



Transportation & Public Works Meeting Agenda

November 3, 2022; 5:30 – 6:30 PM
“Hybrid Meeting”

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. The meeting will be broadcast on SeaTV Government Access Comcast Channel 21 and live-streamed on the City’s website <https://seatacwa.gov/seatvlive> and click the “live” Channel 1 grey box.

Peter Kwon, Chair
Takele Gobena
Jake Simpson, Mayor

Note: A quorum of the Council may be present

Other Councilmembers present:

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer.

Other Staff participating:

TIME	TOPIC	PROCESS TYPE	WHO	Time
		Action, Consent Or Presentation		
1	Call to order		Chair	
2	PUBLIC COMMENTS: The committee will hear in-person public comments and is also providing remote oral and written public comment opportunities. All comments shall be respectful in tone and content. Providing written comments and registering for oral comments must be done by 2:00 PM the day of the meeting. Registration is required for remote comments and encouraged for in-person comments. Any requests to speak or provide written public comments which are not submitted following the instructions provided or by the deadline will not be included as part of the record. • Instructions for providing remote oral public comments are located at the following link: Registration for Oral Public Comments - Council		Chair	5

	Committees and Citizen Advisory Committees Submit email/text public comments to TPWPubliccomment@seatacwa.gov. The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website meeting calendar the next day.			
3	Prior Minutes Approval	October 6 Minutes to Approve	Chair	5
4	South 180 th Flood Reduction Final Acceptance	Discussion/Action	Trevor Ralph	10
5	Amendment to design contract for 34 th Ave South (ST-015)	For Consent Agenda Approval	Florendo Cabudol	10
6	Approve Ordinance for Compost Procurement	For Consent Agenda Approval	Will Appleton	15
7	<u>Department Updates</u>		Will Appleton	10
8	<u>Future Meeting Topics</u> : Right of Way Uses; Memorials in the ROW; Property Surplus			5
9	Adjourn	Adjourn Meeting	Chair	



Transportation & Public Works Committee Meeting Minutes

October 6, 2022
5:30 PM – 6:30 PM
** Hybrid Meeting **

Members:	Present:	Absent:	Commence: 5:30 PM Adjourn: 6:08 PM
Peter Kwon, Chair	X		
Jake Simpson	X		
Takele Gobena	A		

Other Councilmembers participating:

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer

Other Staff Participating: Mason Giem, PW Programs Coordinator; Gwen Voelpel, Deputy City Manager, Cindy Corsilles, Chief Prosecutor Attorney/ Assistant City Attorney

Public Comment	No public comment.
1. Approve Prior Meeting's Minutes	Sept 1 and Sept 15 Minutes were approved.
2. Three Way Consolidated Light Rail Agreement	Request for Direction Florendo Cabudol, City Engineer asked for this item to be presented at a future council meeting as an action item. The Committee unanimously recommended this item to move forward to Council as an action item.

<p>3. Motion to Approve Power Easement for Sound Transit at S 204th St.</p>	<p>Request for Direction</p> <p>Florendo Cabudol, City Engineer asked for this item to be placed on consent agenda with a recommendation to approve at the October 11th regular council meeting.</p> <p>The Committee unanimously recommended this item be placed on the Consent Agenda for Council approval.</p>
<p>4. Compost Procurement</p>	<p>Presentation</p> <p>Mason Giem, Public Works Programs Coordinator presented this item.</p> <p>In 2022, the Washington state legislature passed House Bill 1799, Chapter 180, Laws of Washington 2022, which requires cities or counties to adopt a compost procurement ordinance.</p> <p>The City of SeaTac Comprehensive Plan Policy 6.6E requires the City of SeaTac to work with the City's solid waste contractor and King County Solid Waste Division to promote and facilitate the use of measures which reduce, reuse, and/or recycle resources, including food and other solid waste throughout the City, to contribute toward achieving countywide waste prevention and recycling goals.</p> <p>In 2019, organic material comprised approximately thirty-five percent of what we sent to Cedar Hills regional landfill. Diverting organic material and supporting end markets for those products is an essential part of reaching the City of SeaTac's goal 9.5 - Reduce greenhouse gas emissions as a means of addressing the potential adverse impacts of climate change.</p> <p>The City of SeaTac has crafted a draft Compost Procurement Ordinance which directs all City departments to purchase municipally sourced compost for projects where applicable. This will include landscaping projects, construction and post construction soil amendments, applications to prevent soil erosion, filter storm water runoff, promote vegetative growth, or improve the stability and longevity of roadways, low impact development and green infrastructure to filter pollutants or to keep water onsite.</p> <p>The committee raised a question regarding how is that being rolled out and the cost? The Department of Ecology</p>

