



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 15837

Proposed No. 2021-0115.2

Sponsors Kohl-Welles

1 A MOTION extending the waiver of requirements for
2 competitive bidding and solicitation requirements for
3 contracts relating to emergency work to improve the West
4 Point Treatment Plant's electrical system and to respond to
5 a Washington state Department of Ecology order.

6 WHEREAS, the King County executive on February 25, 2021, issued an
7 Executive Declaration of Emergency, declaring that immediate steps must be taken to
8 improve power reliability at the West Point Treatment Plant, and

9 WHEREAS, in accordance with K.C.C. 2.93.080, the Executive Declaration of
10 Emergency waived the public advertising and competitive procurement requirements of
11 state and county law, stating in relevant part as follows:

12 "The requirements for public advertising and competitive procurement of chapter
13 36.32 RCW, chapter 39.04 RCW, chapter 39.80 RCW, K.C.C. chapter 2.93, and the
14 requirements of K.C.C. chapter 12.19 and all applicable King County executive policies
15 and procedures are hereby waived relating to county contracts for the following
16 purchases or leases: tangible personal property; public works; and services, including
17 professional or technical services, or both, relating to emergency work for expedited
18 improvements to the electrical system at the West Point Treatment Plant to include
19 modification of the cogeneration system or the addition of a battery energy storage

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20 system, or both, any other improvements to the plant's electrical system, and analysis and
21 development of a schedule and cost estimate for a new dedicated electrical power feed or
22 transmission line in coordination with Seattle City Light. This waiver shall continue in
23 full force and effect until all necessary contracts are executed or until terminated by
24 subsequent order of the King County executive, action by the metropolitan King County
25 council by motion or as otherwise may be required by law," and

26 WHEREAS, under K.C.C. 2.93.080.B., such a waiver stays in effect for twenty-
27 one calendar days after its issuance, unless terminated sooner by order of the executive or
28 action of the council by motion, or unless it is extended by council motion, and

29 WHEREAS, King County owns and operates the West Point Treatment Plant that
30 provides wastewater treatment for residents and businesses in the City of Seattle,
31 including Seattle's combined stormwater/wastewater sewer system; City of Shoreline; the
32 north end of Lake Washington; and parts of southern Snohomish County, and

33 WHEREAS, it is imperative that the West Point Treatment Plant have reliable
34 power, as the largest treatment plant in Washington state based on wastewater volumes
35 treated, to continue to reliably treat higher wastewater flows from a growing population
36 and increased stormwater volumes, and to comply with regulatory obligations and
37 prepare for climate change, and

38 WHEREAS, there has been an increase in bypass events at the West Point
39 Treatment Plant related to the quality of power delivered at the plant. In the last twenty
40 years, there have been sixteen bypass events resulting from plant equipment shutting
41 down because of voltage sags, which are momentary reductions in power voltage, and
42 other power disturbances on the Seattle City Light power feed. Eight of those events

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43 occurred in the last five years with the most recent of these happening on January 13,
44 2021, and

45 WHEREAS, the result of such voltage sags has led to plant equipment shut
46 downs, which in turn have put employees' health and safety at risk because of potential
47 flooding within the plant, as well as resulted in unauthorized bypasses of the secondary
48 treatment system, when stormwater and sewage that has received some treatment is
49 blended with wastewater that has been fully treated and then disinfected. Such
50 unauthorized bypasses have resulted in both temporarily prohibiting public access to
51 nearby beaches and limiting the harvest of shellfish, and

52 WHEREAS, voltage sags, which have led to unauthorized bypasses, are
53 increasing in frequency and remain largely unpredictable, and

54 WHEREAS, a power quality assessment, dated May 28, 2020, and jointly funded
55 by King County and Seattle City Light, made nine recommendations to mitigate voltage
56 sags and these recommendations have been implemented or are underway. The
57 Washington state Department of Ecology also received a copy of that May 28, 2020,
58 report, and

