



## **Legislation Passed January 14, 2014**

The Tacoma City Council, at its regular City Council meeting of January 14, 2014, 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. 38819**

A resolution appointing five individuals to the Human Services Commission.

### **Resolution No. 38820**

A resolution authorizing the execution of an amendment to the agreement with Carollo Engineers, Inc., to increase the contract by an amount not to exceed \$2,392,218, sales tax not applicable, for a maximum cumulative total of \$4,053,700, budgeted from the Wastewater Fund, for owner's representative services for the Wastewater Treatment Plant Computer Control System Upgrade project - Specification No. PW11-0422F.

### **Resolution No. 38821**

A resolution declaring surplus and authorizing the sale of approximately 10.82 acres of property within the Tacoma Rail Mountain Division right-of-way located from East D Street to Puyallup Avenue, to Central Puget Sound Regional Transit Authority (Sound Transit) for the amount of \$4,000,000 and the conveyance of approximately 1.22 acres of Sound Transit property located near the intersection of Pacific Avenue and South 26th Street.

### **Resolution No. 38822**

A resolution authorizing the execution of an amendment to the agreement with Kellogg Sicker Pochert, LLC, for property located at 1110 and 1114 Martin Luther King Jr. Way, to extend the buyer's feasibility period and the closing date to February 28, 2014.

**Ordinance No. 28197**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the International Brotherhood of Electrical Workers, Local 483, Custodial and Building Maintenance Unit, which consists of approximately 29 budgeted, full-time positions; Tacoma Firefighters Union, Local 31, which consists of approximately 351 budgeted, full-time positions; and the United Transportation Union, Switch Crew Unit, which consists of approximately 32 budgeted, full-time positions, retroactive to January 1, 2013 through December 31, 2014.

**Ordinance No. 28198**

An ordinance amending Chapter 2.02 of the Municipal Code, relating to the Building Code, by reenacting Section 2.02.1000, to be known and designated as "Earthquake Recording Instrumentation."



## RESOLUTION NO. 38819

1 BY REQUEST OF MAYOR STRICKLAND, DEPUTY MAYOR WOODARDS, AND  
2 COUNCIL MEMBERS CAMPBELL AND LONERGAN

3 A RESOLUTION relating to committees, boards, and commissions; appointing  
4 individuals to the Human Services Commission.

5 WHEREAS vacancies exist on the Human Services Commission, and

6 WHEREAS, at its meeting of January 9, 2014, the Public Safety, Human  
7 Services, and Education Committee recommended the appointment of individuals  
8 to said commission, and

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
11 have been nominated to serve on the Human Services Commission; Now,  
12 Therefore,

13  
14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 That those nominees to the Human Services Commission listed on  
16 Exhibit "A" are hereby confirmed and appointed as members of said commission for  
17 such terms as are set forth on Exhibit "A."  
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19 Adopted \_\_\_\_\_

20 \_\_\_\_\_  
21 Mayor

22 Attest:  
23 \_\_\_\_\_

24 City Clerk

25 Approved as to form:  
26 \_\_\_\_\_

City Attorney



## EXHIBIT "A"

### HUMAN SERVICES COMMISSION

Appointing **Moses Chege** to an unexpired term to expire April 30, 2015.

Appointing **Jovan Dumas** to an unexpired term to expire April 30, 2015.

Appointing **Zachary Lam** to a term beginning January 14, 2014, to expire April 30, 2016.

Appointing **Hailey Miller** to a term beginning January 14, 2014, to expire April 30, 2016.

Appointing **Tracy Murphy** to a term beginning January 14, 2014, to expire April 30, 2016.



## RESOLUTION NO. 38820

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase of Contract  
3 No. 4600007933 with Carollo Engineers, Inc., by an amount not to exceed  
4 \$2,392,218, sales tax not applicable, for a maximum contract amount of  
5 \$4,053,700, sales tax not applicable, budgeted from the Wastewater Fund,  
6 to provide for Owner's Representative Services during the construction and  
7 startup phases of the Wastewater Treatment Plant Computer Control  
8 System Upgrade Project - Specification No. PW11-0422F.

9 WHEREAS the City has complied with all applicable laws and processes  
10 governing the acquisition of those supplies, and/or the procurement of those  
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
12 incorporated herein as though fully set forth, and

13 WHEREAS the Board of Contracts and Awards has concurred with the  
14 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

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

16 Section 1. That the Council of the City of Tacoma concurs with the  
17 Board of Contracts and Awards to adopt the recommendation for award as set  
18 forth in the attached Exhibit "A."

