



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 21, 2000

Ordinance 13775

Proposed No. 2000-0088.1

Sponsors Phillips

1 AN ORDINANCE relating to the North Creek Storage
2 Project; waiving requirements for competitive bidding,
3 formal solicitation, selection and award of
4 professional/technical service consultant contracts necessary
5 for design of the North Creek wastewater storage facility;
6 and authorizing the direct procurement of all necessary
7 professional/technical service consultant contracts for the
8 North Creek Storage Project.

9
10
11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. Findings. The council makes the following findings of fact:

13 A. With Ordinance 13680, the council adopted the Regional Wastewater Service
14 Plan ("RWSP"). The RWSP provides guidance for the operation and further
15 development of the King County wastewater system, its capital improvement program
16 and, as necessary, the development of supplemental policies through 2030.

17 B. As part of the long-term capital improvement program for the wastewater
18 system, the RWSP calls for the county to implement certain improvements to the existing

19 wastewater conveyance system at the north end of Lake Washington in the Kenmore
20 area. One such a capital improvement is the North Creek Storage Project. When
21 completed, this project will provide six million gallons of critical offline wastewater
22 storage capacity that will maintain a twenty-year design storm capacity in the north end
23 of Lake Washington through 2010.

24 C. The RWSP provides that the North Creek Storage Project will be on line in the
25 year 2002.

26 D. With Ordinance 13678, the council adopted the 2000 Annual Budget for King
27 County. Within that budget, the council expressly provided that: "In order to complete
28 construction of 6 MG of storage at North Creek by 2002, the executive shall transmit to
29 the council as soon as possible an ordinance to obtain a waiver from procurement policies
30 for this project."

31 E. Based on the testimony and documentation presented during council
32 deliberations on the RWSP over the past twelve months, timely completion of the North
33 Creek Storage Project by December 31, 2002, is important to maintaining a level of
34 wastewater conveyance and treatment to a standard that protects the public health and
35 safety, and the environment. Additionally, the failure to procure these design services in
36 a timely manner would:

- 37 1. Pose a real and immediate threat to the continued proper performance of the
38 county's wastewater storage and conveyance system, which is an essential governmental
39 function; and
- 40 2. Potentially cause material financial loss and damage to property.

41 F. Completion of the North Creek Storage Project by the end of 2002 requires the

42 immediate execution of all necessary design work. In accordance with RCW 39.80.060,
43 the council hereby finds it necessary to waive all requirements for competitive
44 procurement, formal solicitation, selection and award of professional/technical service
45 consultant contracts relating to the North Creek Storage Project, except that the
46 professional/technical service consultant selected shall have the necessary knowledge and
47 expertise to perform the design work, and shall perform the design work at a price that is
48 competitive within the industry.

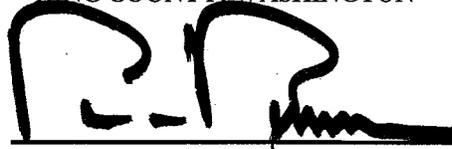
49 SECTION 2. The council hereby authorizes the waiver of all requirements for
50 competitive procurement, formal solicitation, selection and award with respect to all
51 professional/technical service contracts relating to the North Creek Storage Project,
52 except that the professional/technical service consultant or consultants selected shall have
53 the necessary knowledge and expertise to perform the design work and shall perform the
54 design work at a price that is competitive within the industry.

55 All other procurement requirements for construction management services and
56 construction shall continue to apply.
57

Ordinance 13775 was introduced on 2/14/00 and passed by the Metropolitan King County Council on 3/20/00, by the following vote:

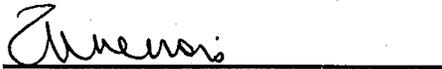
Yes: 11 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Mr. Vance and Mr. Irons
No: 0
Excused: 2 - Mr. Pelz and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 28 day of March, 2000



Ron Sims, County Executive

Attachments A. Area Map dated October 14, 1999, B. Background and Description



Proposed North Creek Storage Facility

Attachment A: Area Map dated October 14, 1999

Background and Description

Pursuant to Ordinance No. 13680, the council adopted the Regional Wastewater Service Plan ("RWSP"). The RWSP provides guidance for the operation and further development of the King County wastewater system. As part of the long-term capital improvement program for the wastewater system, the RWSP calls for the county to implement certain improvements to the existing wastewater conveyance system at the north end of Lake Washington in the Kenmore area. One such capital improvement is the North Creek Storage Project.

The North Creek storage facility will contain a minimum capacity of 6 million gallons (mg) to store stormwater flows from the north service area. The storage facility will be a relief station for the Kenmore and North Creek Pump Stations with the ability to divert flows to either the west or the south.

This will be a fast track design, bid, and build project; completion of the project by the end of 2002 requires the immediate execution of all necessary design work. Design must begin in year 2000 with some early permit work: all the permits will be ready by the end of the year 2000. Construction will begin in 2001 and be online at the end of 2002. All other procurement requirements for construction management services and construction will apply.

Finally, in recognition of the fact that time is of essence regarding this project, within the recently adopted year 2000 budget, the council expressly provided that: "In order to complete construction of 6 MG of storage at North Creek by 2002, the executive shall transmit to the council as soon as possible an ordinance to obtain a waiver from procurement policies for this project."

Budget:

King County Department of Natural Resources Wastewater Treatment Division's Conveyance System Improvement project element entitled North Creek Storage, as identified in the Division's capital budget under appropriation A10043 with project number 423373, is estimated to cost \$30 million. The balance of \$9 Million will be requested in the 2001 budget process.