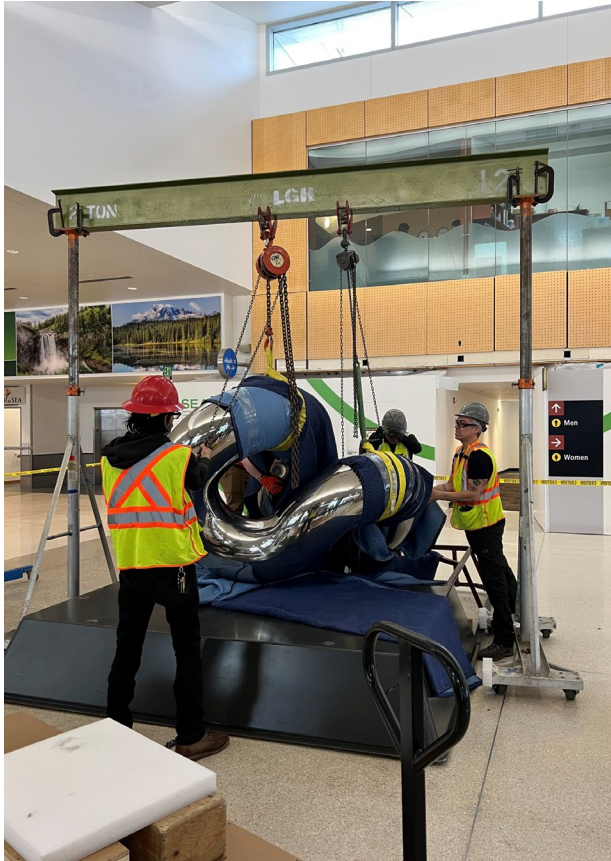
Concept design representing three types of salmon (Coho, Sockeye and Chinook)



# Conservation and maintenance: 2023 Highlights

# A Concourse

Removal of Ted Jonsson “Pantopol IV” due to seating plan construction impact.



Returning to A Concourse December 2023.

# Gina Marie Lindsay Hall

Removal of Billy Morris "NW Garnering" due to Checkpoint 1 construction impact.



Day 1 – removal of glazing.

# Gina Marie Lindsay Hall

Removal of Billy Morris “NW Garnering” due to Checkpoint 1 construction impact.



Day 2 & 3 – packing of glass objects.

# Gina Marie Lindsay Hall

Removal of Billy Morris “NW Garnering” due to Checkpoint 1 construction impact.