59 WHEREAS, some of the recommendations in the May 28, 2020, report have been
60 completed at West Point Treatment Plant, but such actions were not sufficient to prevent
61 the unauthorized bypass that occurred on January 13, 2021, which resulted from a voltage
62 sag, and

63 WHEREAS, the Washington state Department of Ecology issued Administrative
64 Order 19477 to King County on February 2, 2021, regarding unauthorized bypasses of
65 the secondary treatment system at the West Point Treatment Plant between January 1,

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66 2018, and June 30, 2020, and

67 WHEREAS, Administrative Order 19477 noted that six of the unanticipated,
68 unauthorized bypasses of the secondary treatment system between January 1, 2018, and
69 June 30, 2020, were caused by power reliability issues related to the West Point
70 Treatment Plant's main electrical power system, and

71 WHEREAS, Administrative Order 19477 requires King County to complete four
72 corrective actions that include: by June 30, 2021, producing a report describing proposed
73 changes to the West Point Treatment Plant's control system to allow the effluent pumps
74 to operate longer during a voltage sag; by September 30, 2021, producing a report
75 describing other process, mechanical or operational strategies King County can use to
76 mitigate against unauthorized secondary bypasses at the West Point Treatment Plant; by
77 December 31, 2021, developing a strategic master plan for the West Point Treatment
78 Plant's electrical system that includes near-term electrical system modifications to the
79 plant that King County will complete in the next three to five years to improve overall
80 power reliability and resiliency; and by December 31, 2025, implementing and
81 completing the near-term corrective actions, and

82 WHEREAS, the West Point Treatment Plant includes a cogeneration system that
83 could be modified to enable greater resiliency to power disruptions, allowing the plant to
84 withstand voltage sags that can otherwise shut down critical equipment, and

85 WHEREAS, the proposed modifications to the cogeneration system could be
86 completed by February 2023, and

87 WHEREAS, installing a battery energy storage system at the West Point
88 Treatment Plant in addition to, or in place of, a modification to the cogeneration system

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89 may significantly improve power reliability in the near term, and

90 WHEREAS, it is urgent that King County analyze and develop a schedule and
91 cost estimate for a new, dedicated power line in coordination with Seattle City Light to
92 improve longer-term power reliability and avoid the power disruptions that lead to
93 consequential voltage sags approximately every two months at the West Point Treatment
94 Plant. That work is vital to completion of the strategic master plan required by
95 Administrative Order 19477, and

96 WHEREAS, immediate action must be taken to address the real, immediate threat
97 to the proper performance of essential government functions and to prevent material loss
98 or damage to property or bodily injury, and

99 WHEREAS, an extension of the waiver from the public advertising and
100 competitive procurement requirements of state and county law is necessary to prevent
101 delay in continuing the work described in the preceding clauses;

102 NOW, THEREFORE, BE IT MOVED by the Council of King County:

103 In accordance with K.C.C. 2.93.080.C., the council extends until February 28,
104 2023, a waiver of the public advertising and competitive procurement requirements of
105 state law, K.C.C. chapter 2.93 and the requirements of K.C.C. chapter 12.19 relating to
106 those county contracts for the purchases or leases of tangible personal property; public
107 works as defined by RCW 39.04.010 and services, including professional or technical
108 services, necessary to respond to the voltage sags occurring at the West Point Treatment

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109 Plant and to comply with Administrative Order 19477, dated February 2, 2021, issued by
110 the Washington state Department of Ecology to King County.

111

Motion 15837 was introduced on 3/2/2021 and passed as amended by the Metropolitan King County Council on 3/9/2021, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

Claudia Balducci

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Claudia Balducci, Chair

ATTEST:

DocuSigned by:

Melani Pedroza

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Melani Pedroza, Clerk of the Council

Attachments: A. Executive Declaration of Emergency and Waiver from Public Advertising and Competitive Procurement Requirements for Power Reliability at West Point Treatment Plant



King County

EXECUTIVE DECLARATION OF EMERGENCY AND WAIVER FROM PUBLIC ADVERTISING AND COMPETITIVE PROCUREMENT REQUIREMENTS FOR POWER RELIABILITY AT WEST POINT TREATMENT PLANT

WHEREAS, King County owns and operates the West Point Treatment Plant that provides wastewater treatment for residents and businesses in the City of Seattle, including Seattle's combined stormwater/wastewater sewer system; City of Shoreline; the north end of Lake Washington; and parts of southern Snohomish County; and

WHEREAS, West Point Treatment Plant provides secondary treatment of approximately 90 million gallons a day (mgd) of wastewater during the dry months, treats wastewater flows up to 300 mgd during the rain/storm season, and provides primary treatment and disinfection for flows above 300 mgd up to 440 mgd; and

WHEREAS, it is imperative that the West Point Treatment Plant have reliable power, as the largest treatment plant in Washington State based on wastewater volumes treated, to continue to reliably treat higher wastewater flows from a growing population and increased stormwater volumes, and to comply with regulatory obligations and prepare for climate change; and

WHEREAS, King County finds it unacceptable that secondary bypasses of 2.1 million gallons on July 19, 2019, and 11 million gallons on January 13, 2021 were necessary because of power disruptions from Seattle City Light to avoid flooding and protect employee safety at West Point Treatment Plant; and

WHEREAS, the Washington State Department of Ecology's Compliance Analysis of the July 19, 2019 secondary bypass at West Point Treatment Plant found that the backup equipment operated as designed, plant operators responded appropriately, and the bypass was unavoidable to protect the plant and employee safety; and

WHEREAS, there has been an increase in bypass events at the West Point Treatment Plant related to the quality of power delivered at the plant. In the last 20 years, there have been 15 bypass events that were caused by voltage sags and other power disturbances on the Seattle City Light power feed, with eight of those events occurring in the last five years; and

WHEREAS, King County and Seattle City Light jointly hired a consultant in 2019 to conduct an independent power quality assessment of West Point Treatment Plant and the assessment was completed on May 28, 2020; and

WHEREAS, the May 28, 2020 power quality assessment made nine recommendations to mitigate voltage sags, which are momentary reductions in power voltage, and these recommendations have been implemented or are underway; and

WHEREAS, the Washington State Department of Ecology issued Administrative Order 19477 to King County on February 2, 2021, regarding unauthorized bypasses of the secondary treatment system, where effluent that has received some treatment is blended with fully treated effluent and then disinfected before discharge, at the West Point Treatment Plant between January 1, 2018 and June 30, 2020; and

WHEREAS, Administrative Order 19477 noted that six of the unanticipated, unauthorized bypasses of the secondary treatment system between January 1, 2018, and June 30, 2020 were caused by power reliability issues related to the West Point Treatment Plant's main electrical power system; and

WHEREAS, Administrative Order 19477 requires King County to complete four corrective actions that include producing two reports, developing a strategic master plan for the West Point Treatment Plant's electrical system by December 31, 2021, and implementation of the corrective actions in the plan by December 31, 2025; and

WHEREAS, the West Point Treatment Plant includes a cogeneration system that could be modified to enable greater resiliency to power disruptions, allowing the plant to withstand voltage sags that can otherwise shut down critical equipment; and

WHEREAS, King County's Department of Natural Resources and Parks is hereby directed to reopen its agreement with Seattle City Light regarding the cogeneration system to modify the agreement such that power from the County's cogeneration system can be used to keep critical equipment operational during voltage sags or power disruptions; and

WHEREAS, the addition of a battery energy storage system at the West Point Treatment Plant in addition to, or in place, of a modification to the cogeneration system may significantly improve power reliability in the near term; and

WHEREAS, King County's Brightwater Treatment Plant and South Treatment Plant each have a dedicated transmission grade power line and, while West Point Treatment Plant has a dedicated power line from Seattle City Light's Canal Street Substation, this plant can experience power disruptions because of disturbances elsewhere on the transmission or distribution system; and

