



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**April 17, 2001**

**Ordinance 14088**

**Proposed No.** 2001-0161.3

**Sponsors** Nickels and McKenna

1 AN ORDINANCE making a supplemental appropriation of  
2 \$194,636 to the current expense fund, \$68,612,564 to the  
3 building repair and replacement sub-fund; \$6,749,781 to  
4 the airport construction sub-fund; \$1,300,000 to the King  
5 County open space non-bond fund from new grant revenues  
6 for acquisition of open space in the Green/Duwamish river  
7 basin; and \$2,040,000 for the enlargement of the Kent  
8 commuter rail park and ride garage; and amending the 2001  
9 Budget Ordinance, Ordinance 14018, Section 5, Section 32,  
10 Section 124 and Attachment 2, as amended and the 2000  
11 Budget Ordinance, Ordinance 13678, Section 121, as  
12 amended.

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14  
15 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY

16 SECTION 1. There is hereby approved and adopted a supplemental request of  
17 \$194,636 to the current expense fund, an appropriation of \$68,612,564 to the building

18 repair and replacement sub-fund, an appropriation of \$6,749,781 to the airport  
19 construction fund; an appropriation of \$1,300,000 to the King County open space non-  
20 bond fund, and an appropriation of \$2,040,000 to the public transportation fund.

21 SECTION 2. Ordinance 14018, Section 5 as amended, is hereby amended by  
22 adding thereto and inserting therein the following:

23 Council administration \$194,636

24 PROVIDED FURTHER THAT:

25 \$194,636 of this appropriation was provided to the county by AT&T in 1999 and  
26 2000, pursuant to Ordinances 13409 and 13855, as part of the transfer of control of the  
27 TCI cable franchise to AT&T. These funds were mistakenly allowed to roll to  
28 undesignated current expense fund balance, though their use had been prescribed by  
29 ordinance and formal agreement with AT&T. Consistent with these agreements, a  
30 significant portion of this \$194,636 shall be used to hire an independent consultant to  
31 assist the council in its review and oversight of the King County institutional network  
32 (I-Net) project, provided through the county's cable franchise agreement with AT&T.  
33 The remainder of this amount shall be used to support other education and technology  
34 initiatives of the county and county council, as consistent with transfer agreements.

35 PROVIDED FURTHER THAT:

36 Of this appropriation, \$25,000 is allocated to cover the expenses associated with  
37 the charter-required redistricting process, which include but are not necessarily limited to  
38 contracting for the services of a redistricting master and costs of public outreach such as  
39 public meetings and mailings. After the redistricting process is completed, any

40 unencumbered funds remaining from this allocation may be spent on other council  
41 purposes.

42 SECTION 3. Ordinance 14018, Section 32 as amended, is hereby amended by  
43 adding thereto and inserting therein the following:

44 PROVIDED THAT:

45 Of this appropriation, \$165,000 shall be expended only for contracts with the  
46 Central Area Motivation Program (CAMP) for the Northwest Labor Employment and  
47 Law Office (LELO) re-licensing activities.

48 SECTION 4. Ordinance 13678, Section 121, is hereby amended by deleting the  
49 following:

50 PROVIDED FURTHER THAT:

51 The appropriation for CIP project number 395716, Courthouse Seismic Project, is  
52 subject to the following requirements:

53 A. The executive shall submit to the budget and fiscal management committee or  
54 successor, a monthly written report as to the status of the project identifying ongoing and  
55 resolved issues including scope, schedule, and budget. The monthly report will include a  
56 comparison of actual monthly expenditures with planned expenditures and an explanation of  
57 material deviations from planned expenditures. Executive staff will be available to present  
58 the report if requested by the chair of the budget and fiscal management committee. Project  
59 updates shall include status of project subcomponents including but not limited to the Yesler  
60 building relocation as well as any additional maintenance and restoration projects added to  
61 the scope of the courthouse project. Within fifteen days of receipt of the monthly report, the  
62 chair of the budget and fiscal management committee, or successor committee, may review  
63 the monthly report; determine if issues warrant suspension of project expenditure authority;

64 and by letter, request the executive to remedy the identified problems or suspend project  
65 spending. If the variance in project expenditures exceed thirty percent of planned overall and  
66 accumulative expenditures as reported in the monthly reports, ninety percent of any  
67 remaining appropriation authority is suspended.