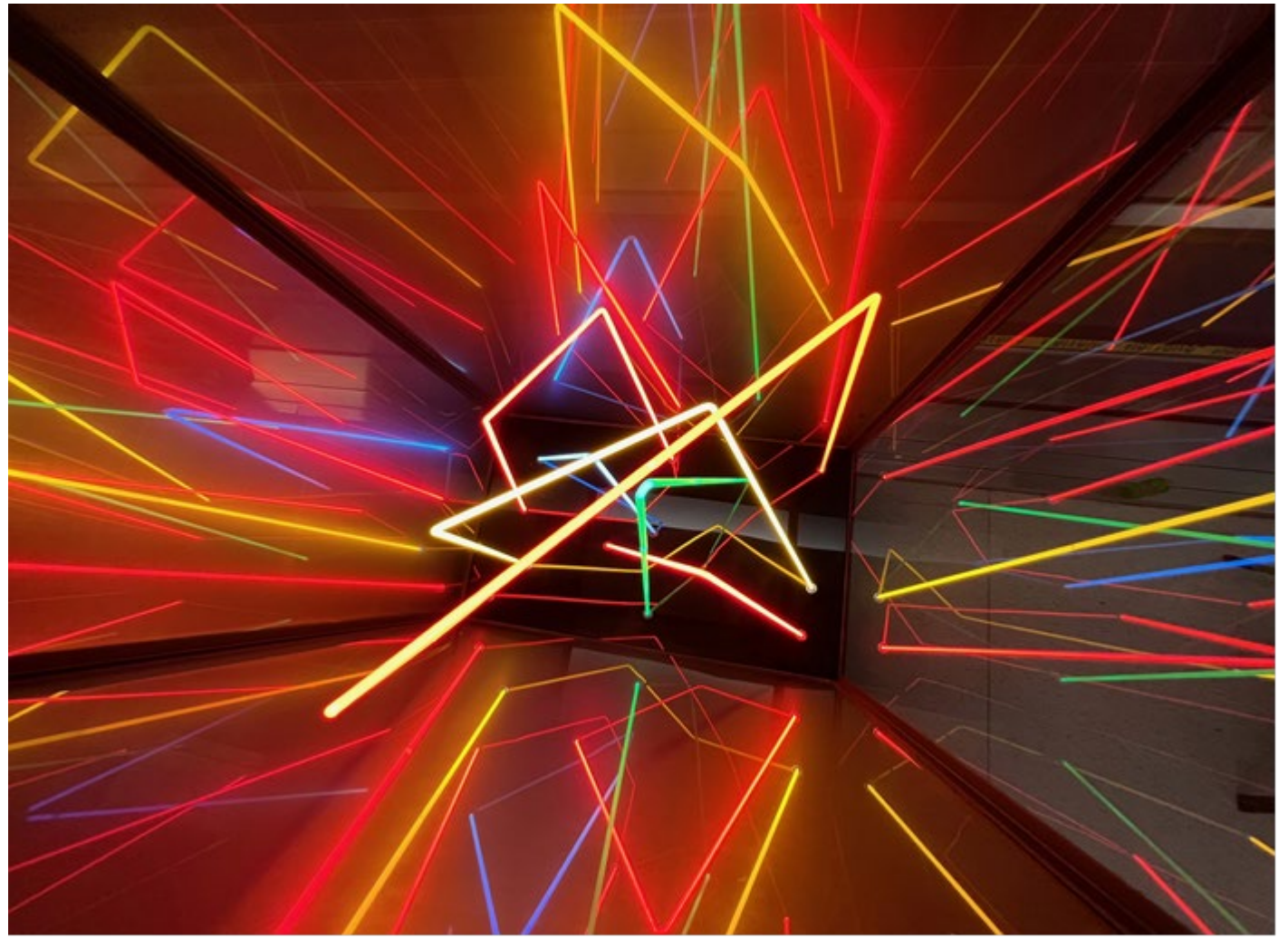


Day 4 – Disassembly of case.

# Linda Beaumont, *Spinning our Wheels*



# Maintenance



# 2023 New Installations:



# A Concourse



Dan Friday “Cuomo Kulshan”

# B Concourse



Maja Petric "We the Stars"