	<p>will provide enforcement and materials educating residents/businesses. There are grants that can be applied for regarding this bill.</p> <p>This ordinance needs to be passed by January 1, 2023, for municipalities; July 2023 for businesses.</p> <p>This will be presented at the October 20th TPW Meeting and at the November 11th council meeting for action.</p> <p>No action is needed by the Committee at this time as this is an informational update as the draft ordinance is still being crafted.</p>
<p>5. Trail Lease Agreement with WSDOT for Lake to Sound Trail Segment C</p>	<p>Discussion/Action</p> <p>Florendo Cabudol, City Engineer. Provided an overview of the Trail Lease Agreement between the City and WSDOT on the Lake to Sound Trail Segment C.</p> <p>The Trail Lease Agreement outlines roles and responsibilities for the City and WSDOT to construct and maintain the trail project within State Route 509 right-of-way (ROW).</p> <p>The Lake to Sound Trail Project is currently under construction and being delivered by King County Parks.</p> <p>The finished trail facility will be an asset that is owned and maintained by the City of SeaTac.</p> <p>The project and connection to the Lake to Sound Regional Trail system satisfies mitigation requirement for the building of the SR509 Completion Project.</p> <p>The Lake to Sound Trail Segment C project is 1.8 miles in SeaTac and 0.4 miles in Burien.</p>

	<p>Project has been broken out into phases by the County. The SeaTac segment is currently under construction and will be completed by May 2023. The Burien segment will be going out to bid the winter of 2022 and completed late 2023.</p> <p>The groundbreaking was held in October of 2021 and there will be a ribbon cutting ceremony when the Burien segment is complete, and the entire Segment C is open for use.</p> <p>WSDOT's role</p> <ul style="list-style-type: none"> - WSDOT controls the SR509 ROW and what is allowed within it - WSDOT approves design and construction of the trail - WSDOT may allow other parties within the SR509 ROW (i.e., Franchise Utilities) <p>SeaTac's role</p> <ul style="list-style-type: none"> - Design review and approval - Maintenance responsibility - Environmental Compliance that is related to use or work on the trail - Payment of any Utility service fees - Provide record/as-built drawings of completed trail <p>Staff requested referral to October 25th Regular Council Meeting for Council Action.</p> <p>The Committee unanimously recommended to place this item (Agenda Bill 6080) on the 10/25/2022 Consent Agenda for Council approval.</p>
6. Department Updates	<p>Florendo Cabudol, City Engineer presented the following department updates:</p> <p>South 188th Street Overlay is nearing completion. The median is being landscaped, but the City is waiting for cooler weather for plant establishment and the delivery of stormwater treatment facilities to install.</p> <p>The 34th Ave South project is ongoing and is 80% complete. The aerial utilities are being placed underground and final paving will occur Q2 of next year when we have warmer weather.</p> <p>The city has implemented safety features at South 216th Street and 35th Ave South (also known as the "hairpin turn" and located east of Military Road South). In-pavement, grooved rumble strips have been placed in the center line as well as candlesticks for a visualcue for drivers to negotiate the turns and stay within their lane. A streetlight at the turn is also planned to help drivers navigate safely.</p>

	The Fall Recycling event will be held October 22 nd from 9am to 3pm at Tye High School.
8. Adjourn	Meeting adjourned at 6:08 PM

Minutes for Approval



MEMORANDUM

To: Transportation and Public Works Committee
Through: William Appleton, Public Works Director
From: Florendo Cabudol, City Engineer
Date: November 1, 2022
Subject: Final Acceptance of the South 180th Street Flood Reduction Project

Purpose:

To provide the Committee with a report on the completion of the South 180th Flood Reduction (Public Works Project SWMCIP-008) and seek Council approval at the November 8, 2022 Regular Council Meeting for Final Acceptance to establish completion of the project and start the Notice of Completion process in compliance with state law (RCW 60.28.051).

Background:

The South 180th Street Flood Reduction Project's goal was to eliminate recurring flooding on City Right-of-Way at the terminus of South 180th Street, near the entrance to the Hunt's Club Apartments. To achieve this, a small segment of South 180th Street was repaved and raised out of the flood plain. In addition, the following storm drainage improvements were made:

- Remove and replace segments of the existing storm drainage system.
- Reconstruct the drainage outlet at the terminus of South 180th Street.
- Replace several segments of undersized drainage pipes on South 182nd Street.
- Re-grade the existing drainage channel that carries stormwater between South 180th and South 182nd streets. New landscaping and wetland plantings were also planted within the drainage channel.

In addition to the flood reduction improvements, the project built an asphalt pedestrian path connecting South 180th Street and South 182nd Street. City standard pedestrian scale lighting was also installed along the pathway. This path accomplishes a longstanding goal of providing walkable connection between South 180th and South 182nd Streets that serves community access to homes, apartments, and Bow Lake Elementary School.

The project was completed in April of this year with a ribbon cutting ceremony held on May 20, 2022. The final construction related costs totaled \$1,107,685. This is 9% lower than the authorized construction expenditure amount of \$1,215,046 (see Agenda Bill 5710).

Final acceptance is one of the remaining actions needed to close-out the project. This action is important as it satisfies the following requirements:

- Issuing Final Acceptance officially indicates the City's acceptance of the project.
- After issuing Final Acceptance, the process of filing a Notice of Completion with the State's Department of Revenue, Department of Labor and Industries, and Employment Security Department can be initiated in compliance with RCW 60.28.051.
- The Notice of Completion certifies that any applicable taxes, premiums, funds, and penalties have been paid by the Contractor.

A corresponding Motion is being placed on the Consent Agenda for the November 8, 2022 Regular Council Meeting for action.

