

MOTION NO. 9135

1 A MOTION approving the King County Executive's
2 declaration of emergency with respect to the
3 purchase and construction of the Kingdome
4 Exhibition Hall; waiving requirements for
5 competitive bidding or formal solicitation;
6 waiving minority and women's business
7 enterprises requirements; and authorizing the
8 Executive to enter into a purchase agreement
9 on an emergency basis within existing
10 appropriation levels.

11 WHEREAS, the Kingdome Master Plan adopted by the King County
12 Council in August, 1991 identified a critical need for additional
13 exhibit space; and

14 WHEREAS, construction of an interim fabric shelter structure
15 has been demonstrated to be a cost-effective method of responding
16 to the need for exhibit space in a timely fashion; and

17 WHEREAS, 1993 Series A Kingdome bond proceeds have been
18 approved by the King County Council to construct a fabric shelter
19 structure; and

20 WHEREAS, King County has conducted two public bid processes
21 in an effort to secure a fabric shelter structure designed to meet
22 clearly defined needs of Kingdome tenants and legitimate needs of
23 the Kingdome; and

24 WHEREAS, the outcome of these bid processes has identified
25 all reasonable potential bidders to King County's satisfaction;
26 and

27 WHEREAS, of two bidders judged to be responsive to project
28 specifications, one was awarded a contract which was subsequently
29 terminated based on inability to perform; and

30 WHEREAS, King County stands to incur material loss in the
31 form of revenue necessary to support debt service payments and
32 Kingdome operations if construction timelines are not met; and

33 WHEREAS, Kingdome tenants have acted in accordance with their
understanding that additional exhibition space would be available
for 1994 consumer shows such that those tenants sold additional
exhibition space to exhibitors and may incur losses estimated at
\$40 million in gross sales to show exhibitors in the absence of
such additional exhibition space; and

1 WHEREAS, use of tents by Kingdome tenants in lieu of the
2 planned exhibition space poses a potential threat to public safety
3 and potential liability to King County for damage to displayed
4 merchandise due to the demonstrated instability of such tents; and

5 WHEREAS, there are no minority-owned or women-owned companies
6 which could provide the Kingdome with this specialized structure;

7 NOW, THEREFORE, BE IT MOVED by the Council of King County:
8 The council hereby: (i) approves the King County Executive's
9 declaration of emergency; (ii) waives all normal competitive
10 procurement and Minority and Women's Business Enterprise (M/WBE)
11 participation requirements pursuant to K.C.C. 4.16.050 and
12 4.18.070(A)(2); and (iii) authorizes the Executive to enter into a
13 purchase agreement on an emergency basis to procure a fabric
14 shelter structure as specified within existing appropriation
15 levels.

16 PASSED this 4th day of October, 1993.

17 KING COUNTY COUNCIL
18 KING COUNTY, WASHINGTON

19 *Cynthia Sullivan*
20 VICE Chair

21 ATTEST:

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23 *Gerald A. [Signature]*
24 Clerk of the Council
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