# C Concourse



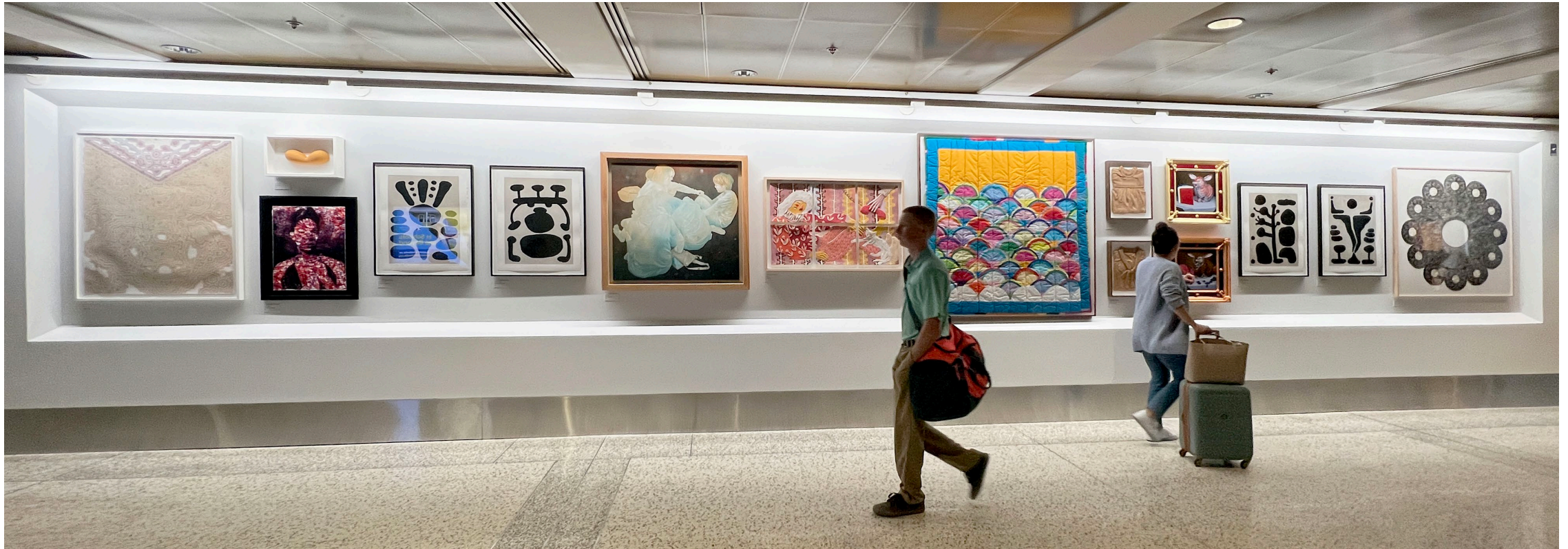
Juan Alonso-Rodriguez “Desert Sticks & Stones”, Sijia Chen “Twin Peaks”

# C Concourse



Eduardo Calderon "Jackson Street After Hours"

# D Concourse



## D2 All-Gender Restroom

# World Trade Center



Adam Harrison, *Moving Horizon*, 2023, Oil on canvas  
Purchased from Studio e, a local women-owned gallery  
Soon to be installed at the World Trade Center

Thank you to the Economic Development Division for supporting a local gallery!

