



## Legislation Passed May 18, 2010

The Tacoma City Council, at its regular City Council meeting of May 18, 2010, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 38028**

Authorizing the execution of an amendment to the grant agreement with the Washington State Child Care Resource & Referral Network, in the amount of \$4,000, for a cumulative total of \$334,769; accepting and depositing said sum into the Human Rights and Human Services Special Revenue Fund, to support child care referral services for Pierce County parents and child care providers through June 30, 2010.

### **Purchase Resolution No. 38029**

Awarding contracts to:

1. Pease Construction, Inc., on its bid of \$394,992, sales tax not applicable, budgeted from the Streets Special Revenue Fund, for the rehabilitation of the historic Spanish Steps – Specification No. PW10-0048F;
2. Asphalt Patch Systems, Incorporated, in the amount of \$1,400,000, plus sales tax, for a cumulative total of \$3,590,475, budgeted from various departmental funds, to increase and extend the citywide contract for asphalt patching and concrete repair services for utility cuts through May 31, 2011 – Specification No. CT07-0163F; and
3. Associated Petroleum Products, Inc., in the amount of \$300,000, plus sales tax, for a cumulative total of \$1,436,000, budgeted from various departmental funds, to increase the contract for bulk fuel purchases on an as-needed basis through April 12, 2011 – Washington State Contract No. 07705.

### **Resolution No. 38030**

Authorizing the Public Works Department to participate in a Tacoma Water contract with WM. Dickson Co., in the amount of \$609,814.85, budgeted from the Wastewater and Surface Water Funds, for the replacement of existing sanitary and storm sewer mains in the vicinity of South 23rd Street to South Tacoma Way between South C Street and Tacoma Avenue.

### **Resolution No. 38031**

Authorizing the Public Works Department to participate in a Tacoma Water contract with S&W Utility Contractors, Inc., in the amount of \$284,261.34, budgeted from the Surface Water Fund, for the replacement of water mains and construction of storm sewer mains in the vicinity of Varco Road.

### **Resolution No. 38032**

Approving an economic development project for Tacoma Goodwill Industries, in the amount of \$38,000,000, to be financed through the State of Washington Economic Development Finance Authority and the issuance of non-recourse revenue bonds.

**Resolution No. 38033**

Authorizing the execution of a procurement and operations agreement with ACS, Inc., in the amount of \$4,185,000, budgeted from LTGO Bond proceeds and the Parking Pay Station Fund, to implement a turnkey Parking Pay Station Program system in the core area of downtown Tacoma.

## **RESOLUTION NO. 38028**

A RESOLUTION relating to child care services; authorizing the execution of an amendment to the grant agreement with the Washington State Child Care Resource & Referral Network, in the amount of \$4,000, for a cumulative grant total of \$334,769; and accepting said sum and depositing same into the Human Rights and Human Services Special Revenue Fund to support child care referral services for Pierce County parents and child care providers through June 30, 2010.

WHEREAS, on July 28, 2009, the City Council adopted

Resolution No. 37831, authorizing the execution of a grant agreement with the Washington State Child Care Resource & Referral Network (“WSCCRRN”), in the amount of \$330,769, for the support of child care referral services for Pierce County parents and child care providers, and

WHEREAS the WSCCRRN wishes to amend the agreement, in the amount of \$4,000, for a cumulative grant total of \$334,769, to continue supporting child care resource and referral services and supporting child care providers with training and technical assistance and other resources in the County; Now, Therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:**

Section 1. That the proper officers of the City are authorized to execute an amendment to the grant agreement with the Washington State Child Care Resource & Referral Network, in the amount of \$4,000, for a cumulative grant total of \$334,769, said document to be substantially in the form of the proposed grant amendment on file in the office of the City Clerk.

Section 2. That the proper officers of the City are authorized to accept the sum of \$4,000 and deposit said funds into the Human Rights and Human Services Special Revenue Fund, for the support of child care referral services for Pierce County parents and child care providers through June 30, 2010.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 38029

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the appropriate City officials to  
3 enter into contracts and, where specified, waiving competitive bidding  
4 requirements, authorizing sales of surplus property, or increasing or  
5 extending existing agreements.