Final Acceptance of the S. 180th Flood Reduction (Public Works Project SWMCIP 008)

Transportation and Public Works Committee
November 3, 2022



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

To provide the Committee with a report on the completion of the S. 180th Flood Reduction (Public Works Project SWMCIP 008) and seek approval for Final Acceptance to establish completion of the project and start the Notice of Completion process in compliance with state law (RCW 60.28.051).

WHY IS THIS ISSUE IMPORTANT?

1. Issuing Final Acceptance officially indicates the City's acceptance of the project.
2. After issuing Final Acceptance, the process of filing a Notice of Completion with the State's Department of Revenue, Department of Labor and Industries, and Employment Security Department can be initiated in compliance with RCW 60.28.051.
3. The Notice of Completion certifies that any applicable taxes, premiums, funds, and penalties have been paid by the Contractor.



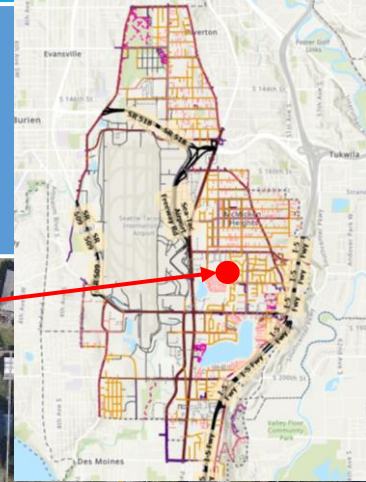
OVERVIEW OF PROJECT

CONSTRUCTION AWARD = 7/13/2021

CONSTRUCTION COMPLETION = 4/11/2022

AUTHORIZED EXPENDITURE = \$1,215,046.00

FINAL CONSTRUCTION EXPENDITURE = \$1,107,684.93



OVERVIEW OF PROJECT

1. Clearing, grading, and replanting of the Class III stream that runs along the property line of Pine Ridge Apartments and Emmanuel Baptist Church.
2. Roadway improvements at the terminus of S. 180th Street to bring the profile of the road out of the 25-year Flood Plain.
3. Installation of an ADA compliant, illuminated pedestrian pathway providing connection between S. 180th street and S. 182nd Street
4. SeaTac residents gain the following benefits:
 - a. Pedestrian path provides a safe and direct connection to Bow Lake Elementary for the school children and residents that live on S. 180th Street.
 - b. Newly designed drainage facilities will prevent flooding on S 180th Street and reduce likelihood of flooding on private properties.



BEFORE-AFTER PHOTOS



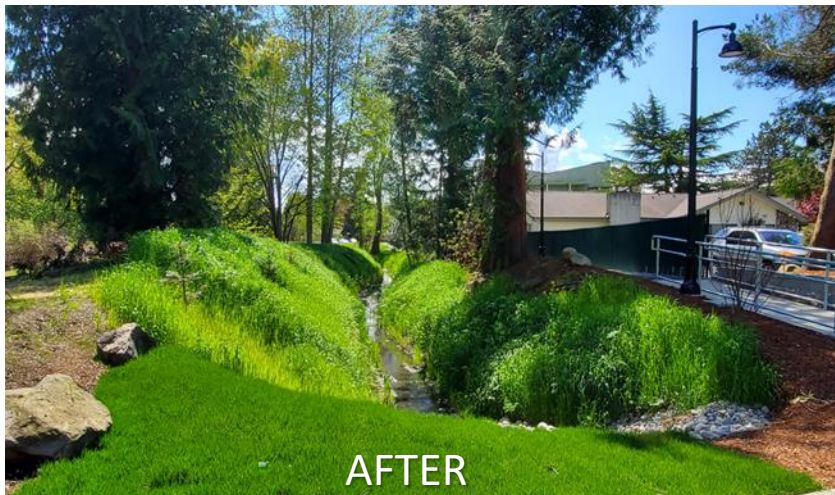
BEFORE

View of Drainage Channel (South)



BEFORE

View of S. 180th Terminus



AFTER



AFTER



BEFORE-AFTER PHOTOS



BEFORE

Pedestrian Path (South)



AFTER



MEMORANDUM

To: Transportation and Public Works Committee
Through: William Appleton, Public Works Director
From: Florendo Cabudol, City Engineer
Date: October 26, 2022
Subject: Amendment to 34th Avenue South (PW Capital Improvement Project ST-015)
Design Services Contract

Purpose:

Staff is seeking the Committee's recommendation to place the proposed contract amendment to the professional services agreement with Parametrix for the 34th Avenue South project (PW CIP ST-015), on the Consent Agenda for November 8 Regular Council Meeting (RCM).

Background:

A professional services contract with Parametrix was approved by the Council through Agenda Bill 4903 and executed on July 24, 2018. Four prior amendments were executed to address changes in scope and an extension in the contract duration to December 31, 2023. A fifth contract amendment is being requested based on the following reasons:

- Additional services related to extending temporary construction easement agreements with property owners to complete restoration work (current agreements set to expire on December 31, 2022).
- Additional services related to addressing necessary design changes during construction due to changed conditions.

This amendment increases design costs by \$58,003.61 and will be paid through existing Transportation CIP Fund (#307) appropriations for the project in the 2021-2022 Biennial Budget. Therefore, the total cost for the design contract will increase from \$805,503.64 to a not to exceed amount of \$863,507.25. The total cost of design is still less than 15% of the construction cost, which is industry standard for projects of similar scope and complexity. No amendment to the 2021-2022 Biennial Budget is required for this action.