# Tours

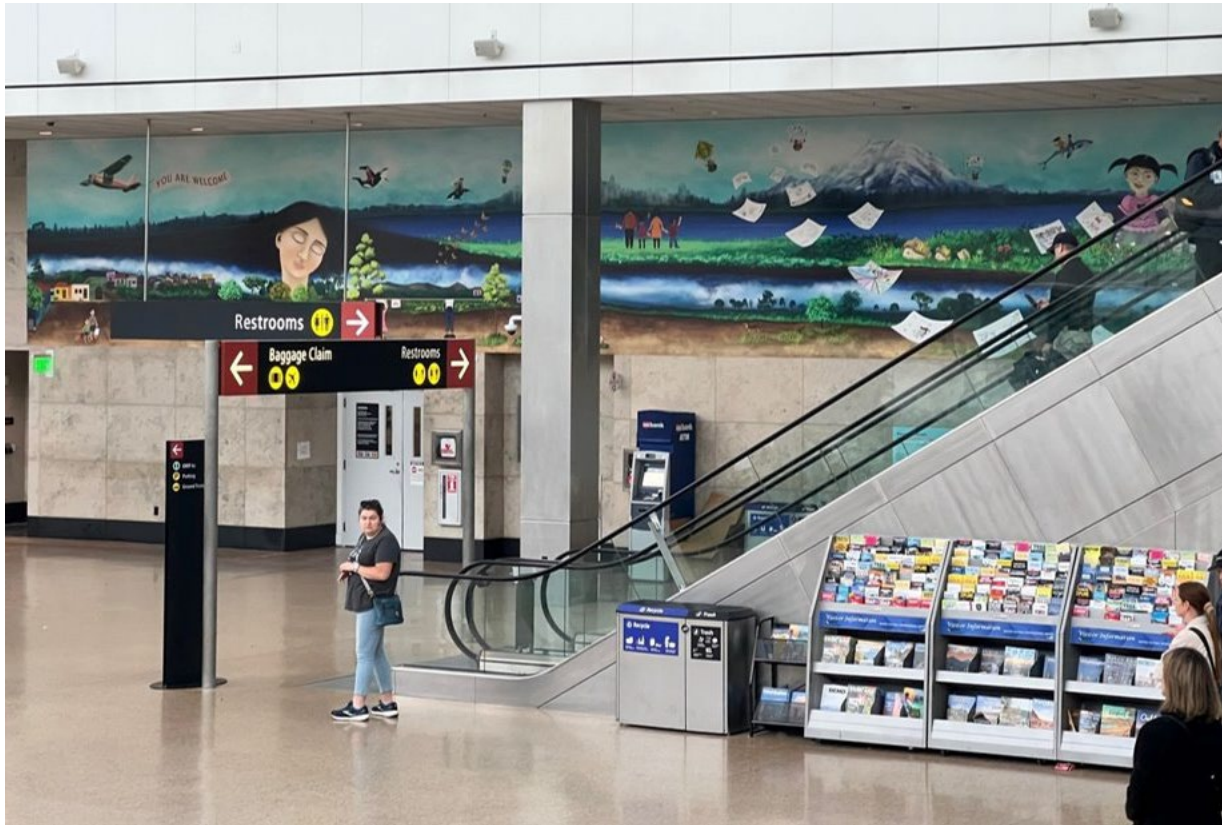


# 2023 Temporary Installations: Aviation

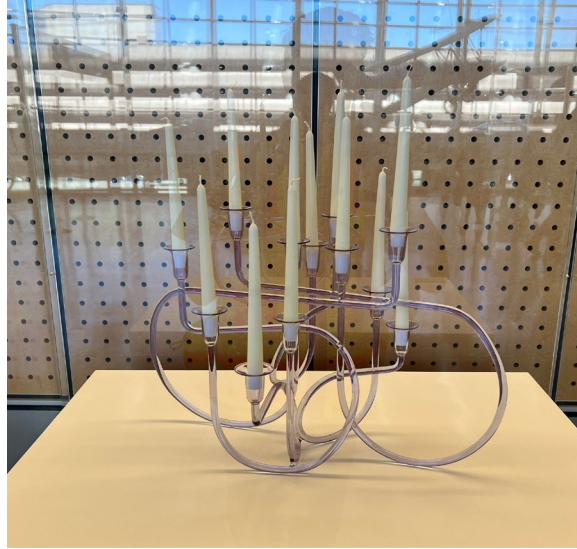
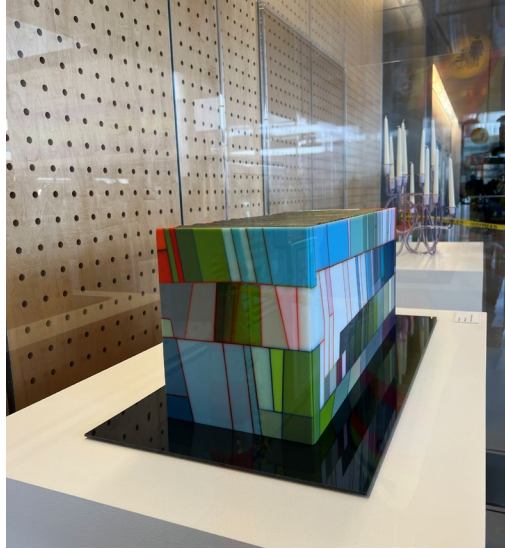


# Gina Marie Lindsey Hall

## Bezos Foundation: Students Rebuild



# Temporary Art Cases



# Kelsey Fernkopf, *Vanishing Point: A Neon Constellation*

A one night only celebration- November 4, 2023



# 2023 Temporary Installations: Maritime

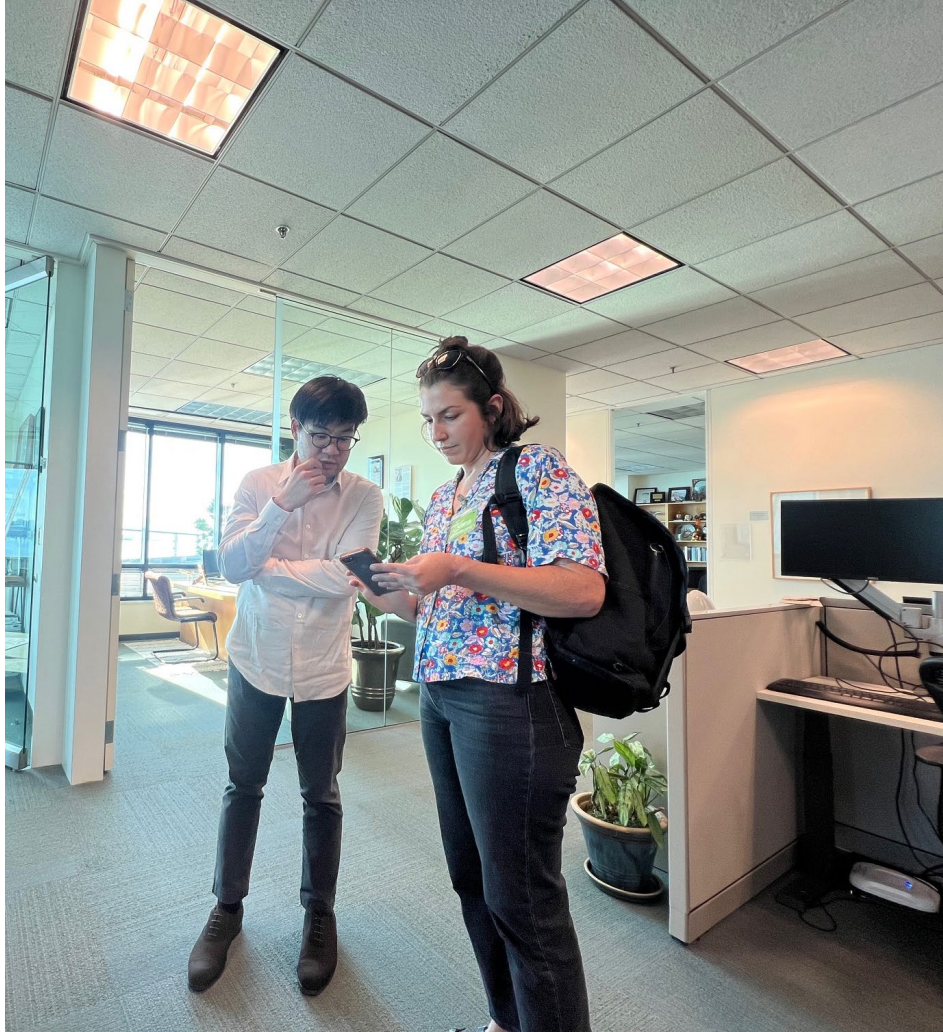
# Dozfy's mural on Net Shed #8 at Fishermen's Terminal



# Morgan Madison



# Grace Flott



Item No.