19 Section 2. That the proper officers of the City are hereby authorized to  
20 increase Contract No. 4600007933 with Carollo Engineers, Inc., by an amount  
21 not to exceed \$2,392,218, sales tax not applicable, for a maximum contract  
22 amount of \$4,053,700, sales tax not applicable, budgeted from the Wastewater  
23 Fund, to provide for Owner's Representative Services during the construction  
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1 and startup phases of the Wastewater Treatment Plant Computer Control  
2 System Upgrade Project - Specification No. PW11-0422F, consistent with  
3 Exhibit "A."  
4

5 Adopted \_\_\_\_\_

6 \_\_\_\_\_  
Mayor

7 Attest:

8 \_\_\_\_\_  
9 City Clerk

10 Approved as to form:

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13 City Attorney

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**City of Tacoma**  
Environmental Services Department

**DATE:** December 30, 2013  
**TO:** Board of Contracts and Awards  
**SUBJECT:** Contract Amendment No. 2 for the Wastewater Treatment Plant Control System Upgrade Project; Budgeted from ES Wastewater Fund 4300  
Request for Qualifications Specification No. PW11-0422F  
Contract No. 4600007933

**RECOMMENDATION:** The Environmental Services Department, Science and Engineering Division requests approval to increase SAP Contract No. 4600007933 with **Carollo Engineers, Inc., Seattle, WA**, by \$2,392,218.00, sales tax not applicable. This increase will bring the contract to a cumulative amount of \$4,053,700.00, sales tax not applicable.

**EXPLANATION:** An increase is primarily required to provide for Owner's Representative Services during the construction and startup phases of the Wastewater Treatment Plant Computer Control System Upgrade project. Under the terms of the current contract (together with Contract Amendment No. 1), the City has the option to expand the scope of professional services (via a second contract amendment and Council approval) to include services during construction and commissioning. The scope for this second phase of work could not be accurately defined previously, and was not included in the subject contract or in Contract Amendment No. 1.

Consultant scope of services during the construction phase of this project is needed to provide on-site and office support services for this \$16,500,000 capital project, over a 26-month construction period. Significant components of these services include:

- Full-time services during the 26-month project construction of a specialized instrumentation and control resident engineer.
- Office technical support services for providing additional review of submittals, record drawings, RFIs and other documentation.

This contract amendment also provides for an increase to the scope of services and budget for the Owner's Representative Services for the planning, design, and procurement phases of the Wastewater Treatment Plant Computer Control System Upgrade Project. The scope increase is primarily due to the following reasons:

- The physical scope of the project was increased significantly (approximately \$1,200,000 in extra capital costs) to incorporate various "value-added" features that increase the level and efficiency of automation of the facilities, which incurred additional design costs.
- Additional project management and coordination effort is required to accommodate an eight-month increase to the duration of the design phase of the project required to accommodate design of these "value-added" features and allow City staff time to undertake additional technical reviews associated with this additional scope.

The City's Central Treatment Plant (CTP) and the North End Treatment Plant (NETP) share a single computer control system for operation and monitoring of equipment within each facility. This existing control system was installed at the CTP in the mid-1980s; in 1997 the system was expanded to include the NETP. Between 2006 and 2009, a major facility expansion and upgrade was constructed at the CTP which included ensuring that all new equipment was connected to the existing control system as appropriate.

Over the past several years, the City has been evaluating options for a complete upgrade to the computer control system that would ensure both treatment facilities have increased reliability and are able to continue operation in a cost effective manner. In addition, the Wastewater section has budgeted for the anticipated capital improvements associated with this computer control system upgrade.

The existing computer control system must be expanded to include areas of each facility that do not currently have appropriate levels of automation. In addition, much of the existing system has become obsolete and unreliable since its original installation in the mid-1980s.

The City's wastewater National Pollutant Discharge Elimination System (NPDES) Permits, one for the CTP and another for the NETP, require a high level of treatment before discharging into Commencement Bay. The equipment and treatment processes necessary to achieve this high level of treatment are complex. Reliable and well designed computer control systems are an extremely important component to the effective operation of these treatment systems. Well designed computer control systems give City staff additional tools to help ensure that the City can maximize the treatment potential from these systems and do so at the lowest possible cost, while protecting public health. This project will provide these attributes at both treatment facilities.

