

# Request for Proposals – Terminal 46



**THE NORTHWEST**  
SEAPORT ALLIANCE  
Gateway to Solutions

**RFP Issue Date: August 5, 2019**

**Proposal Due Date: November 1, 2019**

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## 1. Introduction and Background

### THE NORTHWEST SEAPORT ALLIANCE

The Northwest Seaport Alliance (the “NWSA”), is a Washington port development authority acting on behalf of the Port of Seattle and Port of Tacoma. The two ports created the partnership in 2015 to unify management of their respective marine cargo facilities and businesses to strengthen the Puget Sound gateway and attract more marine cargo and jobs for the region. The NWSA is the first of its kind in North America.

The alliance is governed by the two ports as equal members (“Managing Members”), with each Managing Member acting through its elected commissioners. The Managing Members appoint the Chief Executive Officer who carries out policies, leads employees and oversees NWSA programs. The Ports of Tacoma and Seattle remain separate organizations that retain ownership of their respective assets. The two ports licensed the management and operations of their respective marine cargo terminals to the NWSA, including Terminal 46.

The NWSA now represents the 4<sup>th</sup> largest container gateway in North America and continues to increase its cargo volumes each year. The reported growth for the first five months of 2019 resulted in a 10.1 percent increase from the same period in 2018, with import and export volumes growing 8.9 percent and 12.8 percent, respectively.

Marine cargo operations in the Tacoma and Seattle harbors supported more than 58,000 jobs in 2017, generating nearly \$12.4 billion in business output. That same year, maritime cargo activity generated \$136 million in state and local taxes, which support education, roads and police and fire protection in local communities.

### TERMINAL 46 BACKGROUND

The NWSA’s marine terminal located at Terminal 46 began operating as an 88-acre container terminal in 2003, although it was a smaller container terminal for many years before then. It was operated by Total Terminals, Inc. (TTI) and was home to major international ocean carriers. Its most recent customers included Maersk and MSC.

Management of Terminal 46 was assigned to the NWSA by the Port of Seattle in 2015 and the NWSA has full oversight responsibility for the facility. As part of the NWSA’s long term strategy for the Seattle Harbor, TTI’s parent company is investing in Terminal 5 as part of a joint venture with SSAT. This initiative involves realignment of our international container terminals. As a result, Terminal 46 is available for conversion to handle other marine cargo opportunities. International container operations were discontinued at Terminal 46 on July 2, 2019.

The NWSA and the Port of Seattle have approved an agreement that allows for the conversion of Terminal 46 to two distinct operations (“Agreement”); the NWSA, through this RFP, is pursuing development of an approximately 50-acre cargo terminal that could include marine-industrial support businesses. The proposed NWSA marine cargo terminal will include 1,400 lineal feet of the west-facing berth. Separately, the Port of Seattle is in the process of developing the remaining approximately 29 acres into a cruise terminal, with seasonal service to Alaska. The cruise facility will use 1,500 lineal feet of the north end of the west-facing berth for cruise operations. Access to the Terminal 46 cargo and

cruise terminals will be via a shared entrance. Land uses beyond operation of a marine terminal are restricted by current zoning code. The Port of Seattle intends to manage the cruise terminal area of Terminal 46 year-round, including in the off-season. The NWSA and Port of Seattle are currently negotiating an Addendum to the Agreement that will govern the scope, terms and conditions of the Port of Seattle's use of Terminal 46.

The NWSA and Port of Seattle envision the entire Terminal 46 site, including the cargo and cruise operations, as a flexible maritime transportation facility. The cruise facility will use the adjacent north section of the terminal for cruise operations during the term of any marine cargo operations agreement. The marine cargo operations will be required to share the primary terminal roadway with passenger cruise terminal operations and other common terminal uses.

The NWSA's primary objectives for the Seattle North Harbor include:

- Develop strategic terminals consistent with the NWSA 10-year strategic business plan to support future vessel needs in a financially and environmentally sustainable manner
- Realign container cargoes while keeping terminal operations fluid
- Retain, grow and diversify long-term cargo portfolio and volumes
- Retain and grow maritime, manufacturing and export jobs

## **OFFERING HIGHLIGHTS**

### **Unique Opportunity**

A deep-water marine cargo terminal situated within one of the largest container gateways in North America rarely becomes available for long-term use. The world's largest shipping lines connect our harbors with major ports throughout the Asia Pacific, Oceania, Latin America, the Mediterranean, Middle East, Europe and Alaska and Hawaii. As the closest U.S. port to Asia and frequent first and last port of call on international ocean services, shippers can count on faster transits and greater flexibility from NWSA routings. The gateway also handles more than 80% of containerized ocean shipments between the lower 48 states and Alaska and we are a primary gateway for cargo to Hawaii.

### **Prime location within the Puget Sound**

Terminal 46 is located adjacent to the City of Seattle's SODO industrial area with Intermodal Yard facilities located nearby and easy access to I-5 and SR 99 for north and south-bound travel, and I-90 for eastbound travel; Terminal 46 is within 5 miles of Boeing Field and 15 miles of Seattle-Tacoma International airport and other major logistics operations.

### **A premier port complex investing for the future**

The NWSA is making multi-million-dollar investments in its container terminals and infrastructure to handle "Ultra Large Container Vessels." With the development of Terminal 5 now underway, more business is being attracted to the gateway. Further investments are being made to promote cargo growth including more big ship ready terminals, expanded rail connections and technology solutions. The region also supports easily accessible intermodal choices and transload warehouses with skilled labor. Since the inception of the NWSA in 2015, the gateway continues to increase its cargo volumes year over year.

## 2. RFP Overview and Site Specifications

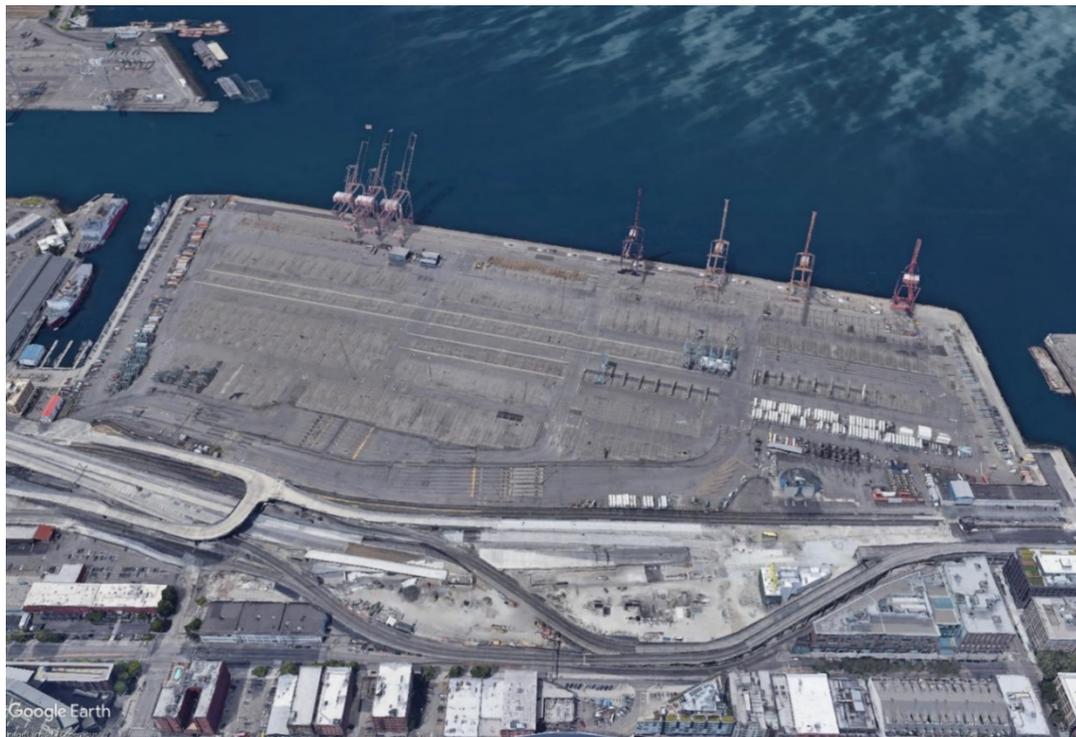
### THE NORTHWEST SEAPORT ALLIANCE VISION

This is a Request for Proposals to develop a water-borne marine cargo and/or other marine-industrial business at Terminal 46 in support of the NWSA.

As part of its 10-year strategic business plan, the NWSA seeks to diversify its business portfolio through a long-term lease (minimum of 5 years) of approximately 50-acres on Terminal 46. The NWSA is particularly interested in a lease arrangement that will attract new incremental water-borne marine cargo business or other marine-industrial related business that enhances the NWSA's competitive position as a global gateway for domestic and international cargo.

Additional objectives for this unique opportunity include:

- Build water-borne marine cargo volume and revenue at Terminal 46
- Maximize the use of the NWSA's deep-water facilities and industrial lands to serve maritime industrial uses while demonstrating continued commitment in environmental stewardship
- Create positive economic impact for the region – jobs, taxes and business revenues
- Enhance supply chain and logistics capabilities in Washington State
- Strengthen access to global markets and supply chains for Northwest businesses



## TERMINAL OVERVIEW

**Address:** 401 Alaskan Way South  
Seattle, WA 98104

### Terminal Area:

Approximately 50 acres of illuminated wharf and terminal area with approximately 1,400 lineal feet of berth with a design depth of minus 50 feet MLLW. The dock height is 18.5' +/- above MLLW.

### Site Highlights:

- Paved cargo terminal able to support loads consistent with marine cargo business
- Approximately 1,400 lineal feet of 100-foot wide wharf structure rated at 600 PSF
- 50-foot and 100-foot gauge Gantry crane rail with cable trench
- Modular fender panels spaced typically 60 feet on center and extending to plus 10' MLLW
- A marine operations building and gear locker/crane maintenance shop
- Electrical capacity of 10 MVA to support terminal operation
- Maritime Transportation Security Act ("MTSA") capable facility
- Close proximity to the BNSF Seattle International Gateway yard and the Union Pacific Argo Rail yard via Heavy Haul Network
- Grade-separated access to I-5, I-90 and SR99

### Zoning:

Urban industrial use

### Transaction Type:

Minimum 5-year or greater term lease. The NWSA would lease the property in an "as is, where is" condition.

**Note:** Building floor plans, utilities, load ratings, zoning restrictions and other information may be requested via email at [RFPTerminal46MarineCargo@nwseaportalliance.com](mailto:RFPTerminal46MarineCargo@nwseaportalliance.com)

## SITE DESCRIPTION AND SPECIFICATIONS

### Wharf:

Approximately 1,400 lineal feet (427 meters) of berth length, with -50 feet of berth depth at MLLW. The wharf has 50-foot and 100-foot gauge gantry crane rails with a cable trench. The main wharf is rated at 600 PSF with an elevation of 18.5 +/- feet above MLLW. The wharf includes a modular panel fender system, with panels typically spaced 60 feet on center and extending from +18' to +10' MLLW.

**Cargo Yard Area:**

- Asphalt pavement designed to support cargo handling equipment operating with a 40 long ton load (40.64 MT) having an operating wheel loading of 100,000 lbs (45,359 kg) per dual wheel or 200,000 lbs (90,718 kg) per axle
- Rubber Tire Gantry (RTG) runways
- Terminal Fencing – Marine Transportation Security Act (“MTSA”)/Transportation Worker Identification Badge (“TWIC”) compliant
- Yard lighting
- Monitored fire alarm system
- Security camera system
- Computer and telecommunication conduit and wiring including fiber optics between existing buildings
- Electrical capacity to support an array of marine industrial uses
- Entrance/exit lanes will be revised from current geometry to accommodate both marine industrial and cruise terminal activity
- Portions of the secondary apron along the southern boundary of the terminal are load restricted. Please refer to the NWSA Terminal 46 Cargo Site Plan.
- The facility will be a secured site with access from the shared primary terminal roadway to the premises following the MTSA security regulations

**Buildings:**

<b>Building</b>	<b>Total Building Size</b>	<b>Description</b>
Marine Operations Building	12,036 ft <sup>2</sup> (1,118.18 m <sup>2</sup> )  (2-story Bldg)	Lunch/break room area Multi-use offices Electrical and HVAC systems Fire sprinkler system and alarm system Telecommunications systems ready Restroom facilities
Gear Locker/Maintenance Shop	1,194 ft <sup>2</sup> (110.92 m <sup>2</sup> )  (2-story Bldg)	Break Room Two (2) Offices Electrical and HVAC systems 20' rollup steel doors Storage area and storage loft Fire sprinkler system and alarm system Telecommunications systems ready Restroom facilities

### Other Buildings and/or Equipment:

The following buildings and/or equipment may be available for use and/or interim use as further defined. Respondents should identify the specific building(s) and/or equipment and explain their interest and desired use in their RFP response.

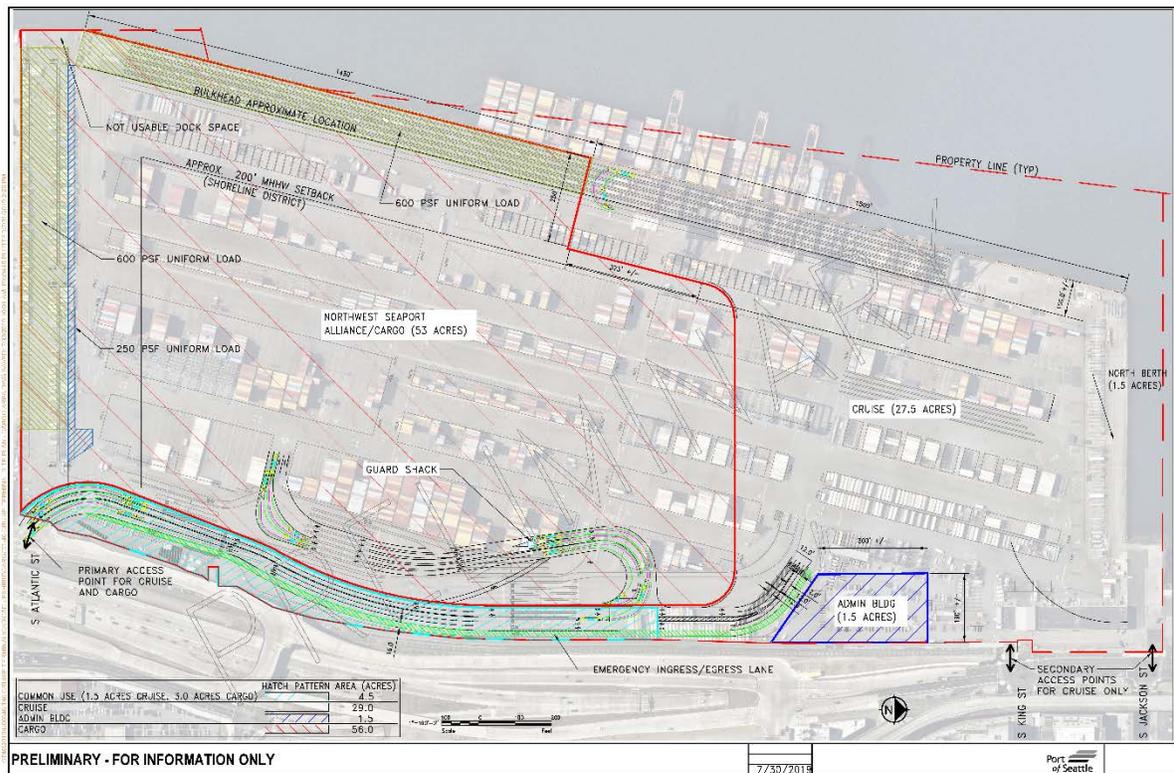
Please note that the NWSA cargo terminal will not have a Maintenance and Repair facility, nor will it have a Refrigerated Container Plug-in area. However, should these facilities be required by the Respondent of this RFP, the existing Maintenance and Repair and Refrigerated Container Plugs located on the Port of Seattle cruise terminal portion of Terminal 46 could be made available for an interim period of time pending the Respondent’s development of similar facilities within the Cargo facility premises area described herein.

- **Administration Building** – The existing Administration Building may be available for full use in its entirety and/or shared with other tenants. This building is optional and is being offered in both this RFP and the Port of Seattle Cruise RFP. The highest and best use will be considered.
- **Maintenance and Repair Building** – This building can be available for interim use through June 2021. The building will be available on an “as is” basis. The respondent will be responsible for additional equipment and/or fixtures.

Building	Total Building Size	Description
Administration Office  <i>(Additional Potential Use)</i>	15,458 ft <sup>2</sup> (1,436.09 m <sup>2</sup> )  (3-story Bldg)	Additional 1.5 acres parcel Employee/customer parking area: approximately 100 parking stalls Conference rooms/lunch room/lobby area Electrical and HVAC Systems Natural gas metered Telecommunications systems ready Security system ready Restrooms facilities
Maintenance and Repair Building  <i>(Additional Potential Use)</i>	14,875 ft <sup>2</sup> (1,381.93 m <sup>2</sup> )	Two High Bays Large enough to service RTG’s and Top Picks One w/Over Head Crane Multiple Bays for general maintenance capabilities Break Room Locker and Restrooms facilities

- **Refrigerated Container Plugs** – These plugs can be available for interim use available on an “as is” basis. Use of these will be dependent upon the Cruise facility development schedule.
- **Cargo Handling Equipment** - The Respondent will need to provide cargo handling equipment to support its operations as required. The existing gantry cranes on Site may be available for purchase and use at Terminal 46. Interest in the cranes should be expressed directly to the equipment owner.

**NWSA Terminal 46 Cargo Site Plan**  
 (Please see "Exhibit A" for a larger site plan.)

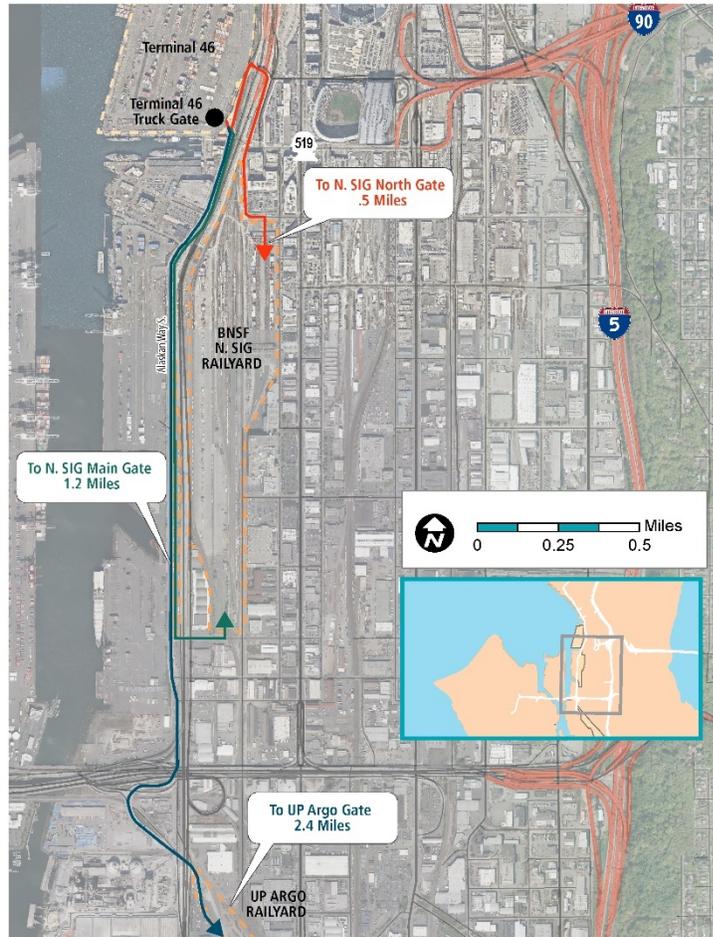


**SITE CHARACTERISTICS**

**Access and Transportation**

**Primary vehicle access:** Access to the Site will be provided at the intersection of South Atlantic Street and Alaskan Way. Secondary access potentially will be provided at South King Street. The primary access from South Atlantic Street will serve both cargo and cruise operations with secured ingress and egress from the primary access way into the secured marine cargo site. Traffic circulation internal to Terminal 46 will be finalized through consultation with the NWSA and Port of Seattle. Please refer to the proposed NWSA Terminal 46 Cargo Site Plan. The shared entrance will be considered common area while the secured access spur will be site specific and included within the approximate 50 acres.

**Intermodal rail access:** This Site has easy access to nearby rail transportation. The BNSF Seattle International Gateway ("SIG") is approximately ¼ mile and the Union Pacific Argo yard ("ARGO") yard is approximately 2 miles via heavy haul corridor from the Atlantic Street terminal entrance. The Heavy Haul Network ("HHN") in the Seattle harbor allows qualified loads in excess of legal limits to be transported on city streets between intermodal facilities and marine terminals. Use of the HHN requires a special permit. Permits can be obtained from the City of Seattle Department of Transportation, Traffic Permits/Commercial Vehicle Enforcement Division.



**Highway access:** The Site benefits from close proximity and grade-separated access to the key east-west and north-sound roadway corridors of I-5, I-90 and SR99.

## Utilities

The Site benefits from its location within a region known for its inexpensive electricity and water. Utilities are provided to the Site and will be separate from the cruise terminal portion. Terminal 46 is supported by major utility infrastructure, and will be serviced by:

**Electrical:** Electrical service is provided by a Seattle City Light substation. The south substation provides 10 MVA capacity with its own meter for use exclusive to the marine cargo portion of the terminal.

**Water/Sewer:** Water service is provided by Seattle Public Utilities (“SPU”). The water/sewer services are typically billed directly by SPU but may be billed by the NWSA from sub-metered readings as necessary.

**Stormwater:** Stormwater support is provided by the Port of Seattle Marine Stormwater Utility, which provides services, facilities, systems and programs for surface water and stormwater management and pollution control at Port of Seattle facilities.

**Natural Gas:** Gas service in the area is provided by Puget Sound Energy (“PSE”). While there is not gas currently located on-site, it is accessible nearby through PSE.

**Telecommunications:** This Site has several potential telecommunications service providers.

## Zoning and Regulatory Review

Respondents should be aware of City Zoning and Development & Improvements, if any, applicable to this proposal. The Terminal 46 site is classified as a waterfront lot (Seattle Municipal Code [SMC] 23.60.924). The shoreline designation for the Site is Urban Industrial (UI; SMC Subchapter XV). The Site is zoned as General Industrial 1, Unlimited 85 (IGL U/85; SMC 23.50 Industrial), within the Greater Duwamish Manufacturing/Industrial Center. Environmentally critical area overlays on and near the Site include liquefaction, wildlife, and flooding potential.

A variety of commercial, industrial and logistics uses are permitted outright in the zone and are expected to include extended operating hours, heavy truck traffic and higher than average levels of intensity. The purpose of the zone is to allow sufficient flexibility to support cargo shipping demands and schedules.

## Environmental

An air emissions study may be required depending upon use to comply with appropriate regulatory mandates including National Ambient Air Quality standards. Air emissions from vessels, cargo handling equipment and trucks must be minimized using cleaner technologies and best practices to meet the standards. The NWSA implemented the Clean Truck Program in an effort to reduce air emissions from trucks servicing the NWSA international cargo container terminals and may be expanded to include other terminals.

## Stormwater

Many marine industrial operations require an Industrial Stormwater General Permit (“ISGP”) administered by the State of Washington Department of Ecology to meet Federal Clean Water Act requirements. This Site is currently covered by the Municipal Storm Separate Storm Sewer (MS4) permit under the Federal National Pollutant Discharge Elimination System (NPDES) program. The respondent will provide the NWSA with a Stormwater Pollution Prevention Plan (SWPPP) to meet the MS4 Permit requirement. Activities such as vehicle maintenance, mobile fueling, and equipment cleaning on the wharf or upland areas trigger additional permits such as an ISGP for the terminal. However, if the respondent’s proposed use does trigger ISGP coverage, respondent shall be fully responsible for permit compliance. A General Construction Stormwater Permit will be required for any proposed site construction.

## Noise

All industrial activities must meet City of Seattle, Washington noise ordinances. Please refer to Seattle Municipal Code Chapter 25.08. The Seattle noise ordinance sets levels and durations of allowable daytime/nighttime operational noise. These limits are based on the zoning of the source and receiving properties. Terminal 46 is zoned for industrial uses.

### 3. Proposal Requirements and Submission Process

#### SUBMISSION OF RESPONSES

Responses to this RFP are due **on or before 2pm PST, Friday, November 1, 2019.**

**REQUIRED:** The NWSA is requiring electronic responses.

Electronic responses must include in the subject line “RFP – Terminal 46 Marine Cargo” and should be sent to: **[RFPTerminal46MarineCargo@nwseaportalliance.com](mailto:RFPTerminal46MarineCargo@nwseaportalliance.com)**.

E-mail responses should be no larger than 10MB or sent in separate responses clearly labeled email 1 of 3, email 2 of 3, email 3 of 3, etc. DO NOT submit .ZIP files or “Drop Box” documents as they will be rejected. Proposals shall be formatted in searchable PDF format. The NWSA is not responsible for the Respondent’s technical difficulties in submitting responses electronically. Late submissions of responses may not be evaluated.

**OPTIONAL:** Written paper responses are optional, in addition to e-mailed responses, and should be mailed or dropped off at the front desk to:

The Northwest Seaport Alliance  
Attn: RFP – Terminal 46 Marine Cargo  
2711 Alaskan Way  
Seattle, WA 98121

All costs associated with the preparation, submittal and delivery of a response and any presentation materials are the responsibility of the respondent.

Proposers shall promptly notify the NWSA of ambiguities, inconsistencies, or errors, if any, which they may discover upon examination of the RFP terms and conditions.

#### RESPONSE REQUIREMENTS

Responses should, at a minimum, include the following:

##### Respondent Qualifications:

- Description of the Respondent, business ownership structure and qualifications

##### Proposed Lease and Financial Terms:

- Length of initial lease term and any extension options;
- Lease commencement date;
- Annual rent (may be fixed, or fixed and variable);
- Annual escalation;
- Ability to perform under the proposed lease terms

##### Proposed Business Activity and Development Concept:

- Include a narrative description and conceptual site plan, if applicable, of any proposed use, cargo type(s) and/or development concept. For any development concept, describe the intended source of capital required for the development of the Site.

### Economic and Environmental Impact:

- Describe the estimated economic and environmental impact of the proposed business activity and/or development concept, including job creation.

*The NWSA is willing to entertain innovative concepts provided they comply with existing land-use conditions.*

### RESPONSE GUIDANCE

The following comments are intended to assist in the formulation of the proposal:

#### Lease Terms Guidance

- **Condition of Site:** Terminal 46 is provided on an “As-is, Where-is” condition, with all faults and defects, known and unknown, without warranty or representation of any kind or character by the NWSA, and the lessee will be responsible for any further improvement to the Site.
- **Lease Term:** The initial lease term will be a minimum of 5 years with consideration of up to three (3) 5-year options to extend, subject to mutual agreement of the parties. The NWSA is willing to consider a longer-term lease should significant capital investment be required of the lessee.
- **Expenses:** The NWSA desires an “absolute net” lease structure in which the lessee is responsible for all capital, operating and maintenance costs related to the Site.
- **Rent:** The NWSA will entertain proposals for a rent structure with a fixed and potential variable rate component based on cargo volume or gross revenue. The variable rate could be subject to a minimum annual guarantee (MAG).
- **Leasehold Excise Tax:** In lieu of property taxes, lessee will pay Washington State leasehold excise tax, which is currently equal to 12.84% of applicable base monthly rent. The NWSA expects that the apron area will be made available to the lessee under a preferential use agreement, allowing the NWSA to have secondary use rights. It is anticipated that 75% of the monthly payment will be attributed to the apron area and is not subject to leasehold tax by law because it is under a preferential use agreement. The remaining 25% of the monthly payment will be considered monthly rent and will be subject to leasehold tax.
- **Secondary Berth Rights:** The NWSA will retain the right of secondary use of the 1400’ berth area.
- **Security Deposit:** Lessee will pay a security deposit equal to six-months or twelve-months base rent *plus leasehold excise tax* depending on the nature of the proposed operation consistent with NWSA policies. The form of payment is subject to the NWSA’s approval.
- **Brokerage Commission:** The NWSA is not represented by a broker in this transaction and lessee is responsible for any commissions to brokers that it hires. The NWSA prefers direct engagement with the lessee.
- **Insurance:** The lessee shall be required to secure and maintain liability and other appropriate insurances during the term of the lease and extensions thereof. The NWSA and the Port of Seattle shall be named as additional insured and be provided at least forty-five (45) days’ prior written cancellation notice.

## Desired Qualifications and Business Activities

The NWSA seeks respondents with good financial standing, experience with water-borne and/or marine industrial businesses and a commitment to strengthening and growing the Pacific Northwest economy.

The NWSA desires water-borne marine cargo business activity for this Site. Though not exhaustive, the following are examples of desired cargo types:

- Bulk
- Breakbulk
- Ro-Ro
- Project cargo
- Container
- Marine industrial support services

## Other Guidance

**The NWSA is the managing entity and issuer of this RFP and any questions and responses must be directed to the NWSA.**

**Additionally, and separately,** the Port of Seattle has issued an RFP (“Development of New Cruise Terminal at Terminal 46” issued July 26, 2019) related to the development and operation of a cruise facility on the Port of Seattle portion at Terminal 46. Nothing in this RFP shall be read to prohibit or require Respondents from also submitting a proposal in response to the Port of Seattle RFP. The NWSA reserves the right to evaluate all aspects of proposed coordination between the Terminal 46 Cruise facility and non-cruise activities on Terminal 46, including any benefit that might be achieved by having the same tenant managing both the NWSA and Port of Seattle portions of Terminal 46.

Respondents are responsible for determining the appropriate labor jurisdictions affecting Terminal 46 and for avoiding labor disruptions arising from respondent’s activities at Terminal 46.

## SELECTION PROCESS

### Schedule\*

EVENT	ANTICIPATED DATE
RFP Issue Date	August 5, 2019
Terminal 46 Cargo Area Tour	TBD
Questions Due to NWSA	September 25, 2019
NWSA Answers to Questions	October 9, 2019
Proposals Due	November 1, 2019 @ 2pm (PST)
Agreement Execution	First Quarter, 2020

*\*This Schedule is subject to change by the NWSA at its sole discretion. All Respondents will be notified of any changes and/or modification made to this schedule.*

## Rating Scale

The selection process is based upon the “Response Requirements” section above and weighted in terms of importance as follows:

ITEM	CATEGORY	POINTS
1	Respondent Qualifications	30
2	Proposed Lease and Financial Terms	30
3	Proposed Business Activity and Development Concept	20
5	Economic and Environmental Impact	20
<b>TOTAL POINTS</b>		<b>100</b>

The NWSA intends to enter a non-binding Letter of Intent (“LOI”) with the RFP awardee while lease terms are finalized. In the event that a non-binding LOI cannot be finalized with the top ranked respondent within 60 days after the RFP award date the NWSA reserves the right, in its sole discretion, to enter into negotiations with the next-highest-ranked respondent, call for new proposals, or discontinue this selection process.

***Any term lease resulting from this RFP shall be subject to Final Approval by the Managing Members of the NWSA.***

## Communication and Questions

All questions and requests for clarification and/or interpretation regarding this RFP shall all be submitted in writing by email to: [RFPTerminal46MarineCargo@nwseaportalliance.com](mailto:RFPTerminal46MarineCargo@nwseaportalliance.com).

Respondents are strongly encouraged to submit any and all questions and requests as soon as practicable. Written responses to questions from Respondents will be provided to all potential Respondents who have registered to receive e-mail correspondence for this RFP via the NWSA web site (<https://www.nwseaportalliance.com/t46>). **Final questions concerning the RFP must be received by the NWSA no later than 12:00 noon (PST), on Wednesday, September 25, 2019.** Questions received after this date will not be considered. Responses to questions will be provided on an interim basis or around September 13<sup>th</sup> and final responses will be provided October 9, 2019.

## Competitive Integrity

The NWSA maintains a neutral competitive environment for all respondents to protect the integrity of the selection process. A potential respondent, or anyone on its behalf, may only contact the authorized NWSA representative concerning this RFP from the release date until the NWSA executes an agreement. Any communication concerning the content of this RFP by a potential or actual respondent, or anyone on its behalf, with any NWSA or Port-elected official or employee other than the NWSA representative may result in the rejection of that respondent’s response.

## **NWSA Rights**

The NWSA reserves the right to accept or reject any or all responses in their entirety or in part and to waive informalities and minor irregularities and to contract as the best interest of the NWSA may require. During the evaluation process, if the NWSA determines that a particular requirement may be modified or waived and still allow the NWSA to substantially meet its needs, then the requirement(s) may be modified or waived. The NWSA reserves the right to contact any Respondent to seek clarification, to ask any or all Respondents to submit additional information, or to request modified responses after the submission deadline.

## **Public Disclosure**

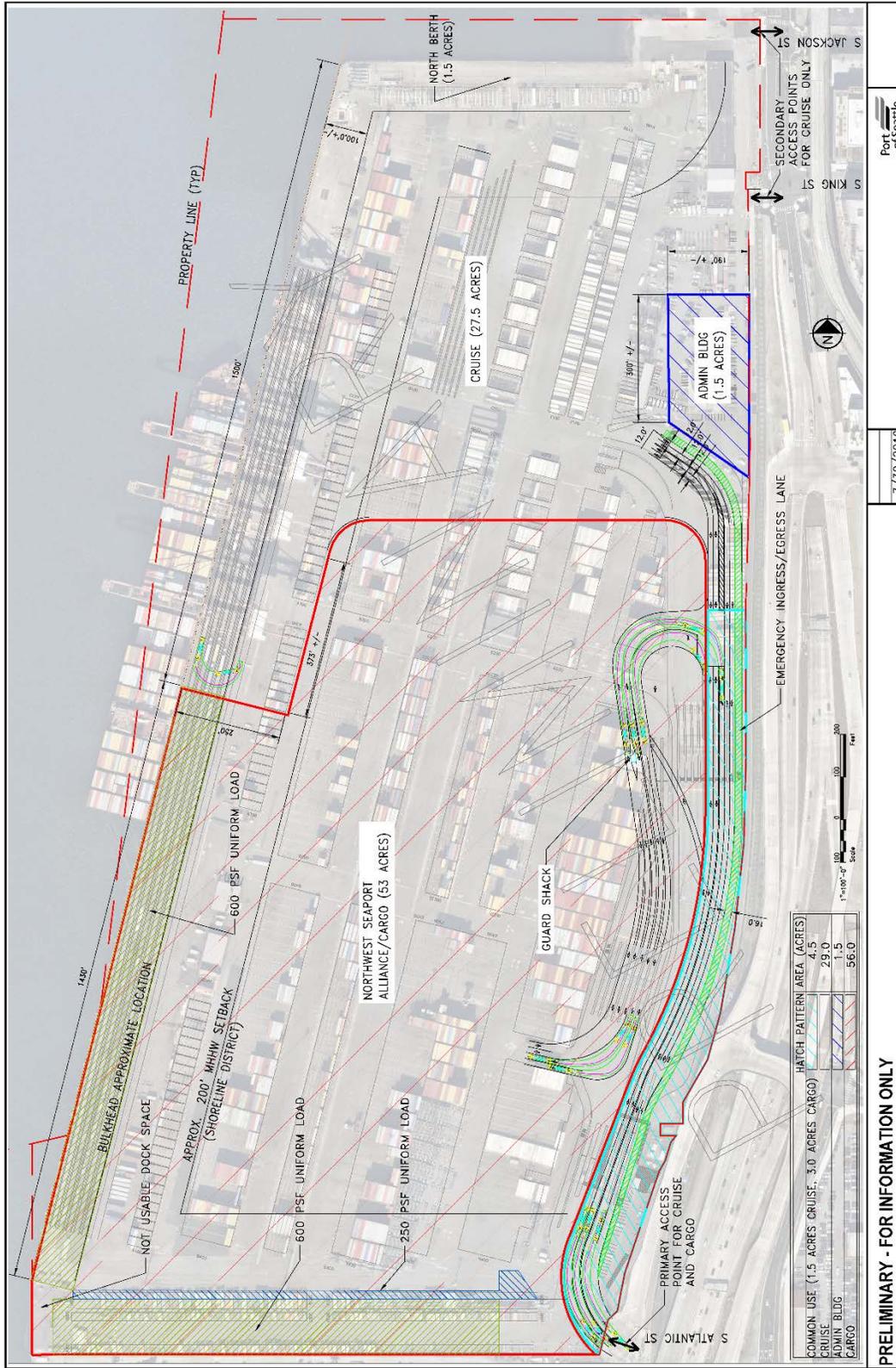
As a public agency, the NWSA is subject to the Washington State Public Records Act, Chapter 42.56, Revised Code of Washington (RCW). As such, the NWSA may be required to disclose information provided in respondent's response. If Respondent seeks to prevent the disclosure of its documents as part of a public disclosure request, Respondent shall be responsible for and bear all costs of taking legal action to prevent the disclosure. In no event shall the NWSA be liable to Respondent for disclosure of Respondent's documents the NWSA deems disclosable under Chapter 42.56 RCW.

## **4. Exhibits**

EXHIBIT A – NWSA Terminal 46 Cargo Site Plan

EXHIBIT B – Port of Seattle Terminal 46 Cruise Site Plan

# EXHIBIT A – NWSA TERMINAL 46 Cargo Site Plan

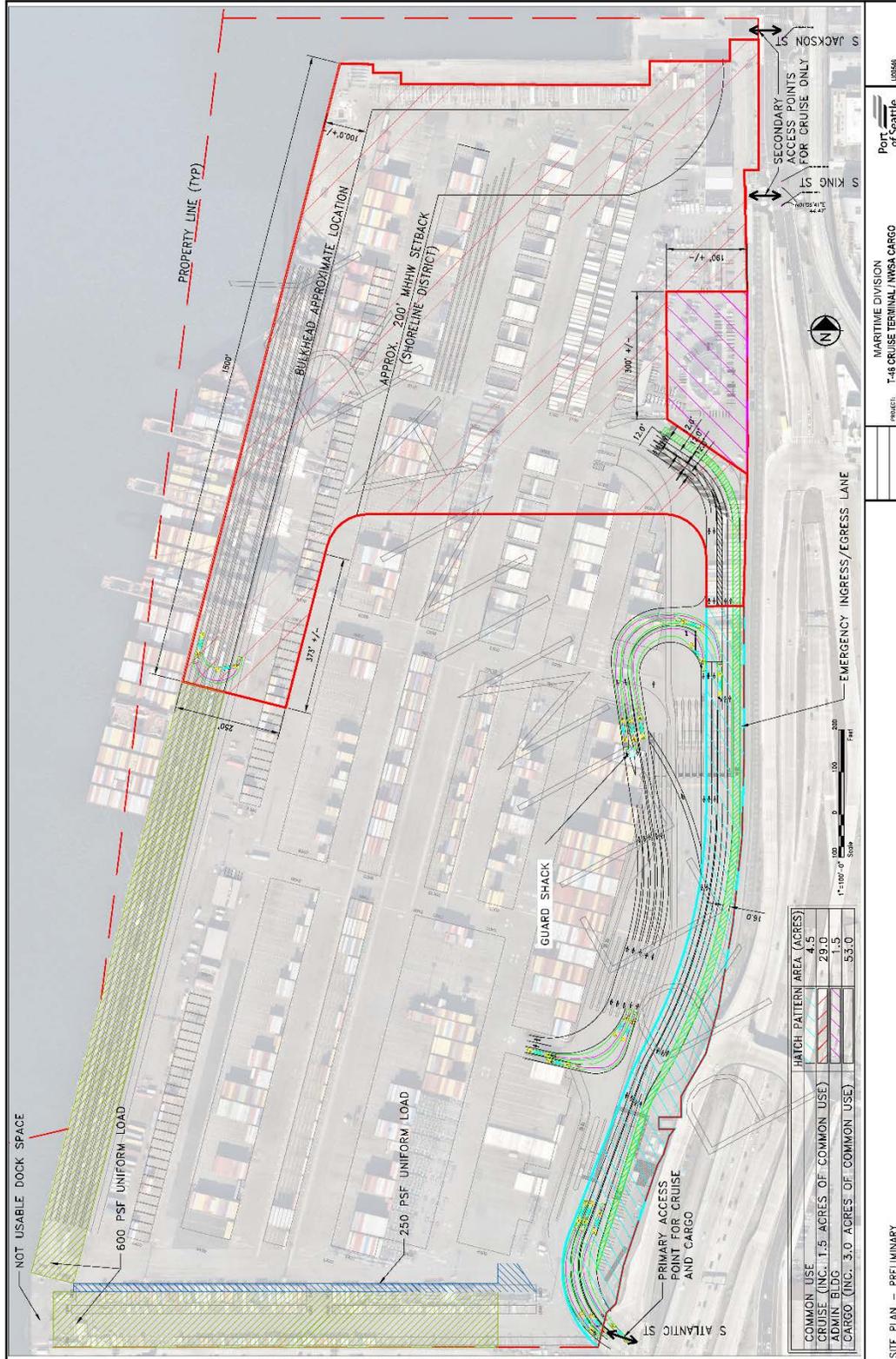


PRELIMINARY - FOR INFORMATION ONLY

7/30/2019



**EXHIBIT B – Port of Seattle TERMINAL 46 Cruise Site Plan (FOR REFERENCE ONLY)**



HATCH PATTERN AREA (ACRES)	
COMMON USE	4.5
CRUISE (INC. 1.5 ACRES OF COMMON USE)	29.0
ADMIN. BLDG	1.5
CARGO (INC. 3.0 ACRES OF COMMON USE)	53.0

EMERGENCY INGRESS/EGRESS LANE

PORT OF SEATTLE

MARITIME DIVISION

PROJECT: T-46 CRUISE TERMINAL / MWSA CARGO

US066

SITE PLAN – PRELIMINARY