6 WHEREAS the City has complied with all applicable laws governing the  
7 acquisition of those supplies, and/or the procurement of those services,  
8 inclusive of public works, set forth in the attached Exhibit "A," which Exhibit is  
9 incorporated herein as though fully set forth, and

10 WHEREAS the Board of Contracts and Awards has reviewed the  
11 proposals and bids received by the City, and the Board has made its  
12 recommendation as set forth in Exhibit "A," and

13 WHEREAS the Board of Contracts and Awards has also made its  
14 recommendations as to entering into purchasing agreements with those  
15 governmental entities identified in Exhibit "A"; Now, Therefore,

16 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

17 That the Council of the City of Tacoma does hereby concur in the  
18 findings and recommendations of the Board of Contracts and Awards set forth  
19 in the attached Exhibit "A," and does hereby approve and authorize the:

20 (X) A. Procurement of those supplies, services, and public works  
21 recommended for acceptance in the attached Exhibit "A";

22 ( ) B. Rejection of those bids and/or proposals that are recommended  
23 for rejection in the attached Exhibit "A";  
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( ) C. Entry into the proposed purchasing agreement with those governmental entities identified in the attached Exhibit "A," which proposed agreement is on file in the office of the City Clerk;

( ) D. Waiver of competitive bidding procedures in those instances, as set forth in Exhibit "A," in which it is impracticable to obtain supplies or public works improvements by competitive bid, or in those instances in which supplies and/or public works are available from a single source.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form

  
\_\_\_\_\_  
City Attorney



City of Tacoma  
Public Works Department

EXHIBIT "A"

RESOLUTION NO.:

38029

ITEM NO.:

1

MEETING DATE:

MAY 18, 2010

**DATE:** May 4, 2010  
**TO:** Board of Contracts and Awards  
**SUBJECT:** Spanish Steps Historic Rehabilitation  
Budgeted from PW Streets Special Revenue Fund 1060  
Request for Bids Specification No. PW10-0048F

**RECOMMENDATION:** The Public Works - Engineering Division/Special Projects section recommends a contract be awarded to low bidder **Pease Construction, Inc., Lakewood, WA**, in the amount of \$394,992.00, sales tax not applicable, for the rehabilitation of the historic Spanish Steps.

**EXPLANATION:** This contract shall generally consist of the rehabilitation of the Spanish Steps. This includes the rehabilitation of urns, baluster, newels, post, railing and streetlights. This project will also include the installation of pedestrian furnishings, signage, and a new retaining wall to support the steps.

**COMPETITIVE SOLICITATION:** Request for Bids Specification No. PW10-0048F was opened April 20, 2010. Fifteen (15) companies were invited to bid in addition to normal advertising of the project. Nine (9) submittals were received. The table below reflects the amount of the total award.

<u>Respondent</u>	<u>Location</u>	<u>Submittal Amount</u> (sales tax not applicable)
Pease Construction, Inc.	Lakewood, WA	\$ 394,992.00
MidMountain Contractors, Inc.	Kirkland, WA	\$ 579,885.00
R.L. Alia Company	Renton, WA	\$ 591,956.00
Epic Construction, L.L.C.	Bellevue, WA	\$ 615,000.00
Westwater Construction Company	Auburn, WA	\$ 616,578.00
Advanced Construction, Inc.	Mukilteo, WA	\$ 634,716.00
Road Construction Northwest, Inc.	Renton, WA	\$ 709,665.25
L.W. Sundstrom, Inc.	Ravendale, WA	\$ 765,980.00
Serpanok Construction, Inc.	Tacoma, WA	\$ 772,694.00
	Pre-bid estimate	\$ 600,894.50

The recommended award is 34.3 percent below the pre-bid estimate.

**CONTRACT HISTORY:** New contract.

**FUNDING:** Funds are available in the PW Streets Special Revenue Fund 1060.

**HUB/LEAP COMPLIANCE:** Not applicable.

**PROJECT ENGINEER/COORDINATOR:** Kurtis Kingsolver, Engineering Division Manager, 591-5269.

Richard E. McKinley  
Public Works Director

cc: James Wilkerson, Purchasing Analyst  
Percy Jones, HUB  
Peter Guzman, LEAP  
Leigh Starr, Construction Division,



City of Tacoma  
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 38029

ITEM NO.: 2

MEETING DATE: MAY 18, 2010

**DATE:** April 27, 2010  
**TO:** Board of Contracts and Awards  
**SUBJECT:** Citywide Contract for Asphalt Patching and Concrete Repair Services  
Budgeted from various funds as-needed by using departments  
Request for Bids Specification No. CT07-0163F  
Contract No. 4600004005

**RECOMMENDATION:** Finance Department, Purchasing Division requests Public Utility Board and City Council approval to increase citywide contract no. 4600004005 to **Asphalt Patch Systems, Incorporated, Puyallup, WA**, by \$1,400,000.00, plus sales tax, for asphalt patching and concrete repair services for utility cuts through May 31, 2011. This increase will bring the contract to a cumulative aggregate total of \$3,590,475.00, plus sales tax, through May 31, 2011.