Prior to undertaking the computer control system upgrade, significant engineering effort is necessary to determine the exact requirements for the control system and to develop procurement documents that can effectively provide the City with the best available technology at the most competitive price.

The Professional Services contract currently provides the following services:

- Complete the documentation of the existing system as necessary for issuing a Request for Proposals (RFP);
- Conducting workshops with City staff to determine requirements for the new system;
- Development of drawings, specifications and contract documents to support the RFP; and,
- Assisting in vendor selection and contracting.

**COMPETITIVE SOLICITATION:** The contract was originally awarded to Carollo Engineers Washington, P.C. (now Carollo Engineers, Inc.) as the result of a Request for Qualifications (RFQ) process via Specification No. PW11-0422F in August 2011. Seven firms were invited to submit qualifications and the RFQ was publicly advertized in the Seattle Daily Journal of Commerce and Tacoma Daily Index. The City received three Statements of Qualifications which were opened on August 2, 2011. This was followed by interviews and consultant selection in late September, 2011. Carollo Engineers Washington, P.C. was selected based on a ranking process that combined the evaluation scores for each consultant's statement of qualifications and interview.

**SUSTAINABILITY FACTORS:** This project will improve the automated control of the City's wastewater treatment plants and improve the level of control and monitoring of the treatment processes. As a result, this will improve the reliability of the plants and help ensure that Tacoma's wastewater receives a consistently high level of treatment which will help preserve the water quality of Commencement Bay.

**CONTRACT HISTORY:** The original contract to Carollo Engineers Washington, P.C. in the amount of \$1,061,070.00, sales tax not applicable, was approved by City Council Resolution No. 38425 on February 7, 2012. Subsequently, this contract was amended to increase the

contract amount by \$600,412.00, to \$1,661,482.00, sales tax not applicable. The current amendment is the second amendment to the contract.

**FUNDING:** Funds are budgeted in the ES Wastewater Fund 4300. Funding beyond the current biennium is subject to future availability of funds.

**PROJECT ENGINEER/COORDINATOR:** Geoffrey M. Smyth, P.E., Science and Engineering Division Manager, 253-502-2111.



Michael P. Slevin III, P.E.  
Environmental Services Director

cc: Joseph Parris, Senior Buyer  
Charles Wilson, SBE Coordinator  
Peter Guzman, LEAP Coordinator  
Eric Johnson, Environmental Services



## RESOLUTION NO. 38821

1 A RESOLUTION relating to surplus property; declaring certain real property owned  
2 by the City, consisting of approximately 10.82 acres (1.21 miles) of real  
3 property located within the City of Tacoma, Public Works Department,  
4 Tacoma Rail Mountain Division ("TRMW"), from East "D" Street to Puyallup  
5 Avenue in the City of Tacoma, surplus to the needs of the City; and  
6 authorizing the execution of a Quit Claim Deed to convey that portion of real  
7 property in fee simple to the Central Puget Sound Regional Transit Authority  
8 ("Sound Transit") for the purpose of utilizing said property for its Sounder  
Commuter Rail Service and infrastructure improvements thereon to reduce  
major congestion and increase safety, for fair market value of \$4 million and  
the conveyance of approximately 1.22 acres of Sound Transit property to the  
City of Tacoma.

9 WHEREAS the Central Puget Sound Regional Transit Authority ("Sound  
10 Transit") is currently operating its Sounder Commuter Rail service on approximately  
11 1.21 miles of property owned by the City of Tacoma, Public Works Department,  
12 Tacoma Rail Mountain Division ("TRMW"), from East "D" Street to Puyallup Avenue  
13 in the City of Tacoma, consisting of 13 separate tax parcels and containing  
14 approximately 471,425 square feet (10.82 acres) ("Property"), under a temporary  
15 operating agreement with the City, and  
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17 WHEREAS, during negotiations to enter into a permanent operating  
18 agreement, the parties determined that acquisition of the Property by Sound Transit  
19 would be advantageous to both parties, and  
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21 WHEREAS ownership of the Property by Sound Transit will allow for future  
22 investment in regional transportation infrastructure while reducing long-term repair  
23 and replacement costs for TRMW, and  
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25 WHEREAS, under the terms of the proposed Purchase and Sale Agreement,  
26 Sound Transit will pay the City \$4 million for the Property; will convey to the City, at



no cost, approximately 1.22 acres of surplus property located at the intersection of Pacific Avenue and South 26th Street; and will contribute up to an additional \$200,000 for landscape design and improvements on the property conveyed to the City, and

WHEREAS, in addition to the foregoing, Sound Transit and the City have negotiated a Joint Use Agreement for the rail corridor that will allow Tacoma Rail to continue its freight operations in perpetuity, and sets forth maintenance and repair obligations for both parties, and

WHEREAS TRMW has reviewed the terms and conditions of the Purchase and Sale Agreement and Joint Use Agreement and determined that the sale of the Property will not affect its railroad operations, and

WHEREAS City Council held a Public Hearing on December 10, 2013, as required by state law, to allow the public to comment on the proposed sale, and no objections were received, and

WHEREAS, there being no foreseeable need for continued City ownership of the Property, a declaration of surplus and negotiated disposition of the Property and the execution of a Quit Claim Deed to convey said Property in fee simple to Sound Transit, for fair market value of \$4 million and the conveyance of approximately 1.22 acres of Sound Transit property to the City of Tacoma, appears to be in the best interests of the City, pending final approval from the City Council; Now, Therefore,

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



1 Section 1. That continued fee ownership of the City property consisting of  
2 approximately 10.82 acres (1.21 miles) of real property located within the City of  
3 Tacoma, Public Works Department, Tacoma Rail Mountain Division ("TRMW"),  
4 from East "D" Street to Puyallup Avenue in the City of Tacoma, is not essential to  
5 the needs of the City and is hereby declared surplus property pursuant to  
6 RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City  
7 Charter.

8 Section 2. That the proper officers of the City are hereby authorized to enter  
9 into a Quit Claim Deed to convey this portion of real property in fee simple to the  
10 Central Puget Sound Regional Transit Authority for the purpose of utilizing said  
11 property for its Sounder Commuter Rail Service and infrastructure improvements  
12 thereon to reduce major congestion and increase safety, for fair market value of  
13 \$4 million and the conveyance of approximately 1.22 acres of Sound Transit  
14 property to the City of Tacoma, said document to be substantially in the form of the  
15 document on file in the office of the City Clerk.  
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18 Adopted \_\_\_\_\_  
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Mayor

21 Attest:  
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23 \_\_\_\_\_  
City Clerk

24 Approved as to form:  
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26 \_\_\_\_\_  
Chief Deputy City Attorney



## RESOLUTION NO. 38822

1 A RESOLUTION relating to community and economic development and the  
2 disposition of surplus real property; authorizing an amendment to the  
3 Purchase and Sale Agreement with Kellogg Sicker Pochert, LLC, for  
4 property located at 1110 and 1114 Martin Luther King Jr. Way, for the  
purpose of extending the buyer's feasibility period and the closing date for  
said sale until February 28, 2014.

5 WHEREAS the City intends to sell two parcels of property, located at 1110  
6 and 1114 Martin Luther King Jr. Way ("Properties"), to Kellogg Sicker Pochert,  
7 LLC ("KSP"), pursuant to the terms of a Purchase and Sale Agreement dated  
8 September 10, 2013 ("Agreement"), that was approved by the City Council on  
9 August 13, 2013, in the amount of \$50,000 per parcel, for the purpose of  
10 constructing apartments, ground floor office/retail, and parking, and  
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12 WHEREAS the Agreement provided for a 60-day feasibility review period,  
13 with a 30-day extension allowed, with the closing scheduled to occur in  
14 December 2013, and  
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16 WHEREAS KSP has been conducting a review of the Properties, including  
17 building and site inspections, and has met with Planning and Development  
18 Services Department staff and participated in project scoping meetings to  
19 understand the requirements for building, site, and land use permits, and  
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21 WHEREAS KSP has requested additional time to complete its analysis  
22 and proceed with the project, and

23 WHEREAS it is the recommendation of City staff that KSP's request for an  
24 extension of its feasibility review period and revision of the closing date to  
25 February 28, 2014, be approved; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That proper officers of the City of Tacoma are hereby authorized to enter into an amendment to the Purchase and Sale Agreement with Kellogg Sicker Pochert, LLC, for property located at 1110 and 1114 Martin Luther King Jr. Way, for the purpose of extending the buyer's feasibility period and the closing date for said sale until February 28, 2014, which document shall be substantially in the form of the proposed amendment on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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