WHEREAS, Seattle City Light provides backup power to West Point Treatment Plant through

its Broad Street substation with a power feed that is shared with other residential and commercial customers; and

WHEREAS, King County requested that Seattle City Light demonstrate whether a new, dedicated transmission line is feasible to address long-term power reliability at West Point Treatment Plant and King County received a November 6, 2020 memorandum from Seattle City Light stating transmission grade power is feasible at West Point Treatment Plant, but could take up to 10 years for design and construction; and

WHEREAS, it is urgent that King County analyze and develop a schedule and cost estimate for a new, dedicated power line in coordination with Seattle City Light to improve longer-term power reliability and avoid the power disruptions that lead to consequential voltage sags approximately every two months at the West Point Treatment Plant; and

WHEREAS, an emergency waiver of public advertising and competitive procurement requirements of state and county law is necessary because the risk of unanticipated power disruptions at West Point Treatment Plant constitutes an unforeseen circumstance that presents a real, immediate threat to the proper performance of essential government functions and will likely result in material loss or damage to property or bodily injury; and

WHEREAS, this declaration of emergency and waiver will allow King County to contract for, or use public employees, to undertake emergency work for expedited improvements to the electrical system at West Point Treatment Plant to include modification of the plant's cogeneration system or the addition of a battery energy storage system, or both; complete any other improvements to West Point Treatment Plant's electrical system; and analyze and develop a cost estimate for a new, dedicated electrical power feed or transmission line in coordination with Seattle City Light;

NOW THEREFORE THE KING COUNTY EXECUTIVE, DOW CONSTANTINE, HEREBY DETERMINES AS FOLLOWS:

SECTION 1

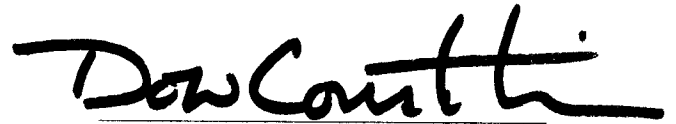
In accordance with RCW 39.04.280(3) and KCC 2.93.080, there is an emergency due to the unforeseen risk of unanticipated power disruptions at West Point Treatment Plant that impacts critical equipment and can lead to unanticipated, unauthorized bypasses at the plant. As a result, immediate action must be taken to address the real, immediate threat to the proper performance of essential government functions and to prevent material loss or damage to property or bodily injury.

SECTION 2

The requirements for public advertising and competitive procurement of chapter 36.32 RCW, chapter 39.04 RCW, chapter 39.80 RCW, K.C.C. chapter 2.93, and the requirements of K.C.C. chapter 12.19 and all applicable King County executive policies and procedures are

hereby waived relating to county contracts for the following purchases or leases: tangible personal property; public works; and services, including professional or technical services, or both, relating to emergency work for expedited improvements to the electrical system at the West Point Treatment Plant to include modification of the cogeneration system or the addition of a battery energy storage system, or both, any other improvements to the plant's electrical system, and analysis and development of a schedule and cost estimate for a new dedicated electrical power feed or transmission line in coordination with Seattle City Light. This waiver shall continue in full force and effect until all necessary contracts are executed or until terminated by subsequent order of the King County executive, action by the metropolitan King County council by motion or as otherwise may be required by law.

DATED this 25 day of FEB. 2021



DOW CONSTANTINE
King County Executive
State of Washington

Certificate Of Completion

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Signer Events

Claudia Balducci
 claudia.balducci@kingcounty.gov
 King County General (ITD)
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 Supplemental Documents:

Motion 15837 Attachment A.pdf

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Melani Pedroza
 melani.pedroza@kingcounty.gov
 Clerk of the Council
 King County Council
 Security Level: Email, Account Authentication (None)

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 Supplemental Documents:

Motion 15837 Attachment A.pdf

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Agent Delivery Events

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Intermediary Delivery Events

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Certified Delivery Events

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Witness Events	Signature	Timestamp
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Completed	Security Checked	3/16/2021 9:54:54 AM

Payment Events	Status	Timestamps
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