68 B. The executive will report to the budget and fiscal management committee or  
69 successor committee on project budget, scope, and schedule at the completion of each  
70 remaining project phase (detailed design, construction documents, and bidding). At  
71 completion of each project phase for CIP project 395716, the executive will not further  
72 obligate funds if the status of the project indicates:

- 73 1. That it is likely that the Courthouse Seismic project will materially exceed its  
74 budget as described by the design and construction management consultant agreements;
- 75 2. That the project will materially exceed the estimated time schedule as described  
76 by the design and construction management consultant agreements and; or
- 77 3. That the program's scope as defined by the design and construction management  
78 consultant agreements will not be achieved or has been materially altered without council  
79 approvals.

80 C. Of the amount appropriated, \$995,000 identified for construction costs related to  
81 preparation of the Yesler building as temporary relocation costs for Courthouse tenants may  
82 not be expended until the executive provides the budget and fiscal management committee  
83 with an updated cost estimate for the Yesler building prepared by an independent cost  
84 estimator verifying the projects costs and the chair of the budget and fiscal management  
85 committee acknowledges receipt of that information by letter to the executive.

86 SECTION 5. Ordinance 14018, Section 124 as amended, is hereby amended by  
87 adding thereto and inserting therein the following:

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88	<u>Fund</u>	<u>Capital Fund</u>	<u>Amount</u>
89	3522	Open Space Non-bond County Projects	\$1,300,000
90	3641	Public Trans Const - Unrestricted	\$2,040,000
91	3951	Building Repair and Replacement Sub-fund	\$68,612,564
92	3380	Airport Capital Fund	\$6,749,781

93 PROVIDED FURTHER THAT:

94 \$150,000 of this appropriation for the courthouse public assembly/corridor repair  
95 and stabilization project, CIP Project no 395137, is for the purpose of further assessing  
96 the damage in these areas of the courthouse and the developing options for remedying the  
97 deficiencies. The executive shall file with the clerk of the council a report and any  
98 necessary appropriations legislation that identify the alternatives developed through the  
99 assessment and design phase, estimated costs of the alternatives, and the executive  
100 recommended approach and by May 15, 2001 Any report or plan required to be  
101 submitted by this proviso must be filed, with 15 copies attached, with the clerk of the  
102 council. The clerk will retain the original and forward copies to each councilmember and  
103 to the lead staff for the budget and fiscal management committee or its successor.

104 PROVIDED FURTHER THAT

105 For CIP projects 395134, courthouse earthquake repair, the executive will hold  
106 joint monthly meetings with client agencies including but not limited to the following:  
107 deputy presiding judge of the superior court; senior legislative analyst of the council  
108 budget and fiscal management committee; representation from the district court and  
109 sheriff and executive agencies; and external expertise as necessary. The monthly  
110 meetings will review written project summaries; any recent project developments not

111 reflected in the monthly project summaries and critical milestones, issues, and project  
112 decisions.

113           PROVIDED FURTHER THAT:

114           For all earthquake related repair projects in Fund 3951, the executive shall  
115 prepare monthly written reports for each project and subproject showing the original  
116 estimated budget; expenditures to date and percentage complete, and updated subproject  
117 schedules, any proposed changes to the project scope; and critical issues. In addition, the  
118 report shall include a section that reviews the status of FEMA and property insurance  
119 reimbursement processes. The reports shall be transmitted to council by the last day of  
120 each month and cover expenditures and encumbrances through the 15th of each month.  
121 The first report due April 30, 2001 shall include a detailed schedule and scope description  
122 for each project and or subproject; an updated budget if appropriate, a description of the  
123 procurement process used or to be used; and a cash flow projection to monitor  
124 expenditures.

