



**Contract and Award Letter
Purchase Resolution – Exhibit “A”**

TO: Board of Contracts and Awards
FROM: Geoffrey M. Smyth, P.E., Interim Director, Environmental Services
Erik Ward, P.E., Engineering Manager, Science and Engineering
COPY: City Council, City Manager, City Clerk, EIC Coordinator, LEAP Coordinator, and
Stan Rowden II, Senior Buyer, Finance/Procurement
SUBJECT: Foss Shoreline Restoration Slope Cap Repair Project
Request for Bids Specification No. ES25-0022F, Contract No. CW2275289 –
July 15, 2025 City Council
DATE: June 17, 2025

Initial
EW

Initial
GMS

RECOMMENDATION SUMMARY: The Environmental Services Department (ES) recommends a contract be awarded to Active Construction, Inc., Tacoma, WA in the amount of \$971,960.11, plus a 20 percent contingency, for a projected contract amount of \$1,166,352.13, plus applicable taxes budgeted from the ES Stormwater Fund 4301 for slope cap repairs along the Thea Foss Waterway.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Assure outstanding stewardship of the natural and built environment.

BACKGROUND: The project will implement erosion maintenance and repair work to the slope cap at the Remedial Area (RA) 3 and RA 8 sites in the Thea Foss Waterway including excavation, placement, and disposal of required slope cap materials and underlying sediments, followed by placement of quarry spall filter, geotextile, and heavy loose rip rap sized to prevent further erosion of the slope. All repair work will be completed during low-tide conditions.

ISSUE: The U.S. Environmental Protection Agency (USEPA)-approved Long-Term Monitoring Plan for the Thea Foss and Wheeler-Osgood Waterway Remediation Project requires that low-tide inspections of capped shoreline areas be performed to verify the physical integrity of the slope caps and containment of underlying contaminated sediment. The most recent low-tide slope cap inspection found erosion of some of the cap material within RA 3 and RA 8. USEPA has identified these two slope cap areas as requiring repair by the City.

ALTERNATIVES: Taking no action would lead to further degradation of the slope cap at the two identified remedial areas, which would pose environmental risks within the waterway and put the City at risk of fines from the USEPA for failing to meet its agreed upon obligations within the waterway.

COMPETITIVE SOLICITATION: Request for Bids Specification No. ES25-0022F was opened June 3, 2025. Four Hundred Seventy-Four companies were invited to bid in addition to normal advertising of the project. Four submittals were received.

Active Construction, Inc. submitted a bid that resulted in the lowest evaluated submittal after consideration of EIC participation goals. The table below reflects the amount of the base award.



<u>Respondent</u>	<u>Location</u>	<u>Submittal Amount</u>
Active Construction, Inc.	Tacoma, WA	\$971,960.11
Scarsella Bros, Inc.	Seattle, WA	\$990,540.00
Brumfield Construction, Inc.	Aberdeen, WA	\$1,007,650.00
Engineering/Remediation Resources Group, Inc.	Redmond, WA	\$1,144,525.80

Pre-bid Estimate: \$938,500.00

The recommended award is 3.6 percent above the pre-bid estimate.

CONTRACT HISTORY: New contract.

SUSTAINABILITY: Repairing the slope cap addresses adverse environmental impacts by isolating contaminated sediments from ecological receptors, stabilizing contaminated sediments to prevent resuspension and transport to other locations in the waterway, reducing contaminant transport through groundwater pathways, and providing a surface that promotes colonization by aquatic organisms.

EQUITY IN CONTRACTING (EIC) COMPLIANCE: Not applicable - EIC Exception: Lack of certified contractors

LOCAL EMPLOYMENT AND APPRENTICESHIP TRAINING PROGRAM (LEAP)
COMPLIANCE: The LEAP requirement for this project is 15 percent of the project labor hours must be worked by Local Employees, per TMC 1.90.040.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
4301 ES Stormwater Fund	ENV-03027-22-04	5330100	\$1,166,352.13
TOTAL			Up to \$1,166,352.13

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
4301 ES Stormwater Fund	521900	4343243	(\$1,166,352.13)
TOTAL			Up to (\$1,166,352.13)



FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$1,166,352.13 plus applicable taxes

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes.

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A