**EXPLANATION:** This increase and renewal will provide for continued street patching, utility cut services, and asphalt paving and sealing to complete road patching or concrete repairs on an as-needed basis for multiple City departments. These are small projects that on average range from \$1,000 to \$10,000 per project. The contractor continues to do excellent work and has not increased contract pricing since the initial award and does not intend to increase pricing for this renewal period. The contract allows for price adjustments based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), Seattle – Tacoma – Bremerton. The CPI-W has shown a 7.5% increase since February 2007. We also use Producer Price Indexes for asphalt paving mixtures, ready mix concrete, and construction gravel as backup. Those indexes have all shown net increases since 2007. All services performed comply with the City of Tacoma, Public Works Paving Policy.

**COMPETITIVE BIDDING:** This contract was originally awarded to Asphalt Patch Systems, Incorporated, as a result of Request for Bids Specification No. CT07-0163F, in April 2007. The contractor has agreed to renew the contract at the same prices, terms, and conditions as the original contract.

**CONTRACT HISTORY:** This contract was awarded to Asphalt Patch Systems, Incorporated, in the amount of \$760,475.00, plus sales tax, per Utility Board Resolution no. U-10131, April 24, 2007, and City Council Resolution no. 37180, May 8, 2007. This increase will bring the contract to a cumulative aggregate total of \$3,590,475.00, plus sales tax from May 2007 through May 31, 2011. Total cumulative contract usage amounts are estimated \$3,140,475.00 for Tacoma Public Utilities and \$450,000.00 for General Government. This is the second of three renewals allowed under this contract. In March 2009 the contract was increased by \$1,430,000.00 per Utility Board Resolution no. U-10274, February 25, 2009, and City Council Resolution no. 37740, March 3, 2009, and extended through May 31, 2010.

**FUNDING:** Various – Funds for the contract are provided by the individual departments using the contract. The departments are billed directly for their purchases.

**PROJECT ENGINEER/COORDINATOR:** Jim Wilkerson, Finance/Purchasing, 253-502-8332.



Kathy Katterhagen  
Purchasing and Payables Manager

cc: Jim Wilkerson, Purchasing Analyst  
Percy Jones, HUB  
Peter Guzman, LEAP  
Roberta Cox, Tacoma Power T&D  
Jayson Lelli, Tacoma Power Generation  
Tony Lindgren, Tacoma Water  
Matt Fengler, Public Works



City of Tacoma  
Public Works Department

**DATE:** May 3, 2010

**TO:** Board of Contracts and Awards

**SUBJECT:** Increase of the Bulk Fuel Contract  
Budgeted from Various Individual Department Funds  
State of Washington Contract 07705  
Contract No. 4600003269

EXHIBIT "A"

RESOLUTION NO.: 38029

ITEM NO.: 3

MEETING DATE: MAY 18, 2010

**RECOMMENDATION:** The Public Works Department - Fleet Services Division requests approval to increase Contract 4600003269 to **Associated Petroleum Products, Inc., Tacoma, WA**, by \$300,000, plus sales tax, for bulk fuel purchases on an as-needed basis. This increase will bring the contract to a cumulative total of \$1,436,000, plus sales tax.

**EXPLANATION:** The increase of this contract will allow for the continual deliveries of gasoline and diesel fuels to various City storage tanks for use by the Fire Department, Fire Emergency Medical Services, Wastewater, Solid Waste and Streets and Grounds as heating, equipment and / or vehicle fuel.

**COMPETITIVE BIDDING:** State of Washington Contract 07705 is a competitively bid contract that was awarded in April 2006. The contract is in its final renewal period, valid until April 12, 2011, and includes the fuel types to be purchased. Through an interlocal cooperative purchasing agreement, the City of Tacoma purchases will be at the State contract multipliers, terms and conditions and meets the competitive bidding requirements.

**CONTRACT HISTORY:** City contract 4600003269 originated in May 2006, in the amount of \$50,000, and was increased by \$150,000 per Resolution 36963 in September 2006. It was administratively increased by \$50,000 in March 2007 and by \$230,000 per Resolution 37161 in April 2007. The contract was administratively increased by \$50,000 in February 2008 and increased by \$606,000 per Resolution 37450 in April 2008. This increase will bring the contract to a cumulative total of \$1,436,000, plus sales tax, through April 12, 2011. This is the sixth increase to the contract.

**FUNDING:** Funds for this are available in the funds of the individual departments using the contract. Funding beyond the current biennium is subject to future availability of funds.

