



Port of Vancouver USA

**AGENDA
PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
3103 Lower River Road, Vancouver, WA 98660
Tuesday, October 25, 2022**

In accordance with the Open Public Meetings Act (OPMA), the Port of Vancouver Board of Commissioners meeting will be open to in-person attendance. Options for viewing and/or participating in the meeting to provide virtual oral comment will also be accommodated (see details below). The Board members will be attending this meeting in person.

*Public testimony will be accepted under Open Forum. **Advance registration will be required for individuals who want to provide virtual oral testimony (see details below).***

The business meeting and workshop (Items A – L) are recorded and broadcast live on CVTV cable channels 21, 23 / HD 323, and at www.cvtv.org.

- A) **CALL TO ORDER (9:30 a.m.)**
- B) **EXECUTIVE SESSION**
None
- C) **OPENING REMARKS (9:30 a.m.)**
 - 1) Opening Remarks, Pledge of Allegiance
 - 2) Approve Minutes of the October 11, 2022, Regular Meeting
- D) **OPEN FORUM**
 - 1) Public comment -To provide virtual oral comment during the board meeting, you must register no later than 12:00 p.m. Monday, October 24, 2022, by emailing povcommissioners@portvanusa.com**
- E) **ACTION ITEMS**
 - 1) Approve Change Orders #7 and #8 for Public Works Contract Bid 20-39: Terminal 1 Vancouver Landing Site and Infrastructure Project
- F) **UNFINISHED BUSINESS**
None

- G) **NEW BUSINESS**
- H) **CEO REPORT**
- J) **COMMISSIONERS REPORTS**
- K) **UPCOMING EVENTS**
- L) **WORKSHOP**
None
- M) **SIGN DOCUMENTS**
- N) **ADMINISTRATIVE UPDATE/WORK SESSION**
2023 Budget
- O) **ADJOURNMENT**

****Public comments are welcome during Open Forum. Individuals requesting to provide virtual oral comment must register in advance via email to povcommissioners@portvanusa.com no later than 12:00 p.m. on Monday, October 24, 2022. All individuals will have three minutes to read their comments into the record and will be asked to provide their name and city of residence for the record. No public comments will be read into the record by the port. Written comments not intended to be read by the community member and received by 9:30 a.m. Tuesday, October 25, 2022, will become part of the official meeting record and will be provided to the Commission.**

Further instructions for accessing the virtual meeting (for virtual oral comment) will be provided upon registration. Please call the Port of Vancouver at (360) 693-3611 with questions. Visit the port's website at www.portvanusa.com for more information.

**PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, October 11, 2022**

CALL TO ORDER

Commission President Burkman called a regular meeting of the Port of Vancouver Board of Commissioners to order and open to the public at 9:30 a.m., Tuesday, October 11, 2022, at the Port of Vancouver USA Administrative Office, 3103 NW Lower River Road, Vancouver, Washington 98660.

OPENING REMARKS

Commissioner Burkman welcomed everyone to the commission meeting. He announced no executive session was held and that the meeting is being recorded. He stated it is a hybrid meeting so that along with everyone present in the meeting, anyone who wants to make virtual oral comment can use Zoom. He then invited guests to participate in the Pledge of Allegiance.

APPROVAL OF MINUTES

Regular Meeting of September 27, 2022

On motion by Commissioner LaBrant, seconded by Commissioner Orange and carried unanimously, the Board of Commissioners approve the minutes of the September 27, 2022, regular meeting.

OPEN FORUM

Commissioner Burkman stated that the agenda invited public comment but indicated no community members had registered in advance to provide virtual oral comments. He asked if there was anyone present who signed up to provide comment. CEO Marler responded that no one signed up to speak.

ACTION ITEMS

E-1 Approve Lease Agreement between the Port of Vancouver USA and Kelly Pipe Co., LLC.

Chrissy Lyons, Commercial and Industrial Sales Manager presented the action item and discussed it with the commission.

