

Port of Tacoma Master Policy Resolution 2018-01- PT and Resolution 2018-03-PT

February 22, 2018



Action Requested

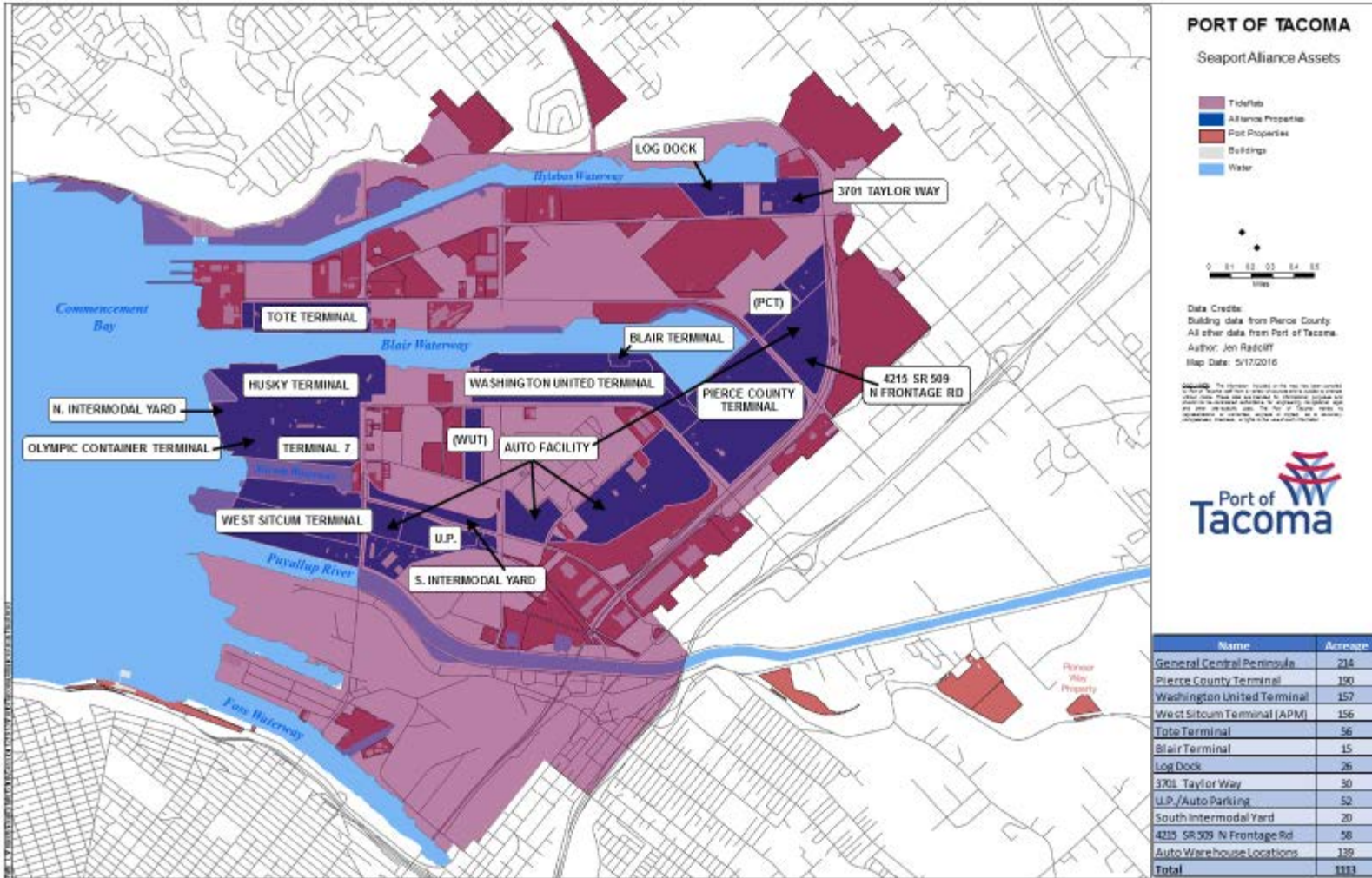


Request Commission authorization of Master Policy Resolution 2018-01-PT, granting administrative authority to the Chief Executive Officer and Resolution 2018-03-PT authorizing the Chief Executive Officer to sell Port Personal Property.

Background

- The Master Policy Resolution serves as the primary delegation of administrative authority from the Commission to the Chief Executive Officer.
- Port staff review the Master Policy annually.
- Provisions governing delegated authority for port district operations are governed by RCW 53.12.270.

Port of Tacoma Properties



Master Policy Resolution

The Master Policy Resolution contains six (6) major sections:

- I. Overview of Administrative Authority
- II. Definitions
- III. Port Real Property
- IV. Contracting and Procurement Activities
- V. Financial Activities
- VI. Legal Activities

Modified to read:

- Added a new definition “Filed with Commission.”
- Adjusted page numbers and item numbers.
- Removed definitions and other information within the Table of Contents, placing such language in the appropriate location.

Section I Overview



Deleted unnecessary words

Section II DEFINITIONS

New or refined definitions:

ALLIANCE:

Refers to the Port Development Authority created by the ports of Tacoma and Seattle to manage and operate marine terminal activities under Interlocal Agreement dated August 4 2015.

FILED WITH COMMISSION:

Delivery to the Executive Assistant to the Commission for distribution to each Commissioner.