Options/Recommendation:

Staff recommends placing the approval of this supplement on the Consent Agenda for the November 8, 2022 RCM. If this recommendation is not given, options include deferring constructing this project until staff is appropriately trained to administer construction.

**PUBLIC WORKS CONSULTANT CONTRACT – AMENDMENT NO. 5
BETWEEN**

City of SeaTac
4800 South 188th Street
SeaTac, WA 98188

AND

Parametrix, Inc.
1019 39th Avenue SE, Suite 100
Puyallup, WA 98374

=====
PROJECT: 34th Avenue South Sidewalk Project
Project #: ST-015
=====

AMENDMENT OF CONSULTANT CONTRACT

Pursuant to Section 16 of the Consultant Contract between the City of SeaTac (City) and Parametrix, Inc (Consultant), dated July 24, 2018, the City and the Consultant hereby amend:

Section 2 (under the subheading “SCOPE OF SERVICES.”) as follows:

The Consultant shall also be responsible for completion of the scope of services detailed in Attachment A to this Amendment.

Section 5 (under the subheading “COMPENSATION AND REIMBURSEMENT OF EXPENSES”) as follows:

The parties agree that compensation shall be increased in an amount not to exceed \$58,003.61 for additional services as detailed in Attachment B to this Amendment.

All other terms of the Consultant Agreement shall remain in effect and unchanged.

IN APPROVAL, authorized representatives of the Parties to this Contract have signed below. This Amendment shall become effective on the date of the last signature made.

CITY OF SEATAC

PARAMETRIX, INC.

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

APPROVED AS TO FORM:

Mary E. Mirante-Bartolo, City Attorney

AMENDMENT 5 SCOPE OF WORK

City of SeaTac
34th Avenue S
PHASE 3 – Additional Construction Assistance

GENERAL

Parametrix, Inc. (CONSULTANT) will extended Construction Assistance (CA) beyond what was scoped under Amendment 4. These services are intended to support the City of SeaTac (AGENCY) and their selected Construction Manager, (CONSTRUCTION MANAGEMENT FIRM), during construction of 34th Avenue South. These services are based upon the understanding that the AGENCY and CONSTRUCTION MANAGEMENT FIRM will coordinate directly with the Contractor for the construction project work. The AGENCY will be involved in the construction process to make decisions, provide approvals, and perform other actions as needed for completion of construction. These services are also based upon the AGENCY executing a contract for construction with the Contractor that is consistent with the Consultant Agreement and with these services, and which provides the requisite authority for CONSULTANT to fulfill its responsibilities.

PERIOD OF PERFORMANCE

The services under this scope of services will commence upon the receipt of a Notice to Proceed and extend an additional 12 months, expiring in December 2023. CONSULTANT's ability to meet this schedule is contingent upon the Contractor's activities.

TASK 01 – COORDINATION WITH CITY STAFF

1.1 General Coordination

This task includes overall coordination of CONSULTANT's contract with the AGENCY including the following:

- *Subconsultant Coordination* – General contacting and coordination with UFS.
- *Monthly Progress Reports* – Prepare up to 12 additional monthly progress reports for distribution to the AGENCY. Prepare a monthly invoice for services performed by CONSULTANT, including earned value analysis.
- *Correspondence* – General correspondence as needed to respond to AGENCY questions and/or concerns related to construction, progress and/or design issues, assuming 1 hour per week until March 31, 2023.

Deliverables

- Monthly Progress Reports (12 additional reports assumed based on contract end date specified above).

TASK 02 – PRECONSTRUCTION SERVICES

- No additional work is included under Amendment 5.

TASK 03 – CONSTRUCTION SERVICES

3.1 General Support

CONSULTANT will provide services to assist in responding to design questions during construction.

Because of the unknown level of effort needed for construction assistance, a placeholder of 20 hours for engineer-of-record time, 40 hours of Senior Engineer time and 100 hours of Engineer IV time have been included in the budget. Should the level of effort exceed these hours, the CONSULTANT will notify the AGENCY prior to commencing work to determine the additional effort needed.

3.2 Project Site Meetings

CONSULTANT will attend up to 2 construction meetings and 2 field visits as needed. Meetings and field visits will be attended by either the engineer-of-record or utility engineer, and last up to two hours.

TASK 04 – RECORD DRAWINGS

- No additional work is included under Amendment 5.

NEW TASK 05(UFS) – ROW ASSISTANCE

- Refer to the separate proposal by UFS.

Scope of Work
34th Avenue South (160th to 166th)
Temporary Easement Extension

Background: Right of Way acquisition for this project has been completed and certified by WSDOT Local Programs and construction is nearing completion. There are ten (10) separate tax parcels that require extensions to the Temporary Easements (TE) for construction. The purpose of this Scope of Work is to identify additional tasks required to complete the acquisition of TE amendments which will extend the expiration date to December 31, 2023. A revised Fee Estimate has been prepared to accompany this analysis, dated October 24, 2022.

The impacted parcels are shown in Table A below.

- A. Preparation and Administration** – UFS will attend up to ten (10) progress meetings by video conference call and provide up to five (5) monthly progress and tracking reports when invoicing.

