

## IMPACT STATEMENT

**Legislation title:** \*Authorize a retroactive sole source contract with GSI Water Solutions, Inc. for Source Control Technical Assistance at the Portland Harbor Superfund Site in the amount of \$1,500,000 (Ordinance)

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### **Purpose of proposed legislation and background information:**

#### **Purpose:**

In October 2015, Council approved a contract extension through an eleventh year (2016) with options to renew for four additional one-year periods (2016-2020). The presentation to Council recognized that the Portland Harbor was at a critical phase and that the contractor's historical knowledge was necessary to continue to meet the City's legal and technical obligations for Portland Harbor pursuant to formal agreements with EPA and DEQ.

The contract presented to Council in October of 2015 should have been entered into as a sole source contract rather than a contract extension. This legislation provides an administrative correction by retroactively entering into a sole source contract under the same terms as the current contract with an effective date of October 26, 2015, expiring by October 26, 2020.

#### **Background:**

The EPA administrative cleanup and settlement process for Portland Harbor has taken longer than anticipated when the City originally contracted with GSI in 2005. The initial contractor selection was through a competitive process (RFP No. BES024) pursuant to Section 5.68 of the Portland City Code. GSI submitted the only response to the RFP. In 2010, two GSI Contracts (no. C36324 for CERCLA technical assistance and no. C36325 for related source control technical assistance) were extended for an additional 5 years with Council approval. During those 10 years, GSI provided technical assistance to the City during the remedial investigation and feasibility study phases of Portland Harbor Superfund cleanup and the development and implementation of the City's source control program for Portland Harbor. In 2015, Council approved additional extensions of the GSI contracts.

The services required of GSI for technical assistance for source control actions are the continuation of services that GSI has been providing. GSI's knowledge of the development of the City's technical and legal positions is unique and could not be matched by any other consultant and still meet the City's schedule obligations with EPA and DEQ.

### **Financial and budgetary impacts:**

BES is not seeking additional funding through this sole source contract as those funds were previously authorized under Ordinance No. 187379, so there are no financial or budgetary impacts.

The legislation does not affect current or future staffing needs.

**Community impacts and community involvement:**

The City is currently developing a Portland Harbor public involvement program that is focused on engagement and education for the superfund site. The focus of the program is to ensure the public, specifically those most impacted by the cleanup, has access to information on the progress of the cleanup and has an opportunity to participate in the cleanup process. Grants have been issued to community groups to assist BES staff design the public involvement program.

**100% Renewable Goal:**

- Not applicable

**Budgetary Impact Worksheet**

**Does this action change appropriations?**

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount