

ORDINANCE NO. 6251

AN ORDINANCE relating to bidding procedures for public contracts; amending Ordinance 4551, Section 1, and K.C.C. 4.16.010; and amending Ordinance 4551, Section 2, and K.C.C. 4.16.080.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 4551, Section 1, and K.C.C. 4.16.010 are amended to read as follows:

Definitions. The term "bid," "bidding," "prebid," and "bidder" shall have their normal meaning in this chapter, in that a potential contractor is offering to perform service, or the county is soliciting responses from potential contractors in the form of written proposals or offers to perform service.

The terms continue to have their normal meaning when applied to the purchase of tangible personal property and used within purchase processes where price is the sole criterion for award, as governed by RCW 36.32.

The terms continue to have their normal meaning when applied to the process for ~~((and))~~ awarding ~~((of))~~ professional and/or technical service consultant contracts and used within purchase processes where the award is based on ~~((a contractor offering to perform service, within))~~ a structured selection process ~~((, but))~~ which requires considering ~~((such))~~ potential contractors' offers to perform consultant service on the basis of experience, expertise, and other qualitative factors permitted by State law, such that cost and pricing shall not have been ~~((a))~~ the sole criterion in the process of selection and award.

SECTION 2. Ordinance 4551, Section 2, and K.C.C. 4.16.080 are amended to read as follows:

Rules and regulations for the solicitation and purchase of professional and/or technical service consultant contracts.

The rules and regulations stipulated in this section shall apply only to ~~((A))~~ professional and/or technical service consultant contracts ~~((shall be construed as meaning those))~~ in which the county ~~((, following a competitive selection process,))~~ enters into an ~~((a legal))~~ agreement to purchase consultant services for county government from a corporation, firm, agency, individual, or group of individuals ~~((who for a fee, and))~~, based on their recognized experience and knowledge within a specialized area of expertise ~~((, performs a~~

1 ~~defined service for the county~~). Examples of such consultant services include,  
2 but are not limited to, the following:

- 3 a. Financial or administrative studies;
- 4 b. Feasibility studies of a scientific or technical nature;
- 5 c. Architectural services, including landscape, architectural, and engi-  
6 neering, as well as other design studies;
- 7 d. Special project management for a defined period of time or result;
- 8 e. Management advisory services.

9 In soliciting and ultimately awarding a professional and/or technical ser-  
10 vices consultant contract, having a value to the contractor in excess of ten  
11 thousand dollars, the County Executive, or his designee, shall have the opera-  
12 tional responsibility to:

- 13 a. Develop bid specifications or a project description in the form of a  
14 request for proposal in concert with the requesting county agency;
- 15 b. Develop, with the requesting agency, the written criteria which will be  
16 used to determine which written proposal shall be accepted as the basis for  
17 recommending contract award. Such determination at a minimum shall include:
  - 18 (1) Quality;
  - 19 (2) Known and documented expertise of the applicant;
  - 20 (3) Documentation, as required, and demonstration of the financial  
21 capability of the party to perform specified work;
  - 22 (4) Special consideration of the impact of affirmative action,  
23 including minority/women business contracting.
- 24 c. Publicly advertise at least twice, and at least once, two consecutive  
25 weeks in advance, the purpose, scheduled date, location, and time of a prebid  
26 conference, or the name of a contact person within the issuing authority from  
27 which the project specifications shall be available. The purposes of prior  
28 notification shall be to distribute and discuss the project specifications in  
29 the form of a request for proposal to interested parties, and inform applicants  
30 of the stated time frame for submission;
- 31 d. Recommend to the county executive which proposal, therefore party,  
32 should be awarded a contract as being in the best interests of the county;  
33 PROVIDED, that in the event the county fails to negotiate satisfactory terms

1 with the highest ranked proposed contractor, the executive shall then begin  
2 negotiations with the next highest ranked contractor.

3 e. Be responsible to address all necessary comments to other applicants,  
4 interested parties, or the general public regarding the decision by the county  
5 to contract for services from a party to the exclusion of other applicants.

6 INTRODUCED AND READ for the final time this 13th day of  
7 December, 1982.

8 PASSED this 20th day of December, 1982.

9 KING COUNTY COUNCIL  
10 KING COUNTY, WASHINGTON

11 Lois North  
12 Chairman

13 ATTEST:

14  
15 Dorothy M. Amundson  
16 Clerk of the Council

17 APPROVED this 30th day of December, 1982.

18 Randy Jensen  
19 King County Executive