UFS will provide a sample TE Amendment template and offer letter for the City's review and approval for project use. All forms and documents will comply with City's standards and in accordance with statutory requirements. The City's pre-approved documents will be used when provided. UFS will maintain acquisition records in accordance with statutory, regulatory and policy requirements.

For each parcel impacted, prepare acquisition files to include fair offer letters, a standard diary form indicating all contacts with owner(s), ancillary documents, and other items necessary to complete the work.

Deliverables:

- Attend ten (10) Progress Meetings (2 UFS Staff) – Video conference
- Provide five (5) Monthly Progress Reports
- Coordinate City approval of Acquisition forms and documents for project use
- Coordination with City and Parametrix

- B. Title / Ownership Review** – No permanent real property rights are required per this scope of work. Thus, the ownership research will be limited to acquiring a copy of the last deed of conveyance for each parcel through online public records.

Per direction of the City, the TE Amendments will not be recorded, and no title insurance is required.

Deliverables:

- Obtain up to ten (10) Last Deeds of Conveyance

- F. Appraisal / Appraisal Review / Administrative Offer Summary Worksheets** – In consideration of the City's appraisal waiver limit of \$25,000, UFS will coordinate with the project appraiser to prepare Administrative Offer Summary Worksheets (AOS). All AOS worksheets will be completed in accordance with the Uniform Standards of Professional Appraisal Practices, WSDOT Local Agency Guidelines, the WSDOT Right of Way Manual (in particular, Chapters 4 and 5), and the Uniform Act.

Additional Appraisals and Appraisal Reviews will require an amendment to this scope of work and related fee estimate.

Assumption:

- All ten (10) parcels will qualify for the appraisal waiver

Deliverables:

- AOS Worksheets – Ten (10) each

- G. Present Offers / Negotiations** - Upon written approvals from the City on each AOS worksheet establishing the amounts of just compensation, Universal staff will prepare offer package(s) and promptly present offers to purchase all the required real property interests and negotiate in good faith to reach a settlement with each property owner(s). Offers will be presented in person when at all possible. If negotiations reach an impasse, Universal shall provide the City with written notification. If necessary, Universal will attempt to secure Administrative Settlements or Voluntary Possession and Use Agreements with the owner(s), allowing the project to move forward and allowing the property owner additional time to negotiate. As a last resort, if the owner is unwilling to agree to a Voluntary Possession and Use Agreement, the file will be transmitted to the City's legal staff for mediation or filing of a condemnation action. Universal will provide limited technical support for all mediation or condemnation as required.

Assumption:

- Parcels #7 of Table A will be negotiated by City staff.

Deliverables:

- Prepare Offer Packages – ten (10) each
- Present Offers / Conduct Negotiations – nine (9) each

- H. Parcel Closing** – Since this scope of work is limited to acquiring Temporary Easements with no permanent real property rights being acquired, it is assumed the closing of all transactions will not require the services of a professional third-party escrow firm. Subject to the City's current title clearing policies, Universal will provide advisory assistance to the City in determining the most appropriate method of closing each transaction. Generally, the signed conveyance documents will be transmitted to the City for approval and direct payment to each property owner.

Deliverables:

- Completed parcel files and records of all Right of Way Acquisition services.

- I. Right of Way Certification** – Since there are federal funds participating in the project, Right of Way Re-Certification will be coordinated and completed through WSDOT Local Programs. Right of Way acquisition files will be prepared and completed to the satisfaction of a WSDOT Right of Way review to support federal aid participation. UFS will further coordinate right of way activities with WSDOT's Northwest Region Local Agency Coordinator, as needed throughout the project.

Deliverables:

- Right of Way Certification form for WSDOT review and approval.

CITY / Parametrix will provide the following:

1. Revised Right of Way Plans and Drawings, Maps, Exhibits, Right of Way Staking, etc., as necessary.
2. Revised Legal descriptions in electronic format for all real property rights to be acquired, as necessary.
3. Form approval, in electronic format, of all legal conveyance documents and forms prior to use (i.e. offer letters, easements, etc.).
4. Review and approval of all determinations of value, established by the project appraisers, and provide written authorization prior to offers being made to property owners.
5. Payment of all compensation payments to property owners, recording fees, legal services and any incidental costs which may arise necessary to complete each transaction.

TABLE A						
Parcel Data			Real Property Rights to Acquire			Valuation Type (See Note 1)
No.	Tax Parcel No	Taxpayer / Owner	Partial Fee Simple	Perm Slope Easement	Temp. Const. Easement	
1	7524700000	Samara View Condo Assoc.			X	AOS
2	5379802725	Olson, Richard			X	AOS
3	5379802070	Hall, Randy			X	AOS
4	5379802050	Uddin & Nasima Akter			X	AOS
5	5379801525	Mitchell, David			X	AOS
6	5379801964	Cao, Minh & Tran, Tiffany			X	AOS
7*	5379801177	Trinh, Khue Q & Vu, Tuyet Mai			X	AOS
8	5379801000	Bianchi, Robert & Margaret			X	AOS
9	5379801300	Rosatto, Thomas R & Estelle R			X	AOS
10	5379801270	3249 Julianne LLC			X	AOS

Notes:

- 1) AOS (Administrative Offer Summary) worksheets in lieu-of Appraisals.
- 2) * Parcel to be negotiated by City Staff

**City of SeaTac
34th Avenue South Sidewalk Project (ST-015)
Fee Estimate
Temporary Easement Extensions**

Parcel Information			Property Rights to be Acquired				Valuation Type (See Note 1 Below)	Acquisition					
No.	Tax Pcl No.	Owner	Fee Simple	Perm Utility Easement	Temporary Construction Easement	ROE		ROW Oversight	PM	Acq Spec	Title Escrow	Admin	Mileage
1	7524700000	Samara View Condo Assoc.			x		AOS	0.5	2.5	15	0	4	70
2	5379802725	Olson, Richard			x		AOS	0.5	2.5	15	0	4	70
3	5379802070	Hall, Randy			x		AOS	0.5	2.5	15	0	4	70
4	5379802050	Uddin & Nasima Akter			x		AOS	0.5	2.5	15	0	4	70
5	5379801525	Mitchell, David			x		AOS	0.5	2.5	15	0	4	70
6	5379801964	Cao, Minh & Tran, Tiffany			x		AOS	0.5	2.5	15	0	4	70
7	5379801177	Trinh, Khue Q & Vu, Tuyet Mai			x		AOS	0.5	2.5	15	0	4	70
8	5379801000	Bianchi, Robert & Margaret			x		AOS	0.5	2.5	15	0	4	70
9	5379801300	Rosatto, Thomas R & Estelle R			x		AOS	0.5	2.5	15	0	4	70
10	5379801270	3249 Julianne LLC			x		AOS	0.5	2.5	20	0	4	70
Attend Ten (10) Progress Meetings / Video Conference								0	5	5	0	0	0
Provide Five (5) Monthly Progress reports								0	2.5	0	0	1	0
Research Last Deeds of Conveyance								0	1	0	0	5	0
Contract and manage appraisal & invoicing								1	1	0	0	0.5	0
Transmit signed documents to City												5	0
Assist City with ROW Certification through WSDOT								0	12	24	0	24	0
								6	46.5	184	0	75.5	700

Notes:

1) AOS = Administrative Offer Summary worksheet in lieu-of Appraisal

Client: City of SeaTac
 Project: Military Road S 152nd Street
 Project No:

34th Avenue S Amendment 5 - Additional Construction Assistance Budget

		Billing Rates (per original contract):			
Phase	Task	Description	Labor Dollars	Labor Hours	
3		Construction Assistance		216	
3	1	Coordination with City Staff	\$8,875.72	48	
	1.1	Subconsultant Coordination	\$1,350.60	8	
	1.1	Monthly Progress (1 hour per month for PM, 0.5 hour per month for support staff)	\$4,327.77	27	
	1.1	Correspondence (1 hour per week)	\$3,197.35	13	
3	2	Preconstruction Services	\$0.00	0	
	2.1	Addendums	\$0.00	0	
	2.2	Confirmed Documents - full sized plans, assemble 10 sets of contract documents	\$0.00	0	
	2.3	Pre-Construction Conference	\$0.00	0	
3	3	Construction Services	\$25,000.20	168	
	3.1	General Support - as needed	\$23,032.60	160	
	3.2	Project Site Meetings - two additional	\$1,967.60	8	
3	4	Record Drawings	\$0.00	0	
	4.1	Preliminary Submittal	\$0.00	0	
	4.1	Final Submittal	\$0.00	0	
Labor Totals:			\$33,875.92	216	

		Amount
SUBCONSULTANTS:		
Description		Amount
UFS - Additional ROW Assistance		\$24,127.69
Subconsultant Total:		\$24,127.69

Project Total: \$58,003.61

Cynthia Clark	Sr Consultant	\$245.95	57						
Lauren Jones	Project Controls Specialist	\$91.70	10						
Jack Wright	Senior Engineer	\$173.34	40						
Clara Dubow	Engineer IV	\$111.80	100						
Sarah Crackenburger	Project Accountant	\$89.84	6						
Amanda Lucas	Sr Publications Specialist	\$95.71	3						



MEMORANDUM

To: Transportation and Public Works Committee
Through: William Appleton, Public Works Director
From: Mason Giem, Public Works Programs Coordinator
Date: November 3rd, 2022
Subject: SeaTac Compost Procurement Ordinance

Purpose:

To discuss the recently passed House Bill 1799, Chapter 180, Laws of Washington 2022, requiring cities and counties to adopt a compost procurement ordinance to ensure compliance with state statute, and to review a draft ordinance for the City of SeaTac which if adopted would fulfill this requirement.

Background:

Processing organic material into compost and applying it to the land improves soil health and reduces greenhouse gas emissions. In 2022, the Washington state legislature passed House Bill 1799, Chapter 180, Laws of Washington 2022, which requires cities or counties to adopt a compost procurement ordinance. By doing so, the State is working to ensure demand for compost and encourage the use of compost that is locally produced. HB 1799, aligns with the City of SeaTac's Comprehensive Plan Policy 6.6E, requiring the City to work with our solid waste contractor and King County Solid Waste Division to promote and facilitate the use of measures which reduce, reuse, and/or recycle resources, including food and other solid waste throughout the City, to contribute toward achieving countywide waste prevention and recycling goals.