**PROJECT ENGINEER/COORDINATOR:** Fred Chun, Fleet Services Manager 253-591-5553.

Richard E. McKinley  
Public Works Director

CC: Jeffrey Jenkins/Angela Ballard, PW/Facilities  
Director's Intern, Public Works  
Michele Tuong, TPU/Utilities Accounting  
Fred Chun/Chuck Blankenship/Mary Emery, Fleet Operations  
Jayne McCartney, Purchasing Analyst, Finance/Purchasing

## **RESOLUTION NO. 38030**

A RESOLUTION relating to a joint public works and public utilities project; authorizing the Public Works Department to participate in a Tacoma Public Utilities Department, Water Division, contract with WM. Dickson Co., in order to contribute the amount of \$609,814.85, budgeted from the Wastewater and Surface Water Funds, to replace existing sanitary and storm sewer mains in the vicinity of South 23rd Street to South Tacoma Way between South "C" Street and Tacoma Avenue.

WHEREAS the Tacoma Public Utilities Department, Water Division ("Tacoma Water"), is replacing water mains in the vicinity of South 23rd Street to South Tacoma Way between South "C" Street and Tacoma Avenue ("Project"), and

WHEREAS the Project provides an opportunity for the Public Works Department ("Public Works") to upgrade the aging sanitary and storm sewer mains located within the Project area, and

WHEREAS Public Works intends to participate and contribute to this Project in order to reduce construction impacts and overall costs, and

WHEREAS Public Works intends to contribute to the Project, in the amount of \$609,814.85, including sales tax, and Tacoma Water will contribute the remainder of the Project costs, for an aggregate contract amount of \$1,980,219.40, plus sales tax, and

WHEREAS Tacoma Water will monitor and administer the contract as the lead department with support, as needed, from Public Works, and

WHEREAS Tacoma Water solicited formal sealed bids for the Project; the bids were opened on April 6, 2010, and WM. Dickson Co. is deemed the lowest responsive bidder, and

WHEREAS Tacoma Water recommended that the Public Utility Board award the contract and the expenditure of utility funds at the April 28, 2010, Utility Board meeting; Now, Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Public Works Department is authorized to participate in a Tacoma Public Utilities Department, Water Division, contract with WM. Dickson Co., in order to contribute the amount of \$609,814.85, budgeted from the Wastewater and Surface Water Funds, to replace existing sanitary and storm sewer mains in the vicinity of South 23rd Street to South Tacoma Way between South "C" Street and Tacoma Avenue, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

## **RESOLUTION NO. 38031**

A RESOLUTION relating to a joint public works and public utilities project; authorizing the Public Works Department to participate in a Tacoma Public Utilities Department, Water Division, contract with S&W Utility Contractors, Inc., in order to contribute the amount of \$284,261.34, budgeted from the Surface Water Fund, to replace water mains and construct new storm sewer mains in the vicinity of Varco Road.

WHEREAS the Tacoma Public Utilities Department, Water Distribution Engineering Division ("Tacoma Water"), and the Public Works Department, Science and Engineering Division ("Public Works"), have worked in coordination to design the reconstruction of water mains and the construction of new storm sewer mains in the vicinity of Slayden Road northward to the terminus of Varco Road ("Project"), and

WHEREAS Public Works and Tacoma Water believe a coordinated effort to replace the storm water infrastructure at the same time as the reconstruction of the water mains under a single Tacoma Water contract will reduce construction impacts and overall costs, and

WHEREAS Public Works intends to contribute to the Project, in the amount of \$284,261.34, including sales tax, and Tacoma Water will contribute the remainder of the Project costs, for an aggregate contract amount of \$869,953.55, plus sales tax, and

WHEREAS Tacoma Water will monitor and administer the contract as the lead department with support, as needed, from Public Works, and

WHEREAS Tacoma Water solicited formal sealed bids for the Project; the bids were opened on April 13, 2010, and S&W Utility Contractors, Inc., was deemed the lowest responsive bidder, and

WHEREAS Tacoma Water recommended that the Public Utility Board award the contract and the expenditure of utility funds at the April 28, 2010, Utility Board meeting; Now, Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Public Works Department is authorized to participate in a Tacoma Public Utilities Department, Water Division, contract with S&W Utility Contractors, Inc., in order to contribute the amount of \$284,261.34, budgeted from the Surface Water Fund, to replace water mains and construct new storm sewer mains in the vicinity of Varco Road, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

## **RESOLUTION NO. 38032**

A RESOLUTION relating to economic development; approving an economic development project for Tacoma Goodwill Industries to be financed through the State of Washington Economic Development Finance Authority and the issuance of non-recourse revenue bonds.

WHEREAS, on December 11, 2009, the Washington Economic Development Finance Authority ("WEDFA") approved Resolution No. W-2009-17, a copy of which is attached hereto as Exhibit "A," authorizing the issuance of non-recourse revenue bonds, the proceeds of which would be loaned to the Tacoma Goodwill Industries ("Goodwill Industries") for the purpose of, among other things, refinancing existing debt used to fund the Goodwill Industries' facilities described in Exhibit "B," located in Tacoma, WA (collectively, "Project"), all as authorized by the Economic Development Finance Authority Act of 1989, chapter 43.163 RCW, as amended, and

WHEREAS it is the policy of WEDFA not to issue non-recourse revenue bonds except upon the approval of the county, city, or town within whose planning jurisdiction the proposed industrial development facility lies, and

WHEREAS it is a condition of the authorization, issuance, and sale of the bonds that the City, as the planning jurisdiction for the Project, provide evidence of approval of the Project and the bonds, or other evidence that the Project will be welcomed in the community, and

WHEREAS the Project lies within the boundaries of the City of Tacoma, Pierce County, Washington; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1: That the Tacoma City Council, pursuant to the request of the Washington Economic Development Finance Authority ("WEDFA"), does hereby approve the Project to be funded by the issuance of non-recourse revenue bonds ("Bonds") by the Washington Economic Development Finance Authority, for the purposes provided in the Economic Development Finance Authority Act of 1989, chapter 43.163 RCW, as amended.

Section 2: That the proceeds of the Bonds are to be lent to the Tacoma Goodwill Industries, pursuant to a loan agreement or other appropriate financing agreement, and used for the purpose of refinancing the Project.

Section 3: That the Bonds shall not constitute an obligation of the State of Washington or of the City of Tacoma, and no tax funds or revenues of the State of Washington or of the City of Tacoma shall be used to pay the principal or interest on the Bonds. Neither the faith and credit nor any taxing power of the State of Washington or of the City of Tacoma shall be pledged to pay the principal or interest on the Bonds.

Section 4: That the City of Tacoma does not waive any of the permitting requirements applicable to this project.

Section 5: That this resolution is intended to constitute approval of the Project to be funded by issuance of non-recourse revenue bonds within the meaning of the policy of the Washington Economic Development Finance Authority.

Section 6: That, upon passage and approval of this resolution, it shall take effect immediately.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

## **RESOLUTION NO. 38033**

A RESOLUTION relating to the implementation of parking pay stations; authorizing a procurement and operations contract with ACS, Inc., in the amount of \$4,185,000, budgeted from 3218-2009E LTGO Bond proceeds and the 4140-PAYST Parking Pay Station Fund, to implement a turnkey Parking Pay Station Program system in the core area of downtown Tacoma.

WHEREAS the City has, pursuant to Tacoma Municipal Code ("TMC") 11.05.260 and Substitute Ordinance No. 27840, established parking rates for parking pay stations based on market rates, incorporated revenues into the Parking Enterprise Fund, and authorized the City Manager to manage the parking system with the assistance of a citizen advisory committee, and

WHEREAS this tool will improve the turnover of downtown on-street spaces, making it easier for customers and visitors to conveniently find on-street parking to shop, dine, and participate in other recreational activities, and

WHEREAS the purposes and methodologies for moving to a pay for parking system were established through dialogue with stakeholders and input from downtown employers, employees, residents, and customers, as well as a study of best practices in peer communities, and

WHEREAS Substitute Ordinance No. 27840 also contained provisions to make the downtown accessible to all users through multiple travel modes, make downtown parking user-friendly by being easy to access and easy to understand, and ensure that affected downtown stakeholders were involved in decisions about parking policy, and

WHEREAS a Parking Management Task Force was established in March 2010, and is currently meeting weekly to make recommendations on the operations and rollout plan for the pay stations, and

WHEREAS the meter district is planned for the area bound by South 7th Street to South 21st Street and Dock Street to Market Street, and

WHEREAS there are also plans to introduce the public to paid on-street parking through a comprehensive outreach program that is currently under development, and

WHEREAS ACS, Inc. was selected to provide both procurement and operation of a Pay Station system in Tacoma's downtown core; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a procurement and operations contract with ACS, Inc., in the amount of \$4,185,000, budgeted from 3218-2009E LTGO Bond proceeds and the 4140-PAYST Parking Pay Station Fund, to implement a turnkey Parking Pay

Station Program system in the core area of downtown Tacoma, said document to be substantially in the form of the proposed contract on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney