

September 23, 1991
cdlsub.bd(clk)

Introduced by: Barden

Proposed No.: 91-616

ORDINANCE NO. **10111**

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AN ORDINANCE relating to construction, demolition, and land clearing (CDL) waste handling services; selecting two private vendors with which to negotiate contracts for the provision of CDL waste handling services; and finding the County's Final Environmental Impact Statement (EIS) on vendor selection adequate to make the decision on vendor selection; and directing the executive to seek to make King County a party of record to each of the site specific environmental reviews.

PREAMBLE:
The adopted 1989 King County Comprehensive Solid Waste Management Plan, prepared in accordance with the requirements of RCW 70.95, called for the initiation of a procurement process for the purpose of contracting with a private vendor to handle and, ultimately, dispose of non-recycled CDL waste. King County initiated the procurement process in December, 1989 by advertising a request for proposals (RFP) from private vendors to handle and dispose of CDL waste. Five prospective vendors submitted responses, and three vendors, whose proposals appeared to meet the minimum requirements of the RFP, remained in the competition following the initial rating of responses, the disqualification of one proposal, and the withdrawal of another.

Acting as lead agency, the King County solid waste division issued on June 28, 1991, a final environmental impact statement (EIS) on the selection of vendor(s) to handle CDL waste, assessing each of the three vendor proposals, as well as the no action alternative of not entering into a contract with any vendor. The final EIS followed three advertised public hearings and the receipt of numerous written comments on the draft EIS.

While it was preparing the EIS, the solid waste division held meetings with each of the prospective vendors. In those meetings the solid waste division clarified, refined, and explained changes to the proposed contract requirements, and the prospective vendors explained changes to their proposals and whether and how they contemplated meeting the proposed contract requirements.

The King County Solid Waste Advisory Committee (SWAC) provided the solid waste division and the King County executive with advice on CDL recycling goals. SWAC also recommended seeking to contract with two vendors.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council finds the Final EIS on selection of construction, demolition and land clearing (CDL) waste handling vendors is adequate for purposes of selecting vendors with whom to attempt negotiating contracts for CDL waste handling services.

1 Such contract terms should either represent agreements between
2 the county's negotiating team and each of the vendors or, if
3 unable to reach agreement, the best offer the executive
4 proposed to make to the vendors.

5 SECTION 4. The executive shall seek to make King County a
6 party of record for each of the site specific environmental
7 reviews conducted by other jurisdictions on proposed new
8 facilities. The executive shall request those jurisdictions to
9 consider transportation, air quality, noise and economic
10 impacts in the scope of their reviews. All mitigation measures
11 imposed pursuant to site specific permitting process shall be
12 incorporated into the contracts.

13 SECTION 5. Should any section, subsection, paragraph,
14 sentence, clause or phrase of this ordinance be declared
15 unconstitutional or invalid for any reason, such decision shall
16 not affect the validity of the remaining portion of this
17 ordinance.

18 INTRODUCED AND READ for the first time this 29th day
19 of July, 1991.

20 PASSED this 23rd day of September, 1991.

21 KING COUNTY COUNCIL
22 KING COUNTY, WASHINGTON

23 Lois North
24 Chair

25 ATTEST:

26 Gerald A. Peterson
27 Clerk of the Council

28 APPROVED this 3rd day of October, 1991

29 Patricia B. Steel
30 for Tom Hill
31 King County Executive