125           If the reports required by this proviso are not submitted on a timely basis, only  
126 seventy-five percent of the appropriations for each project may be expended or  
127 encumbered. If the variance in actual project expenditures exceed twenty-five percent of  
128 planned overall accumulative expenditures as reflected in the updated cash flow  
129 documents and reported in the monthly reports assuming no change in project schedule,  
130 ninety percent of any remaining unexpended appropriation authority is suspended until  
131 the council acts on a supplemental appropriation that amends this section. Any report or  
132 plan required to be submitted by this proviso must be filed, with 15 copies attached, with  
133 the clerk of the council. The clerk will retain the original and forward copies to each

134 councilmember and to the lead staff for the budget and fiscal management committee or  
135 its successor.

136           PROVIDED FURTHER THAT

137           For all airport earthquake related repair projects in Fund 3380, the executive shall  
138 prepare monthly written reports for each project and subproject showing the original  
139 estimated budget; expenditures to date and percentage complete, and updated subproject  
140 schedules, any proposed changes to the project scope; and critical issues. In addition, the  
141 report shall include a section that reviews the status of FEMA and property  
142 reimbursement processes. With the exception of the first monthly report, the reports shall  
143 be transmitted to council by the last day of each month and cover expenditures and  
144 encumbrances through the 15th of each month. The first report on status of earthquake  
145 repairs at the airport shall be transmitted no later than May 15, 2001 and shall include a  
146 detailed schedule and scope description for each project and or subproject; an updated  
147 budget if appropriate, a description of the procurement process used or to be used; and a  
148 cash flow projection to monitor expenditures if work is yet to be completed.

149           For all earthquake repairs at the airport addressed in project numbers MN1999;  
150 MN999T; MN999U; MN999S; MN999A; MN999D; MN999E; MN999F; MN999G;  
151 MN999H; MN999J; and MN999K, if the variance in actual project expenditures exceeds  
152 twenty-five percent of planned overall accumulative expenditures as reflected in the  
153 updated cash flow documents and reported in the monthly reports assuming no change in  
154 project schedule, ninety percent of any remaining unexpended appropriation authority is  
155 suspended until the council acts on a supplemental appropriation that amends this section.

156           If the reports required by this proviso are not submitted on a timely basis, only  
157           seventy-five percent of the appropriations for each project may be expended or  
158           encumbered. Any report or plan required to be submitted by this proviso must be filed,  
159           with 15 copies attached, with the clerk of the council. The clerk will retain the original  
160           and forward copies to each councilmember and to the lead staff for the budget and fiscal  
161           management committee or its successor.

162           PROVIDED FURTHER THAT:

163           The appropriation for CIP project number 395716, Courthouse Seismic Project, is  
164           subject to the following requirements:

165           A. The executive shall submit to the budget and fiscal management committee or  
166           successor, a monthly written report as to the status of the project identifying ongoing and  
167           resolved issues including scope, schedule, and budget. The construction manager for the  
168           project shall prepare the monthly report using data compiled from the project  
169           management database. The summary of the monthly report shall be comparable in form  
170           and substance to the executive summary of the monthly reports used for the King County  
171           Regional Justice Center Project.

172           B. Executive staff will be available to present the monthly report if requested by  
173           the chair of the budget and fiscal management committee. Project updates shall include  
174           status of project subcomponents including but not limited to the Yesler building  
175           relocation as well as any additional maintenance and restoration projects added to the  
176           scope of the courthouse project. Within fifteen days of receipt of the monthly report, the  
177           chair of the budget and fiscal management committee, or successor committee, may  
178           review the monthly report; determine if issues warrant suspension of project expenditure

179 authority; and by letter, request the executive to remedy the identified problems or to  
180 suspend additional project spending.

181 C. The executive will update to the budget and fiscal management committee or  
182 successor committee on project budget, scope, and schedule for the courthouse seismic  
183 project at major milestones including but not limited to the completion of construction  
184 documents; completion of the construction planning phase of the bidding process; and  
185 conclusion of construction services contracting and at regular intervals during the  
186 construction phase.

187 D. Upon execution of a contract for construction services, the executive will  
188 provide the council with an updated cash flow for the remainder of the project reflecting  
189 the schedule of values and payments agreed to in the contract and a revised cash flow  
190 analysis for any other project related costs not included in the schedule of values. If the  
191 variance in actual project expenditures exceeds twenty-five percent of planned overall  
192 accumulative expenditures as reflected in the updated cash flow documents and reported  
193 in the monthly reports and the rate of project completion has not been accelerated, ninety  
194 percent of any remaining unencumbered appropriation authority is suspended until the  
195 council passes a supplemental appropriation amending this section.

196 E. Any report or plan required to be submitted by this proviso must be filed, with  
197 15 copies attached, with the clerk of the council. The clerk will retain the original and  
198 forward copies to each councilmember and to the lead staff for the budget and fiscal  
199 management committee or its successor.

200 PROVIDED FURTHER THAT:

201 Of the appropriation for the Regional Communications and Emergency  
202 Coordination Center (RCECC), \$125,000 is subject to the following proviso. The  
203 executive shall submit to the budget and fiscal management committee or successor by  
204 July 10, 2001, a detailed proposal identifying options for the RCECC with respect to:

205 A. Viable options for breaking out site work and accelerating foundation  
206 preparation, including a cost benefit analysis for each option and its schedule impacts;

207 B. A list of potential subcontracts that will need to be separated out and bid  
208 earlier to support accelerated construction process, including a cost benefit analysis for  
209 each option and its schedule impacts;

210 C. An update on the criteria and methodology for the general contractor selection  
211 process.

212 If the proposal and update is submitted to the council after July 10, 2001, then  
213 \$125,000 of any remaining unencumbered appropriation authority is suspended until the  
214 council passes a supplemental appropriation amending this section. Any report or plan  
215 required to be submitted by this proviso must be filed, with 15 copies attached, with the  
216 clerk of the council. The clerk will retain the original and forward copies to each  
217 councilmember and to the lead staff for the budget and fiscal management committee or  
218 its successor.

219 PROVIDED FURTHER THAT:

220 For CIP projects covered by Motion 11139 and Ordinance 14067, the executive  
221 will document the various alternative procurement processes utilized in a manner  
222 sufficient to allow for evaluation of the effectiveness and efficiency of the selected  
223 procurement processes.

224 PROVIDED FURTHER THAT:

225 Of the appropriation for project 352323, Green-Duwamish River, Site 1, \$300,000  
226 shall not be expended or encumbered except to the extent that sufficient funds are  
227 received by the water and resource lands division from WRIA 9 jurisdictions or from  
228 other non-county contributions designated toward this restoration project.

229 SECTION 6. Ordinance 14018, Attachment 2, as amended, is hereby  
230 appropriated and authorized to disburse the following amounts:

231	<u>Fund</u>	<u>Project</u>	<u>Description</u>	<u>Amount</u>
232	3522	352323	Green-Duwamish River, Site 1	\$1,300,000
233	3641	A00528	Kent 5th Floor Parking Ramp	\$2,040,000
234	3951	395716	Courthouse Seismic Project	\$59,308,884
235	3951	395130	Courthouse Security Project	\$1,227,000
236	3951	395134	Courthouse EQ Repair	\$5,334,371
237	3951	395137	Courthouse Corridor/Pub. Assembly Stab.	\$150,000
238	3951	395135	Johnson Bldg. EQ Repair	\$702,095
239	3951	395136	Outlying Bldgs. EQ Repair	\$1,261,214
240	3951	395702	Reg. Coord. And Emer. Comm. Center	\$629,000
241	3380	MN1999	Earthquake Repair Admin	\$467,027
242	3380	MN999T	Aviation Partners EQ	\$3,555
243	3380	MN999U	Great Western Soils EQ	\$20,000
244	3380	MN999S	Exec. Northwest Charters EQ	\$2,000
245	3380	MN999A	EQ Repair to runways, taxiways, ramps	\$4,272,064
246	3380	MN999D	1928 Terminal Bldg. EQ Repair	\$164,728

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247	3380	MN999E	Arrivals Bldg. EQ Repair	\$126,048
248	3380	MN999F	Hangar 5 EQ Repair	\$604,537
249	3380	MN999G	Hangar 3 and 4 EQ Repair	\$9,093

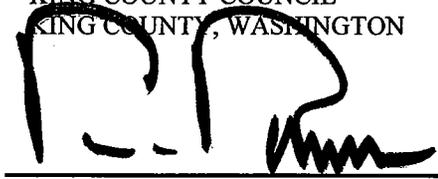
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250	3380	MN999H	Air Traffic Control Tower EQ Rep.	\$11,958
251	3380	MN999J	Airport Office Center EQ Repair	\$64,963
252	3380	MN999K	Airport Maintenance Bldg EQ Rep.	\$808
253	3380	MN999M	Water, sanitary, sewer and storm systems EQ	\$998,000
254				

Ordinance 14088 was introduced on 3/5/01 and passed as amended by the Metropolitan King County Council on 4/16/01, by the following vote:

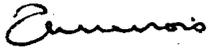
Yes: 12 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Ms. Hague and Mr. Thomas  
No: 0  
Excused: 1 - Mr. Irons

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 26 day of April, 2001.



Ron Sims, County Executive

**Attachments** A. Request for Spending Authority, B. Attachment 4-2001 Wastewater Treatment Capital Improvement Projects (Fund 4616), C. Courthouse Seismic Project Supplemental Appropriation

Request for Spending Authority

Project: Site 1 – Duwamish

**SCOPE**

The site has been included in the Green Duwamish Ecosystem Restoration Study co-managed by the U.S. Army Corps of Engineers and King County. It is further identified by the Corps for a tidal marshland restoration project. The restoration project would provide cover and a habitat/salinity adjustment area for juvenile salmonids before they enter Puget Sound. The site is also located opposite Cecil Moses Park where an additional restoration project is being funded by the Elliott Bay/Duwamish Restoration Panel. The object of this acquisition is to purchase the two western most (water front) parcels on this industrial property along the eastern bank of the Duwamish River.

***Site Description***

- The Site 1 Duwamish property is located at river mile 6.3 along the right or east bank of the Duwamish River.
- At 2.6 acres, Site 1 Duwamish is among the largest remaining undeveloped parcels of open space in the heavily industrialized Duwamish corridor.
- The site is important because it is flushed regularly by the tides, and therefore this reach of the estuary provides the appropriate range of salinities for juvenile chinook to transition to salt water.
- This section of the river contains some of the highest juvenile chinook densities in the Duwamish estuary.
- Site 1 Duwamish has been identified as important by every major habitat study of the Duwamish estuary since 1991.

***Appraised Value***

- The appraised value for the property is \$1,850,000. The proposed purchase will include two lots adjacent to the Duwamish River; the eastern most parcel of the whole property is not included in this offer.

***Awarded Grants needing Spending Authority***

- **Salmon Recovery Funding Board (SRF) - \$500,000.00 awarded 9/1/00**  
Reimbursable Grant Program from State Dept. of Nat'l Resources
- **Aquatic Lands Enhancement Account (A.L.E.A) - \$500,000.00 awarded 10/16/00**

***Special Note***

Restoration of the property is a very high priority of the Green/Duwamish Ecosystem Restoration Study. Our part of the matching grant will be covered by a commitment of \$400,000 from the Elliott Bay Restoration Panel. The value of the land would then act as the required local contribution for the restoration work to be completed by the Corps.

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Attachment B

**Attachment 4**

**2001 Ordinance 2001-XXXX, Section XXX: Wastewater Treatment Capital Improvement Projects (Fund 4616)**

Fund 4616 PROJECT DESCRIPTION	Capital Plan						Total 2001-2006
	2001 Appropriation	2002	2003	2004	2005	2006	
<b>A20010 South Treatment Plant - Asset Mgmt</b>							
423424 STP Minor Capital Improvements - EWRs	1,497,567						1,497,567
Sub-total	1,497,567						1,497,567
<b>A20040 South Treatment Plant - Power Mgmt</b>							
423426 Power Reliability	1,683,000						1,683,000
Sub-total	1,683,000						1,683,000
<b>A20110 West Treatment Plant - Asset Mgmt</b>							
423033 WTP CAMP	1,315,319						1,315,319
423425 WTP Minor capital Improvements - EWRs	2,752,287						2,752,287
Sub-total	4,067,606						4,067,606
<b>A20120 West Treatment Plant - New Facilities &amp; Improvements</b>							
423530 WTP Westpoint SCS Upgrade	728,891						728,891
Sub-total	728,891						728,891
<b>A20140 West Treatment Plant - Power Mgmt</b>							
423246 WTP West Division Power Reliability Study	785,571						785,571
Sub-total	785,571						785,571
<b>A20420 Conveyance Pipelines and Storage - New Facilities &amp; Improvements</b>							
423519 CP&S North Creek Storage	23,000,000						23,000,000
Sub-total	23,000,000						23,000,000
<b>A20510 Conveyance Pump Station - Asset Mgmt</b>							
423302 Offsite CAMP	2,942,030						2,942,030
Sub-total	2,942,030						2,942,030
<b>A20620 Combined Sewer Overflow Control - New Facilities &amp; Improvements</b>							
423001 Denny Way CSO	6,722,582						6,722,582
423179 S. Henderson/M.L. King CSO	6,055,652						6,055,652
Sub-total	12,778,234						12,778,234
<b>A21300 WTD CIP Contingency Fund</b>							
200108 WTD CIP 2001 Contingency Fund	43,668,880						43,668,880
Sub-total	43,668,880						43,668,880
<b>Total Wastewater Treatment CIP Appropriation Fund 4616</b>	<b>91,151,779</b>						<b>91,151,779</b>

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**Courthouse Seismic Project  
Supplemental Appropriation  
Owner Furnished Material Budget Estimate  
January 23, 2001**

	Description	Quantity	Unit Price	Total
<b>Wall Dampers</b>				
	Wall Dampers	65	\$ 25,000	\$ 1,625,000
<b>Yielding Braces</b>				
	200 Kip Braces	12	\$ 9,000	\$ 108,000
	300 Kip Braces	8	\$ 8,000	\$ 64,000
	500 Kip Braces	12	\$ 7,000	\$ 84,000
	<b>Subtotal Direct Costs</b>			<b>\$ 1,881,000</b>
<b>Indirect Costs</b>				
	Sales & B&O tax (9.7%)			\$ 182,457
	Performance Bond (2%)			\$ 37,620
	Freight/Shipping (FOB Seattle)			\$ 7,500
	Trucking to Warehouse			\$ 3,000
	Whse/Storage (2-40ft containers 6-mo)			\$ 10,314
	Vendor Overhead/Profit (10%)			\$ 188,100
	<b>Subtotal Indirect Costs</b>			<b>\$ 428,991</b>
	<b>Subtotal Damper/Yielding Braces</b>			<b>\$ 2,309,991</b>
<b>Heat Exchanger</b>				
	Heat Exchanger	1	\$ 80,000	\$ 80,000
<b>Indirect Costs</b>				
	Sales & B&O tax (9.7%)			\$ 7,760
	Performance Bond (2%)			\$ 1,600
	Freight/Shipping (FOB Seattle)			\$ 1,240
	Trucking to Warehouse			\$ 500
	Vendor Overhead/Profit (10%)			\$ 8,000
	<b>Subtotal Indirect Costs</b>			<b>\$ 19,100</b>
	<b>Subtotal Heat Exchanger</b>			<b>\$ 99,100</b>
	<b>Subtotal Direct &amp; Indirect Costs</b>			<b>\$ 2,409,091</b>
	Contingency (10%)			\$ 240,909
	<b>Total</b>			<b>\$ 2,650,000</b>