Section II DEFINITIONS

Modified definitions:

Projects

Capitalized defined terms

Environmental Projects

Removed the last sentence as it implies all environmental projects are expensed and they are not.

Section III Port Real Property



Section III Policy Governing Port Real Property

III B (2)

Modified to read:

The CEO is authorized to enter into real property rental/leasing agreements with a term not to exceed one year when the associated expenditures of the Port are also ~~less than~~ up to \$300,000. Commission authorization is required for real property rental/leasing agreements with a term greater than one year. The intended use of the leased real property must be expressly stated in writing.

Section III Port Real Property



Section III Policy Governing Port Real Property

III B (6)

New subparagraph:

Where the Commissioners have approved a real property rental/leasing agreement, which contains one or more options to extend the lease term, the CEO is authorized to exercise that option when the associated expenditure of the Port are up to \$300,000 annually.

Section III Port Real Property



III H (2)

Changed to read:

Commissions may be paid to licensed real estate brokers that actually initiate bona fide ~~leases~~ transactions for the Port of Tacoma upon satisfactory proof being submitted to the Port Real Estate department that the broker actually initiated and completed the ~~lease~~ transaction for which they claim commission.

Section III Port Real Property



New section III,H, (3):

For properties the Port “exclusively lists” with brokers to lease or sale, a maximum commission of five percent (5%) shall be paid of the net rental to the Port for up to five (5) years of the approved lease agreement. Commissions on sales will be paid via a one-time payment.

IV First paragraph

The CEO is authorized to control and direct all necessary activities that require contracting and procurement of goods and services associated with carrying out Normal Operations of the Port. Contracting and Procurement activities for the Port will be in compliance with applicable laws and regulations. ~~Normal operations generally include the following contracting and procurement activities: Entering into Interlocal Agreements; public and non-public work related projects; utilizing personal and professional services and purchased goods and services.~~

IV B (2) (f)

New language:

Public work contracts not part of a Project and not part of Normal Operating Expense follow the same authorization process as projects

Section IV Contracting and Procurement



Section IV Contracting and Procurement Activities

IV B (10)

New language:

For Small Public Works projects up to \$300,000 in value, the Port will use the Municipal Research and Services Center (MRSC) Contractor Roster as by RCW 39.04.155.

Section IV Contracting and Procurement



IV C

New section:

(1) The CEO shall report quarterly to the Commissioners all Projects authorized by the Commissioners. The report shall include project schedule, current estimate, authorized amount, cost to date, summary of any changes to scope, and any other significant developments with respect to the Project. Selected environmental Projects that have moved into long-term (5 years plus) monitoring (or maintenance) programs shall be exempt from Project reporting.

(2) The CEO shall report quarterly to the Commissioners all project and contract authorizations equal to or greater than \$50,000 authorized through the delegated authority contained in this resolution. The report shall include the type of authorization, a brief description of the authorization, and the amount of the authorization.

(3) At the Commissioners' direction, the CEO shall report on any Project of a sensitive or critical nature.

Section IV Contracting and Procurement



Section IV Contracting and Procurement Activities

IV D (3)

New language:

For Professional Services contracts up to \$200,000 in value, the Port will use the MRSC Consultant Roster as authorized by RCW 39.80

Section IV Contracting and Procurement



Section IV Contracting and Procurement Activities

IV E (1) (a)

Added language:

The cost of the proposed personal service contract shall not exceed the amount of \$300,000, cumulative with amendments.

IV E(3) (c)

New section:

(ix) The CEO is authorized to approve competition waivers consistent with applicable federal and state laws and internal Port policies in accordance with RCW 39.04.280.

(x) Notification of all such waivers shall be provide to the Commission prior to the proposed starting date of the contract or purchase, and will include a written justification of the reason for the waiver.

Section IV Contracting and Procurement



IV F (2) (b)

Clarified section:

The CEO is authorized to enter into contracts with providers for annual software fees and licenses ~~as needed~~ that are part of Normal Port Operating Expenses.

IV E (1) (d)

Deleted subsections:

~~(d) As used herein, “filed with the Commission” means any of the following:~~

~~(i) Delivery to the Executive Assistant to the Commission for distribution to each Commissioner;~~
~~or~~

~~(ii) Noting the matter for Consent or Action on the Meeting Agenda for the Commission.~~

Section V Financial Activities

V B (2) (b) Hosting

Modified section:

Port ~~officials~~ staff and ~~agents~~ representatives responsible for industrial development, Promotional hosting, and trade promotion, and authorized to host under the Delegation of Authority Policy, are authorized to make expenditures for promotional hosting of all appropriate Port activities subject to all of the provisions of ~~this Resolution~~ the Promotional Hosting policy.

Section V Financial Activities

V F (1) (a) (b) (c) (d)

Modified sections to reflect the deletion of the CEO's annual approval to sale personal property and making a new, separate Resolution for the sale of personal property.

Section V Financial Activities

Section V Policy Governing Financial Activities

V G (1) (a) (b)

Modified section:

Deleted “operating” and changed to “statutory cash” budget

VI B and C

Modified section:

Changed dollar amount to be consistent with other amounts.

Master Policy Resolution



Questions?

Sale of Personal Property

New Resolution:

Establishes a separate resolution for the sale of personal property to be authorized annually.

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