Meeting Date: December 12, 2023

# Public Art Program CIP Funding 2024

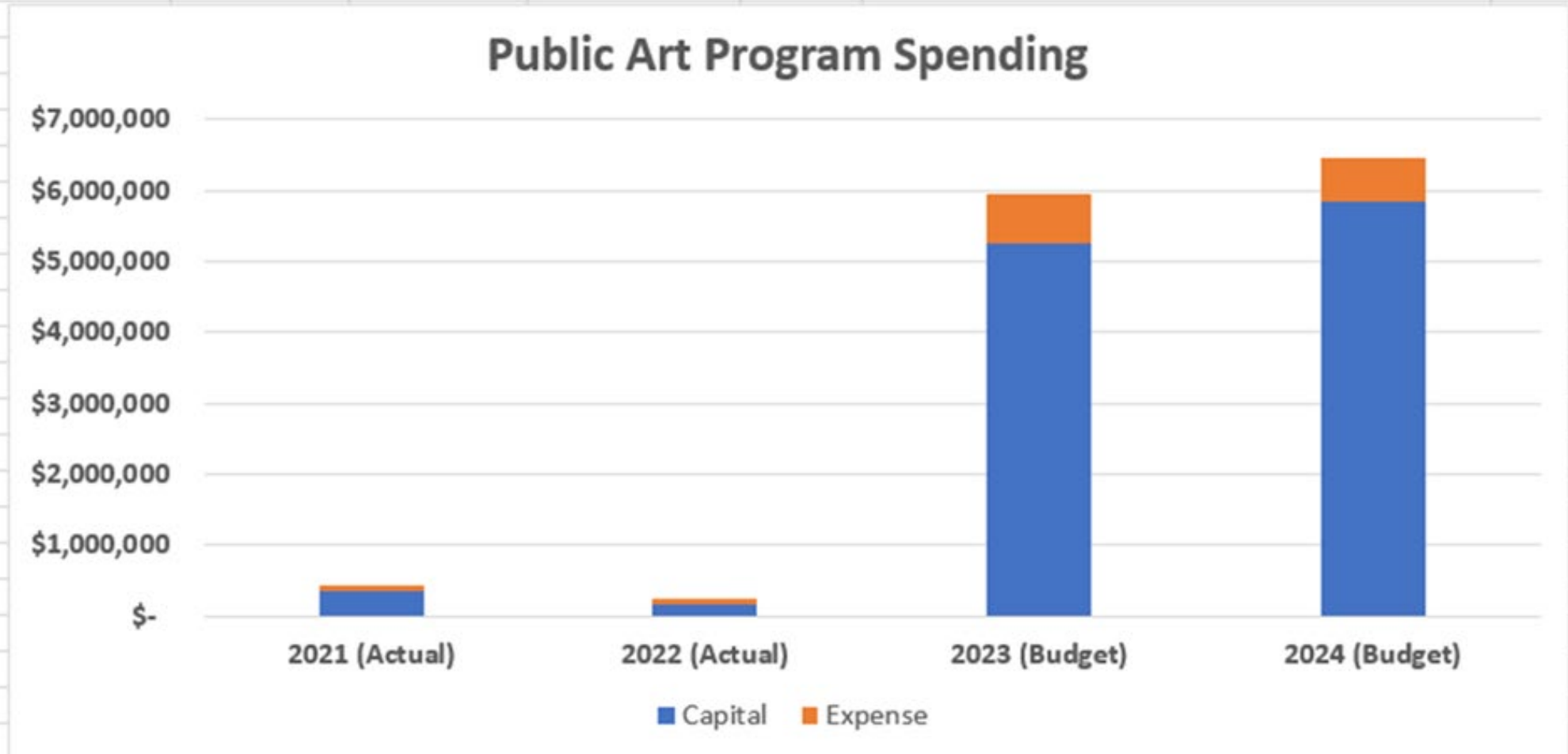


# Action Requested

Approve funding and procurement for designs, acquisitions, fabrications and installations of Public Art at SEA for the 2024 portion of the 2022-2026 Art Pool CIP.

Request in the amount of  
\$5,850,000 of total 5-year program budget of \$27.5M.

	2021 (Actual)	2022 (Actual)	2023 (Budget)	2024 (Budget)	Comments
Capital	\$ 362,238	\$ 163,099	\$ 5,251,000	\$ 5,850,000	2023 art pool spending forecast is less than budget
Expense	\$ 71,103	\$ 84,560	\$ 695,000	\$ 620,000	
	\$ 433,341	\$ 247,659	\$ 5,946,000	\$ 6,470,000	



# Funds Will Be Used to Complete or Advance:

- **A Concourse Lounges** – Acquisitions, \$350,000
- **Concourse C Expansion** – Fabrication, \$2,000,000
- **North Main Terminal** – Design and Fabrication, \$3,000,000
- **Widen Arrivals Roadway** – Fabrication, \$500,000





[RETURN TO AGENDA](#)

**QUESTIONS?**