In 2019, organic materials (suitable for composting) comprised approximately thirty-five percent of what was sent to Cedar Hills regional landfill. Diverting organic material and supporting end markets for those products is an essential part of reaching the City of SeaTac's goal 9.5 - Reduce greenhouse gas emissions as a means of addressing the potential adverse impacts of climate change.

RCW 43.19a.120 and 43.19a.150 captures the requirements set forth in HB 1799, attached. Public Works staff in collaboration with the city's Legal Department have crafted a draft Compost Procurement Ordinance which if adopted will place the city in compliance with the statutes set forth by HB 1799.

Budget Significance: Unknown at this time; however, it is not expected to result in significant increased costs or dramatically change our current purchasing practices.

RCW 43.19A.120

Use of compost products in projects. (1) When planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project. (2) If compost products can be utilized in the project, the state agency or local government must use compost products, except as follows: (a) A state agency or local government is not required to use compost products if: (i) Compost products are not available within a reasonable period of time; (ii) Compost products that are available do not comply with existing purchasing standards; (iii) Compost products that are available do not comply with federal or state health, quality, and safety standards; and (iv) Compost purchase prices are not reasonable or competitive; and (b) A state agency is also not required to use compost products in a project if: (i) The total cost of using compost is financially prohibitive; (ii) Application of compost will have detrimental impacts on the physical characteristics and nutrient condition of the soil as it is used for a specific crop; (iii) The project consists of growing trees in a greenhouse setting, including seed orchard greenhouses; or (iv) The compost products that are available have not been certified as being free of crop-specific pests and pathogens, including pests and pathogens that could result in the denial of phytosanitary permits for shipping seedlings. (3) Before the transportation or application of compost products under this section, composting facilities, state agencies, and local governments must ensure compliance with department of agriculture pest control regulations provided in chapter 16-470 WAC. (4) State agencies and local governments are encouraged to give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards adopted by rule by the department of ecology. [2020 c 290 § 2.] Findings—Legislative declaration—2020 c 290: "The legislature finds and declares that local compost manufacturing plays a critical role in our state's solid waste infrastructure. Composting benefits Washington agencies, counties, cities, businesses, and residents by diverting hundreds of thousands of tons of organic waste from landfills, reducing solid waste costs, and lowering carbon emissions. The legislature finds that a growing number of local governments are recognizing the benefits of composting programs and offering compost collection to their residents and businesses. The diversion of food waste from landfills to compost processors remains critical for state and local governments to meet their ambitious diversion goals. The legislature also finds that composting is a strong carbon reduction industry for Washington, as the application of compost to soil systems permits increased carbon sequestration. Compost can also replace synthetic chemical fertilizer, prevent topsoil erosion, and RCW (10/5/2022 10:56 AM) [1] filter stormwater on green infrastructure projects such as rain gardens and retention ponds. The legislature declares that state and local governments should lead by example by purchasing and using local compost that meets state standards and by encouraging farming operations to do so as well." [2020 c 290 § 1.]

RCW 43.19A.150

Cities and counties required to adopt a compost procurement ordinance—Report. (1) By January 1, 2023, the following cities or counties shall adopt a compost procurement ordinance to implement RCW 43.19A.120: (a) Each city or county with a population greater than 25,000 residents as measured by the office of financial management using the most recent population data available; and (b) Each city or county in which organic material collection services are provided under chapter 70A.205 RCW. (2) A city or county that newly exceeds a population of 25,000 residents after January 1, 2023, as measured by the office of financial management, must adopt an ordinance under this subsection no later than 12 months after the office of financial management's determination that the local government's population has exceeded 25,000. (3) In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories: (a) Landscaping projects; (b) Construction and postconstruction soil amendments; (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both. (4) Each city or county that adopts an ordinance under subsection (1) or (2) of this section must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW 70A.205.045. (5) By December 31, 2024, and each December 31st of even-numbered years thereafter, each city or county that adopts an ordinance under subsection (1) or (2) of this section must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information: (a) The total tons of organic material diverted throughout the year; (b) The volume and cost of compost purchased throughout the year; and (c) The source or sources of the compost. (6) Cities and counties that are required to adopt an ordinance under subsection (1) or (2) of this section shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology. (7) Cities and counties may enter into collective purchasing agreements if doing so is more cost-effective or efficient. (8) Nothing in this section requires a compost processor to: (a) Enter into a purchasing agreement with a city or county; (b) Sell finished compost to meet this requirement; or (c) Accept or process food waste or compostable products. [2022 c 180 § 701.] RCW (10/5/2022 10:56 AM) [1] Findings—Intent—Scope of authority of chapter 180, Laws of 2022 —2022 c 180: See notes following RCW 70A.205.007.

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding a new Chapter 2.48 to the SeaTac Municipal Code related to a Compost Procurement Policy.

