

# Port of Edmonds

## Port Commission Delegation of Authority

Updated January 2025

The Commission of the Port of Edmonds adopts the following policy pursuant to RCW 53.12.270 for the purpose of establishing the Administrative Authority of the Executive Director, who acts as a link between the governance responsibilities of the Commission and the management and operational functions of the Port.

The Commission may retain an Executive Director to implement the objectives of the Port, which shall be established by the Commission. The Executive Director derives authority from the Commission acting as the governing body. The Executive Director shall regularly inform and consult with the Commission regarding significant information and business transactions as provided for in the Rules Governing the Transaction of Port Commission Business, which state: "As soon as practicable, the Executive Director shall notify the Commission of any Port activity that is likely to be newsworthy. At least one business day prior to a Commission meeting, the Executive Director shall provide bullet points of the Executive Director's Report. On a quarterly basis, the Executive Director shall provide a report updating the Commission on the Executive Director's status of annual goals progress." The Executive Director shall serve as the primary spokesperson for the operations of the Port of Edmonds.

The Commission is responsible for setting the overall direction and long-term objectives for the Port. It does so by adopting and updating the Port's comprehensive scheme of harbor improvements, by annually adopting the Port budget and, from time to time, adopting other policy-setting documents. Within the general scope of and in conformance with the direction established by such documents and with the exception of the limitations identified in the specific policies which follow, the Executive Director shall be responsible for all Port management and operational functions.

As used throughout this Delegation, "management and operational functions" means the regular day-to-day business of the Port, including but not limited to (i) the operation, maintenance, and administration of the Port's assets, real and personal property, and facilities; (ii) the planning for and implementation of construction work, alterations, improvements, and maintenance to the Port's real estate and physical facilities; (iii) personnel administration; (iv) execution and administration of all contracts and leases; (v) the development and delivery of Port services and programs; (vi) financial and accounting related matters; (vii) the supervision of legal matters, except for legal services provided directly to the Commission; (viii) publishing of legal notices; and (ix) all other pertinent functions needed for the efficient operation of the Port.

The Executive Director may delegate to appropriate Port staff such administrative authority or reporting requirements herein established as necessary and advisable in the efficient exercise of the Executive Director's authority.

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## A. PROPERTY AGREEMENTS

### 1. Real Property Lease Agreements

The Executive Director may execute lease agreements with terms of five years or less provided that such lease is substantially in the form of the Port’s standard form of lease approved by the Port Attorney and that all statutory requirements regarding such lease, including but not limited to the appropriate lease surety, are satisfied. Subject to the provisions of the lease agreement, the Executive Director is authorized to grant consents to subleases and assignments. The Executive Director may also agree to an early termination of a lease agreement when there is good business or operational reason to do so. The Executive Director may renew lease agreements for terms that are five years or less provided that all other substantive terms of the lease remain unchanged, the appropriate rental adjustments are made, and the tenant is in good standing. The Executive Director is authorized to take measures to ensure compliance with such lease agreements.

### 2. Real Property Acquisition and Sale

The acquisition and sale of real property is reserved to the specific Commission authorization. When the Commission authorizes the acquisition or sale, the Executive Director shall take all necessary steps to complete the transaction, including but not limited to accepting deposits, opening escrow, and signing all necessary documents.

### 3. Other Property Documents

The Executive Director is authorized to execute the following property agreements: easements, licenses, and utility service agreements for purposes of utility installation and maintenance, repair, access, rights of entry, and signage only; use permits and use agreements; harbor area, waterway, and aquatic land leases with the Washington State Department of Natural Resources; moorage agreements substantially in the form of the Port’s standard form of lease approved by the Port Attorney; rental and storage agreements; and renewals or amendments of all agreements thereto. The Executive Director is authorized to take measures to ensure compliance with such documents.

### 4. Property Agreement Security and Insurance

The Executive Director is authorized to take all necessary actions on behalf of the Port Commission in connection with property agreement surety, surety bonds, rental deposit, or other security (hereinafter referred to as “Agreement Security”) and insurance coverage required pursuant to any property agreements of the Port, including, but not limited to, any of the following actions:

- a. Where the property agreement is not in default, to release any Agreement Security where an adequate substitute has been provided.
- b. To approve an Agreement Security or insurance submitted in fulfillment of the requirements of any property agreement, including substitute or replacement coverage for any terminated bond or other Agreement Security.

- c. To approve any substitute or modification of insurance, and to release any insurance company when substitute or replacement insurance coverage has been provided.

## B. CONTRACTING FOR PUBLIC WORKS

### 1. Awarding Public Works Contracts

- a. The Direct Buy Threshold authorized in RCW 53.08.120 may be used for public works where the estimated cost does not exceed \$40,000 not including sales tax.
- b. The Small Works Roster threshold may be used for public works projects where the estimated cost does not exceed \$350,000 not including sales tax. As authorized in RCW 39.04.151, staff may use the Municipal Research and Services Center of Washington (MRSC) for public works rosters.
- c. The Executive Director may, without prior Commission approval, issue requests for proposals and execute on its behalf public works contracts where the total estimated contract price does not exceed \$350,000 not including sales tax, the work is within the approved budget (or if the project is not within the approved budget but the total estimated contract price does not exceed \$100,000 not including sales tax), and so long as all statutory procedures are followed. However, if the Executive Director executes a contract where the project is not within the approved budget but the total estimated contract price is between \$50,001 and \$100,000 not including sales tax, the Executive Director shall notify the Commission of the contract at or prior to the next Commission meeting.
- d. In the event the total cost of a contract that was originally less than \$350,000 not including sales tax, (or if the project is not within the approved budget but the total estimated contract price does not exceed \$100,000 not including sales tax), upon award becomes more than that amount due to change orders, the Executive Director's authority in approving the contract shall not be affected.
- e. Regarding contracts for public works exceeding \$350,000 not including sales tax, the Executive Director is authorized to prepare the plans and specifications for public bidding. With Commission authorization, the Executive Director is authorized to publish notice calling for bids for public works projects. If an award over \$350,000 not including sales tax is to be made to other than the lowest, responsive, responsible bidder, or if there is a material deviation from the Port's General Conditions, or if the bid of any amount is in dispute, Port Commission approval shall be sought prior to the award. Port Commission approval shall be required for the rejection of all bids.
- f. The Executive Director may close out all public works contracts that were awarded by the Executive Director. Any public works contract awarded by the Commission shall be closed out only after Commission approval has been provided.
- g. Staff are authorized to use supplemental bidder responsibility criteria on public works projects to establish minimum qualifications for bidders that will secure for the benefit of the Port, the performance of its public works projects by responsible contractors offering the lowest bid. The Executive Director or their designee shall determine which projects warrant the use of supplemental bidder responsibility criteria.

### 2. Change Orders

In instances where contracts for the performance of work have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessitated to properly accomplish the work, the Executive Director is authorized, without prior Commission approval, to execute on its behalf individual change orders to the contract if all of the following conditions are met:

- a. The estimated cost of the changes in plans and/or specifications, exclusive of applicable taxes, will not exceed \$50,000, or ten percent (10%) of the amount of the original contract price, whichever is greater; and
- b. The amount of the change orders does not exceed \$150,000; and

- c. The contract provides for issuance of change orders; and
- d. The individual change order has been approved and certified by the project architect or engineer (if applicable) as being necessary to the proper accomplishment of the work called for in the basic contract.

The Executive Director shall inform the Commission at the next scheduled meeting of all actions undertaken under this section.

### 3. Apprenticeship

- a. A highly skilled workforce is essential for enhanced economic growth and the continued prosperity of workers and our region. Staff shall establish policies and procedures in accordance with RCW 39.04, as such law may be amended over time. Contractors are encouraged to recruit apprentices from pre-apprentice pipelines such as Sno Isle Skill Center, Regional Apprentice Pathways (RAP), the TERO Vocational Training Center (Tulalip Tribes), and other Snohomish County pipelines that may become available. Contractors are also encouraged to recruit apprentices from veteran support services such as Helmets to Hardhats.
- b. This requirement may be modified or waived by the Executive Director for a specific project for the following reasons:
  - 1.) The demonstrated lack of availability of apprentices in specific geographic areas.
  - 2.) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprenticeship participation.
  - 3.) Conflicting federal or state grant requirements.
  - 4.) No apprenticeship program in Snohomish County for the labor hours on the project.
  - 5.) Participating contractors have demonstrated a good faith effort to comply with the requirements.
  - 6.) Apprenticeship retention issues.
  - 7.) Apprentice to Journey person ratio requirements.
  - 8.) Complying with requirements would displace members of the contractor's own workforce.
  - 9.) Added or deleted work affecting apprenticeship participation.
  - 10.) Project size, duration of the project, types of crafts or trades make goals infeasible.
  - 11.) Other criteria deemed reasonable by the Executive Director which may be subject to review by the Commission upon request.
- c. The Executive Director is authorized to set the monetary incentive and penalty as outlined in RCW 39.04.320, as well as determine how those funds will be utilized to promote workforce development.

## C. CONTRACTING FOR SERVICES

### 1. Architectural and Engineering Services

The Executive Director is authorized to contract with qualified architectural, engineering, and technical testing and inspection firms licensed in the State of Washington to provide such services as required for the management and operational functions of the Port. Arrangements for obtaining such services shall follow all required statutory procedures and shall be consistent with normal established fees paid for such services. As authorized in RCW 39.80, staff may use the Municipal Research and Services Center of Washington (MRSC) Consultant Roster architectural and engineering services where the estimated cost does not exceed \$350,000 not including tax.

If the fee on any single project or closely related work is not estimated to exceed \$100,000 not including tax, the Executive Director may enter into such contract. However, if the Executive Director executes a contract where the project is not within the approved budget but the total estimated contract price is between \$50,001 and \$100,000 not including sales tax, the Executive Director shall notify the Commission of the contract at or prior to the next Commission meeting. If the fee on any single project or closely related work is estimated to exceed \$100,000 not including tax, Commission approval shall be required.

In instances where contracts for architectural or engineering services have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessitated to properly accomplish the work, the Executive Director is authorized, without prior Commission approval, to execute on its behalf individual change orders to the contract if all of the following conditions are met:

- a. The estimated cost of the changes in plans and/or specifications, exclusive of applicable taxes, will not exceed \$50,000, or ten percent (10%) of the amount of the original contract price, whichever is greater; and
- b. The amount of the change order does not exceed \$150,000; and
- c. The contract provides for issuance of change orders; and
- d. The individual change order has been approved and certified by the project architect or engineer as being necessary to the proper accomplishment of the work called for in the basic contract.

The Executive Director shall inform the Commission at the next scheduled meeting of all actions undertaken under this section.

## 2. Personal Services

The Executive Director is authorized to contract to obtain personal services as required for the management and operational functions of the Port. Arrangements for obtaining such services shall follow all required statutory procedures and shall be consistent with normal established fees paid for such services. Staff may use the consultant roster hosted by the Municipal Research and Services Center (MRSC) for contracts under \$350,000.

If the fee on any contract is not estimated to exceed \$100,000 not including tax, the Executive Director may enter into such contract. However, if the Executive Director executes a contract where the project is not within the approved budget but the total estimated contract price is between \$50,001 and \$100,000 not including sales tax, the Executive Director shall notify the Commission of the contract at or prior to the next Commission meeting. If the fee on any single contract is estimated to exceed \$100,000 not including tax, Commission approval shall be required.

In addition to any classes, groups, or individual contracts exempted by the Commission, on a case-by-case basis, the following classes of personal service contracts are exempt from competitive solicitation: attorneys, expert witnesses, trade representatives, lobbyists, executive search firms, bond underwriters, bond financial advisors, banking and credit card services, and insurance brokers.

In instances where contracts for personal services have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessitated to properly accomplish the work, the Executive Director is authorized, without prior Commission approval, to execute on its behalf individual change orders to the contract if all of the following conditions are met:

- a. The estimated cost of the changes in plans and/or specifications, exclusive of applicable taxes, will not exceed \$50,000, or ten percent (10%) of the amount of the original contract price, whichever is greater; and

- b. The amount of the change order related to the project does not exceed \$150,000; and
- c. The contract provides for issuance of change orders; and
- d. The individual change order has been approved and certified by the project architect or engineer (if applicable) as being necessary to the proper accomplishment of the work called for in the basic contract.

The following personal services contracts shall be filed with the Commission (“Filed with the Commission” means delivered to each Commissioner):

- a. Contract amendments, whether individual or cumulatively exceed Fifty Percent (50%) of the value of the original contract, accompanied by documentation justifying the contract amendment. These filings must be made available for public inspection by uploading to the Port’s website prior to the starting date of services under the amendment.
- b. Emergency contracts exceeding \$50,000 accompanied by documentation justifying the contract. These filings must be made available for public inspection within seven business days of either the start of work or the contract's execution, whichever comes first.
- c. Sole and single source contracts exceeding \$50,000 accompanied by documentation justifying the contract with evidence that the port attempted to identify potential consultant.

#### D. PURCHASE OF GOODS, MATERIALS, EQUIPMENT, SUPPLIES, AND PURCHASED SERVICES

The Executive Director shall have the responsibility for following all required statutory procedures, where applicable, in connection with all contracts for the acquisition of goods, materials, equipment, supplies, and related services. Goods, materials, equipment, supplies, and purchased services may be acquired on the open market, pursuant to published tariffs, or by competitive bidding when necessary for the normal maintenance and operations of the Port, unless otherwise provided for by statute.

If the fee on any contract is not estimated to exceed \$100,000 not including tax, the Executive Director may enter into such contract. However, if the Executive Director executes a contract where the goods or services are not within the approved budget but the total estimated contract price is between \$50,001 and \$100,000 not including sales tax, the Executive Director shall notify the Commission of the contract at or prior to the next Commission meeting. If the fee on any single contract is estimated to exceed \$100,000 not including tax, Commission approval shall be required.

#### E. WAIVING COMPETITIVE BIDDING REQUIREMENTS

- 1. Contracts \$350,000 or Less.** The Executive Director is authorized to waive competitive bidding requirements pursuant to RCW 39.04.280 and 53.08.120 for contracts not anticipated to exceed \$350,000, not including sales tax, provided that the Executive Director has obtained the concurrence of the Port Attorney to waive competitive bidding requirements. Commission approval is required to waive competitive bidding requirements for contracts anticipated to exceed \$350,000, not including sales tax.
- 2. Emergency.** When an emergency requires immediate response, the Executive Director pursuant to RCW 39.04.280, and as applicable, RCW 39.04.020 (as they are now or may be amended), is authorized to make a finding of existence of such emergency, commit Port resources, waive competition, and execute any contracts necessary to respond to the existing emergency, provided that the Executive Director shall make a written finding of the existence of an emergency and post the finding to the Port’s website no later than two weeks following the award of the contract, and report the finding at the first Port Commission meeting following the posting. For notification and reporting requirements for emergency contracts related to personal services, the Executive Director shall submit such written finding to the Commission when the contract is filed, pursuant to RCW 53.19.030.