On motion by Commissioner LaBrant, seconded by Commissioner Orange and carried unanimously, the Board of Commissioners approve and authorize the CEO to sign the Lease Agreement at Parcel 1A between the Port of Vancouver USA and Kelly Pipe Co., LLC.

E-2 Approve Lease Agreement between the Port of Vancouver USA and Klinekids Fishing Nonprofit

Angie Hanslovan, Real Estate Specialist presented the action item and discussed it with the commission.

On motion by Commissioner LaBrant, seconded by Commissioner Orange and carried unanimously, the Board of Commissioners approve and authorize the CEO to execute the Lease Agreement at 2701-B NW Lower River Road between the Port of Vancouver and Klinekids Fishing Nonprofit.

UNFINISHED BUSINESS

Port Contracts Logs

The commissioners reviewed the port contracts logs. CEO Marler reminded everyone that the contracts logs are provided to the Commission on a monthly basis and are available on the port's website. No questions were asked from the Board.

No additional unfinished business was considered.

NEW BUSINESS

No new business was discussed.

ACCOUNTS PAYABLE

Senior Accountant Sheila Deng presented the action item as contained in the Commission's packet and discussed the recommendation with the Board. No questions were asked from the Board.

On motion by Commissioner LaBrant, seconded by Commissioner Orange and carried unanimously, the Port of Vancouver USA Board of Commissioners, by motion, ratifies and approves the payment of September 2022 Vouchers 111305 – 111554 in the amount of \$3,066,535.07 including Electronic Payments generated between 09/01/2022 – 09/30/2022 in the amount of \$948,777.33 and September 2022 Payroll Check 51753693 and Payroll Direct Deposits 360001 – 360130 and 380001 – 380129 in the amount of \$651,718.78.

CEO REPORT

Project Updates

Matt Harding, Environmental Project Manager provided an update on several port projects, including:

- Terminal 1 Lighting

- Climate Action Plan Update
- National Marine Fisheries Service Liaison

State Legislative Update

Ryan Hart, Chief External Affairs Officer introduced Amber Carter, the port's Washington state lobbyist. He stated that after each legislative session concludes, he and Ms. Carter work on the legislative items for the next session. He indicated there are not a lot of changes from one session to the next but there are always some updates that are necessary.

Ms. Carter thanked the Commission for the opportunity to provide the update and discussed each of the port's legislative priorities.

Commissioner Burkman indicated in his role as the representative on the Regional Transportation Council, there has been discussion about the port's NW 32nd Avenue request. He stated he was not aware of how much groundwork has already been laid regarding this request and he believes this project needs to be raised to a much higher priority. He added that the Director of Regional Transportation Council Matt Ransom stated the project has been programmed into the Regional Transportation Plan and he understands that part of the route has been designated as a federal route in parallel with the I/5 Bridge.

Ms. Carter stated this project certainly checks the boxes for freight priorities and thinks it is important enough to identify as a project. She indicated she looks forward to gaining additional information from Commissioner Burkman regarding the project.

COMMISSIONERS REPORTS

Commissioner LaBrant stated he attended the following events and meetings and provided a brief summary:

- Columbia River Economic Development Council Board Meeting
- Hooked on Nature, Columbia Springs' Annual Dinner and Auction

Commissioner Orange stated he attended the following events and meetings and provided a brief summary:

- Hooked on Nature, Columbia Springs' Annual Dinner and Auction
- Meetings regarding the Climate Action Plan

Commissioner Burkman stated he attended the following events and meetings and provided a brief summary:

- Hooked on Nature, Columbia Springs' Annual Dinner and Auction
- Regional Transportation Council
- Vancouver City Council Hearing on the Fossil Fuel Ordinance

He also indicated that he is looking forward to attending the Pacific Northwest Waterways Annual Conference starting tomorrow that will be held at the AC Marriott Hotel at the T1 Waterfront.