WHEREAS, during the 2022 legislative session, the Washington State Legislature passed Engrossed Second Substitute House Bill (ESSHB) 1799, Chapter 180, Laws of 2022, effective June 9, 2022, which intends to reduce food and yard waste in landfills by 75% in eight (8) years; and

WHEREAS, in order to meet the intent of ESSHB 1799, cities will be involved in the collection of organics, siting management facilities, and procuring compost; and

WHEREAS, ESSHB 1799, codified in Chapter 43.19A.150 RCW, requires cities to adopt a compost procurement ordinance to implement Chapter 43.19A.120, to be effective January 1, 2023; and

WHEREAS, the provisions of this compost procurement policy is exempt from SEPA review pursuant to WAC 197-11-800 (14)(a) and (19)(a); and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN, as follows:

Section 1. A new Chapter 2.48 entitled “Compost Procurement Policy” is hereby added to the SeaTac Municipal Code to read as follows:

Chapter 2.48 Compost Procurement Policy

Sections:

2.48.010 Purpose.

2.48.020 Definitions.

2.48.030 Policies.

2.48.040 Purchase of Compost Products Not Required.

2.48.050 Compost Procurement Activities Report.

2.48.060 Community Engagement.

2.48.010 Purpose.

The purpose of this Chapter is to ensure that the City of SeaTac purchase sustainable goods and services whenever they meet the price and performance requirements of the City and advance the goals and priority actions of the City of SeaTac's Comprehensive Plan Policy, Strategic Climate Action Plan, Green Building Ordinance, and Comprehensive Solid Management Waste Plan.

2.48.020 Definitions.

A. Compost. For the purposes of this Chapter, unless the context clearly requires otherwise, "compost" means a product created with "composted material" as defined in RCW 70A.205.015(3). "Compost" includes, but is not limited to, one hundred percent (100%) finished compost or blends that include compost as a primary ingredient. Mulch is "compost" if it contains a minimum of sixty percent (60%) composted material. Bark is not "compost."

B. Departments. Departments means various Departments of the City of SeaTac.

2.48.030 Policies.

A. Before issuance of a solicitation for bids or proposals, departments shall identify whether compost can be utilized in a City project.

B. If compost can be utilized in a City project, Departments shall require purchase of compost in any of the following categories that are applicable to the Departments' operations and project types:

1. Landscaping projects;
2. Construction and post-construction soil amendments;
3. Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways in accordance with SMC Chapter 12; and
4. Low-impact development and green infrastructure to filter pollutants or to keep water onsite or both in accordance with SMC Chapter 12.

C. The City shall promote the use of compost products by informing residents about the value of compost, publicizing its compost procurement programs, and how the City uses compost in its operations and in accordance with comprehensive solid waste management plan under SMC Chapter 12.15.

D. Departments shall give priority to purchasing compost products from companies that:

1. Produce compost products locally;

2. Are certified by the U.S. Composting Council or an equivalent nationally recognized organization; and

3. Produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the Washington State Department of Transportation or adopted by rule by the Washington State Department of Ecology.

2.48.040 Purchase of Compost Products Not Required.

Consistent with the provisions of RCW 49.19A120 (2), the City is not required to use compost products if:

- A. Compost products are not available within a reasonable period of time;
- B. Compost products that are available do not comply with existing purchasing standards;
- C. Compost products that are available do not comply with federal or state health, quality, and safety standards;
- D. Compost purchase prices are not reasonable or competitive;
- E. The total cost of using compost is financially prohibitive;
- F. Application of compost will have detrimental impacts on the physical characteristics and nutrient condition of the soil as it is used for a specific crop;
- G. The project consists of growing trees in a greenhouse setting, including seed orchard greenhouses; or
- H. The compost products that are available have not been certified as being free of crop-specific pests and pathogens.

2.48.050 Compost Procurement Activities Report.

A. Departments that use compost shall report the following information to the Public Work Solid Waste Division by each 15th day of December:

- 1. The volume and cost of compost purchased by the department in that year; and
- 2. The source or sources of the compost purchased by the department in that year.

B. The Solid Waste Division is responsible for compiling and submitting a report to the Washington state Department of Ecology by December 31, 2024, and each December 31 of even-numbered years thereafter, with the following information:

- 1. The total tons of organic material diverted from the King County waste stream because of compost use under this Chapter;

2. The volume and cost of compost purchased in that reporting period by the county; and
3. The source or sources of the compost purchased by the county under this Chapter in that reporting period.

C. The Finance Department is responsible for assisting the Solid Waste Division in the annual reporting by providing information regarding sustainable purchasing contracts.

2.48.060 Community Engagement.

The Solid Waste Division is responsible for developing strategies to promote and educate the public by:

- A. Providing technical assistance and education regarding the use of food and yard waste compost to City of SeaTac departments and staff;
- B. Conducting educational outreach to inform residents and businesses about the value of food and yard waste compost and how the City of SeaTac uses compost in its operations each year; and
- C. Reporting to _____ the total estimated tons of organic material diverted from the King County waste stream because of compost use under this Chapter.

Section 2. If any provision of this Chapter, or its application to any person or circumstance is held invalid, the remainder of this Chapter, or the application of the provision to other persons or circumstances is not affected.

Section 3. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

Section 4. This Ordinance shall be in full force and effect on January 1, 2023.

ADOPTED this _____ day of November, 2022, and signed in authentication thereof
on this _____ day of November, 2022.

CITY OF SEATAC

Jake Simpson, Mayor

ATTEST:

Kristina Gregg, City Clerk

APPROVED AS TO FORM:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: January 1, 2023]
[Compost Procurement Policy]