## F. AUTHORIZATION OF EXPENDITURES

1. **Purchases.** The Executive Director is authorized to establish a system to control purchases. Such system should take into consideration the nature of the purchases and that the invoices have been properly processed and approved in accordance with established Port policies and procedures.
2. **Payroll Checks.** The Executive Director is authorized to issue and release payroll checks as per the Port's payroll schedule. Such checks shall be reviewed and approved at the next scheduled meeting.

## G. ADJUSTMENT AND SETTLEMENT OF CLAIMS

The Executive Director shall be responsible for the observance of necessary procedures whereby the adjustment and final settlement of all claims, either against or on behalf of the Port, shall be carried out. Necessary procedures in the handling of such claims shall include the following:

1. For purpose of this Section G, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port but not including (1.) "uncollectible accounts" only to the extent as covered in Section H herein, or (2.) claims asserted by or against the Port which have become the subject of litigation as defined in Section I herein.
2. No claims against the Port shall be considered unless and until proper notice has been served by the claimant upon the Port; provided, however, if in the opinion of the Executive Director and the Port Attorney (or other relevant Port counsel), it is in the interest of the Port to settle a claim against the Port in advance of formal claimant notice being filed, it is within the discretion of the Executive Director acting upon the advice of the Port Attorney (or other relevant Port counsel) and within the other limitations of this Delegation to proceed accordingly.
3. Except as provided under Section G4 below, no claims shall be finally approved for settlement except by the Commission and no claim shall be paid except as authorized by the Commission.
4. Any claim arising from normal Port operations and not exceeding \$10,000 for a single claim may be adjusted and settled by the Executive Director without prior reference to the Commission provided that the Port Attorney (or other relevant Port counsel) shall render his or her opinion to the Executive Director that payment of the claim is justified on the basis of one or more of the following circumstances: (i) a substantial likelihood that the Port is or will be found liable; (ii) the likelihood that a judgment rendered in the case would be in the amount claimed or higher; and (iii) the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed. All such claims, when settled, shall be reported to the Commission at the next scheduled meeting.

## H. ADJUSTMENT AND WRITE-OFF OF ACCOUNTS RECEIVABLE

The Executive Director is authorized to establish procedures for and to write off uncollectible accounts in the amount of \$5,000 or less, subject to the following general guidelines: prior to writing off any account receivable or uncollectible, the Executive Director shall be satisfied that every reasonable effort has been made by the Port to accomplish the collection of the account and shall, in appropriate circumstances, authorize action in courts of law or, if more appropriate in the case of small amounts, to assign the same to collection agencies for the purpose of attempting to finally collect such accounts.

If, after attempting all normal account collection procedures, the account is still uncollectible after 180 days, or more, the Executive Director shall be authorized to provide for the writing off of such account. Any account in excess of \$5,000



which is deemed to be uncollectible shall be referred to the Commission to be approved as uncollectible. Exception to this action shall be when said accounts have been referred for final collection or settlement, in which case, said account shall be processed in a manner consistent with Section G above.

## I. LITIGATION

The Executive Director, in coordination with the Port Attorney, shall be responsible for the procedures necessary for management and supervision of litigation in which the Port has an interest, directly or indirectly. For purposes of this section, "litigation" shall mean the assertion of any position, right, or responsibility by or against the Port which has been filed in any court of general jurisdiction, be it State of Federal, or any quasi-judicial or administrative forum.

The Executive Director may engage, or cause to be engaged through Port Attorney, such experts or special counsel as may be necessary for the orderly preparation of litigation in which the Port has a direct or indirect interest. Such engagement shall be upon concurrence given by the Port Attorney that such expenditure is necessary to the adequate preparation and representation of the Port's position on such litigation. Wherever practicable, an evaluation of the litigation shall include an estimate of the probable cost of such experts.

The Executive Director shall inform the Commission at the next scheduled meeting of all actions undertaken under this section.

## J. INSURANCE

The Executive Director shall be authorized to work with an insurance broker, designated by the Commission, to negotiate and obtain appropriate policies of insurance to cover Port property, liability, employee coverages, and other areas appropriately included within a comprehensive insurance program. The Executive Director is authorized to approve changes or modifications within the policies of insurance including programs to provide self-insurance or deductible provisions so long as such programs are promptly and regularly reported to the Commission.

## K. BANKING AND INVESTMENT

### 1. Banking Services

The Executive Director is authorized to negotiate for banking services and enter into agreements for such services. Procedures shall be established for the deposit/disbursal of Port funds recognizing the requirements sited in RCW 53.36.010 and that such procedures shall provide for an adequate system of internal control. Such banking service agreements shall be reported to the Commission at the next regular meeting.

### 2. Investment of Temporarily Idle Funds

For purposes of this paragraph, "temporarily idle Port funds" shall mean those funds, which are not required for immediate expenditure. In accordance with applicable law and Port District Resolutions relating to the investment of public funds, the Executive Director is authorized to direct the Port Treasurer in the investments of temporarily idle Port funds. These directives shall follow the investment policy of the Port and shall permit, but shall not be limited to, investments in authorized government securities, sale of such investments and necessary interfund transfers. A listing of all investments shall be prepared and reported to the Commission each quarter so that they may be informed of investments of temporarily idle Port funds.

## L. TARIFFS / PORT SERVICE FEES

The Commission will establish a schedule of fees for various Port services to include: wet moorage, guest moorage, dry storage, workyard and environmental, haul out, towing, launching, fuel, vehicle parking, trailer parking, and other related services. On a case-by-case basis, the Executive Director may modify a specific fee for a specific occasion. The Executive Director may also establish fees for services provided, which are not on an approved schedule.

The Executive Director will inform the Commission at the next scheduled meeting of any fee modification or non-scheduled fees approved by the Executive Director.

## M. PERSONNEL

### 1. General Personnel Matters

The Executive Director's authority over the management and operational functions of the Port includes the authority to manage all personnel matters, which includes the hiring, firing, training, grievance procedure, employee benefits, administration of salary schedule, administration of an incentive program within the Commission-approved budget, and approving new job descriptions and employee positions, except as otherwise described herein.

The Executive Director shall notify the Commission when he or she has added a new employee position.

The Executive Director shall consider specific jobs or operational requirements that may be better suited to outsourcing by contract rather than hiring permanent personnel.

### 2. Travel

In order to facilitate necessary normal Port operation, the Executive Director is authorized to approve, without prior authorization of the Commission, travel by employees for the purpose of attending meetings with customers, suppliers, consultants, associations of which the Port is a member, educational and training seminars, and informational seminars pertaining to Port operations. The limits of such authorization shall be for travel within the United States and British Columbia and within the constraints as provided for in the budget. Attendance of meetings located beyond the above geographic area or costs in excess of the budgeted amount shall require Commission approval.

### 3. Grievance Procedure

The Executive Director shall establish general grievance procedures for all Port employees, provided that the grievance procedures may not include consideration of matters not subject to the Executive Director's delegated authority.

## N. TRADE DEVELOPMENT PROGRAMS

The Executive Director is authorized, consistent with budget and statutory limitations, to develop and carry out programs of trade development (which may include tourism and tourism promotion), advertising (including the use of advertising firms within budgetary authority), and promotion of the Port, including its properties, facilities, and services. Such programs shall be reviewed by the Commission from time to time.

## O. GRANTS

The Executive Director is authorized to take all necessary actions to prepare and submit applications for grants. The Executive Director shall notify the Port Commission when the Executive Director has or is about to submit a grant application.

The Executive Director is authorized to accept grant awards, except if acceptance requires the Port to agree to indemnify another party in which event the Executive Director must submit such grant award acceptance to the port Commission for approval.

#### P. SALE OF PERSONAL PROPERTY

The RCW 53.08.090 authorizes the Port Commission to delegate to the Executive Director the authority to sell and convey Port personal property as outlined herein. Inasmuch as RCW 53.08.090 requires that this authority be renewed from year to year, the Port Commission is authorized to accomplish the same by motion; provided that in the event this authority is amended in any fashion or repealed, such amendment or repeal must be by Commission resolution.

The Executive Director is authorized to sell and convey surplus personal property of the Port of Edmonds subject to the following conditions:

1. That the value of such personal property does not exceed the dollar limits authorized under RCW 53.08.090 (as amended or succeeded);
2. Prior to any such sale or conveyance, the Executive Director shall itemize and list the property to be sold and make written certification to the Commission that the listed property is no longer needed for district purposes; and
3. Any large block of such property having a value in excess of the limits authorized under RCW 53.08.090 (as amended or succeeded) shall not be broken down into components of a lesser value and sold unless done so by public competitive bid.

No real property or facility which is part of the comprehensive plan of improvement or modification thereof shall be disposed of until the comprehensive plan has been modified pursuant to the RCW 53.20.010 and such real property or facility is found to be surplus to Port needs.

#### Q. DISPOSAL OF ABANDONED AND DERELICT BOATS, VESSELS, BOAT-RELATED GEAR, AND STORAGE UNIT ITEMS

The Executive Director is authorized to implement procedures to take custody of abandoned and derelict boats, vessels, boat related gear and storage unit items (“abandoned property”) per the current RCW 79.100 and/or RCW 53.08.320, whichever is applicable. When the Port takes custody of abandoned property under RCW 79.100, the Executive Director is authorized to dispose of such abandoned property without further approval of the Commission, provided the notification requirements under RCW 79.100.040 have been completed and such items remain abandoned, or moorage or storage fees remain unpaid. When the Port takes custody of abandoned property under RCW 53.08.320, and required notification has been made and such items remain abandoned or such moorage and storage fees remain unpaid, a resolution requesting authorization for public sale of such items shall be presented to the Commission prior to listing the Abandoned Property for auction/sale.

#### R. POLICIES AND PROCEDURES

The Executive Director is authorized to establish and implement policies and procedures as necessary for the management and operational functions of the Port and consistent with this Delegation.

Additionally, it is the Port’s policy to provide equal opportunity to the users of all Port services and facilities, all contracting entities, Port employees, and applicants for employment, and to assure that there be absolutely no discrimination against

any person on the grounds of race, creed, color, national origin, sex, sexual orientation, marital status, age, or the presence of any sensory, mental, or physical handicap, or other characteristic protected by law. This policy is to be implemented by the Executive Director.

#### S. PUBLIC ENGAGEMENT

The Commission shall review all public surveys and questionnaires before they are distributed.

#### T. ELECTED OFFICIALS

The Executive Director shall invite a Commissioner to participate in any formal events and meetings with elected officials. This policy shall not apply to meetings between the Executive Director and elected executives (i.e. mayors).

APPENDIX A

Table of Executive Director Purchasing Authority

Type of Contract	Amount of Contract	Type of Competition Req'd	Commission Approval Req'd
PW	\$1 - \$350,000	Small works roster or competitive bidding Direct buy permitted if \$40,000 or less	No, unless not in approved budget then CM approval req'd if >\$100,000*
	\$350,001+	Formal competitive bidding	Yes
A&E	\$1 - \$100,000	Informal competition	No*
	\$100,001+	Informal competition	Yes
Personal Services	\$1 - \$50,000	Any	No
	\$50,001 - \$100,000	Informal competitive bidding Formal competitive bidding	No*
	\$100,001+	Formal competitive bidding Informal competitive bidding permitted if \$200,000 or less	Yes
Purchase of Goods, Materials, Equipment, and Supplies, and Purchased Services	\$1 - \$100,000	Any	No*
	\$100,001+	Any	Yes

\*If not in approved budget and between \$50,001 and \$100,000, ED shall notify CM at or prior to next CM meeting