**PORT OF PORT TOWNSEND**

**MEETING OF: September 7, 2017**

**AGENDA ITEM: VII. Regular Business**

**A. L3 Stormwater Response Contract Authorization**

**BACKGROUND:**

The Port of Port Townsend was issued an Administrative Order (#13279) on June 17, 2016 due to exceedances of benchmark values for both copper and zinc.

According to this Administrative Order:

*The Port of Port Townsend Boat Haven (PPTBH) entered a Level Three (3) response action due to six benchmark exceedances of zinc for the second quarter of 2013. By August 2014, PPTBH had installed and implemented escalating Level One Source/Operational controls, Level Two Treatment Practices or Structures, and Level Three Treatment Systems according to Permit Condition S7. After the treatment systems were implemented, PPTBH continued to exceed the benchmarks for zinc and copper.*

*The BGP is silent when a permitted facility installs the required treatment Best Management Practice (BMPs) and continues having benchmark exceedances. This order sets a time frame and adds a requirement for additional source control, and treatment BMPs with the purpose to be at or below the benchmarks.*

*Pursuant to Permit Condition S7.A.3, Ecology is issuing a Modification of Coverage, Level Three (3), subject to the following conditions:*

***Action(s) Required****:*

* *The PPTBH must submit an Engineering Report that meets the requirements of the BGP S7.A.3 for Ecology's review and approval on or before October 30, 2016.*
* *The advanced treatment BMP shall be installed and implemented on or before September 30, 2017.*

The Port of Port Townsend submitted an Engineering Report to Ecology in December 2016. After review by Ecology and reassessment by Port staff, the Port submitted a Revised Engineering Report on June 2, 2017. The Port received a letter from Ecology on August 2, 2017 requesting additional information. Port staff and consultants met with Ecology staff on August 17, 2017.

The requirement that an “advanced treatment BMP” be installed by September 30, 2017 stands.

The contract for this work implements the following corrective actions:

1. Rehabilitate perimeter filters using media material (sand, oyster shell, biochar) found to be effective at removing metals.
2. Replenish two Aquip stormwater treatment units with the proprietary media mix.
3. Move one Aquip stormwater treatment unit.
4. Confirm and/or correct various component elevations and sizes (weir heights, orifice size, etc.) to ensure proper hydraulic functioning.

In addition, the work to resurface travel ways with a low fine content gravel mix is currently underway. Port staff and our consultants believe that the combination of these two efforts substantively meets the requirement for the implementation and installation of additional source control and treatment.

Port staff and consultants prepared a set of Plans, Specifications, and Estimate for the project, which was bid using the Small Works Roster according to RCW 39.04. Three bids were received with results as follows (all bids include Washington State Sales Tax):

Olympic Peninsula Construction, Inc. $154,617

Interwest Construction, Inc. $267,595

Nordland Construction NW, Inc. $294,300

The engineers cost estimate was between $200,000 and $256,000. The apparent lowest, responsive and responsible bid was Olympic Peninsula Construction, Inc. at $154,617.

**Executive Director’s Recommendation:**

I recommend that you authorize the Executive Director to execute a contract with the lowest, responsive and responsible bidder for an amount not to exceed $154,617.