

# COMMISSION AGENDA

Item No: 4A

Meeting: 03/15/18

**DATE:** February 27, 2018

**TO:** Port Commission

**FROM:** John Wolfe, Chief Executive Officer  
Sponsor: Dakota Chamberlain, Chief Facilities Development Officer  
Project Manager: David Myers, Engineering Project Manager II

**SUBJECT:** Authorization for work associated with the Upper Clear Creek Mitigation Site

## A. ACTION REQUESTED

Request authorization in the amount \$1,800,000, for a total authorized amount of \$4,050,000, for work associated with the Upper Clear Creek Mitigation Site, Master Identification No. 101181.01.

## B. BACKGROUND

This request will enable the Port to extend the consultant and legal contracts through the discovery and trial phases of litigation.

## C. PREVIOUS APPROVALS

<u>Action</u>	<u>Date</u>	<u>Amount</u>
Executive Authorization	August 8, 2017	\$300,000
Commission Authorization	August 17, 2017	\$1,950,000
<b>TOTAL</b>		<b>\$2,250,000</b>

## D. PROJECT DESCRIPTION

The scope of work includes:

- Staff time for discovery and trial phases
- Consultant and legal services through discovery and trial phases

## **E. FINANCIAL SUMMARY**

### **Estimated Cost of Project**

The project cost for this stage of work is estimated at \$4,050,000, including those items identified in the Cost Details table below. If the cost of this estimate is anticipated to exceed the authorized amount, additional Commission authorization will be requested.

### **Source of Funds**

This project will be funded with income generated through operations.

### **Cost Details**

This Request	Previous Requests	Total Project Cost	Cost to Date (Jan 31, 2018)	Remaining Cost
\$1,800,000	\$2,250,000	\$4,050,000	\$443,106	\$3,606,894

### **Financial Impact**

Project costs will be collected and expensed based on the timing and outcome of final settlement.

## **F. ENVIRONMENTAL IMPACTS/REVIEW**

### Permitting:

Permits associated with herbicide application are the responsibility of the contractor. No other Port permits are required for this component of work.

### Remediation:

No remediation is contemplated under this scope of work.

### Water Quality:

No water quality concerns are anticipated under this scope of work.

### Air Quality:

No air quality concerns are anticipated under this scope of work.

## **G. NEXT STEPS**

Move forward with litigation preparation and complete the Landscape Maintenance related activities as noted above.

Actively pursue cost recovery from the former contractor and their surety.