UPCOMING EVENTS

A list of upcoming events was displayed on the screen for viewers to see staff activities and community meetings. CEO Marler stated the next commission meeting scheduled for October 25 will begin at 9:30 a.m. She also highlighted several other upcoming community events.

Commissioner Burkman reminded everyone of the ways they can communicate with the Commission. He stated there is a great deal of information available on the port's website and encouraged everyone to check it out.

WORKSHOP

No workshop was held during this meeting.

SIGN DOCUMENTS

The Board signed documents at 10:09 a.m.

ADMINISTRATIVE UPDATE / WORK SESSION

No administrative work session was held during this meeting.

ADJOURNMENT

There being no further business to come before the Port of Vancouver USA Board of Commissioners, the Tuesday, October 11, 2022, regular meeting was adjourned at 10:12 a.m. by Commissioner Burkman.

PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS

Betsy Rogers, Administrative
Supervisor, October 11, 2022, Regular
Port of Vancouver USA Board of
Commission Meeting

Jack Burkman, President

Don Orange, Vice President

Eric LaBrant, Secretary

Agenda Item No. E-1

REQUEST FOR COMMISSION ACTION
REVIEWED BY:

PORT OF VANCOUVER USA

Director of Engineering
& Project Delivery

Monty Edberg

Title

APPROVED BY:

Chief Operations
Officer

10/25/2022

Kent Cash

Title

Date

SUBJECT: Approve Change Orders #7 and #8 for Public Works Contract
Bid 20-39: Terminal 1 Vancouver Landing Site and Infrastructure Project

BACKGROUND:

The Terminal 1 Vancouver Landing Site and Infrastructure project supports the port's Strategic Plan goals of implementing the vision of a destination waterfront at Terminal 1 and pursuing opportunities that utilize the port's property and infrastructure investments to create jobs and support the economy.

On January 12, 2021, a contract for the project was awarded to the James W. Fowler Company of Dallas, OR in the amount of \$2,747,996.91. Change orders #1 and #2, in the amounts of \$12,698.81 and \$113,753.81 respectively including Washington state sales tax, were issued by authority of the CEO.

On February 22, 2022, change order #3 was approved by the Commission in the amount of \$374,918.12 including Washington state sales tax. Subsequently, change orders #4, #5 and #6, in the amounts of \$84,227.99, \$44,094.03, and \$71,504.25 respectively, were issued by authority of the CEO.

The CEO's Authority under Resolution 9-2015 requires the Commission to authorize change orders of \$200,000 or greater, or 25% of the contract, whichever is less. Change orders #7 and #8 are in the amounts of \$146,973.26 and \$274,551.81 respectively. This brings the amount of the final cumulative change orders #1 through #8 to \$996,269.46 including Washington state sales tax.

These cumulative changes are necessary to compensate the contractor for modifications that include: unforeseen buried railroad conflicts at Quayside; guardrail gate logo and lighting modifications; seating area cladding code modifications; an additional private metering system for Terminal 1 vessel docking services; gangway panel modifications; landscape modifications to mitigate invasive weed species; and extra corten steel planter survey detailing.

Included in the change orders are negotiated unit price changes for bid item overruns for wood decking exceeding 25% of the original contract units in accordance with WSDOT specifications.

This project was included in the approved budget. The port has sufficient funds for the change orders listed above.

Additional Information Attached? No

RECOMMENDATION: That the Board of Commissioners authorize the CEO to execute change orders #7 and #8 in the amounts of \$146,973.26 and \$274,551.81, respectively, with James W. Fowler Company for Public Works Contract Bid 20-39: Terminal 1 Vancouver Landing Site and Infrastructure Project, revising the total contract amount to \$3,746,772.67 including Washington State Sales Tax

Submitted by: *Juliana Marlow*, CEO

Date Action Taken _____

Motion By: _____

Approved: _____

Seconded By: _____

Deferred To: _____

Unanimous: Yes ___ No ___