

ORDINANCE NO. **10489**

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AN ORDINANCE relating to how the county's capital projects will be carried out, implementing Section 815 of the Charter, defining certain terms utilized in the Charter and state law, and establishing county policy for utilization of county forces to accomplish certain public works.

PREAMBLE:

Efficient completion of the county's various capital projects in a manner consistent with the King County Charter and the applicable provisions of state law and with fairness and public accountability, requires the establishment of definitions and policies governing the use of King County forces to accomplish certain public works.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Definitions. As used in this ordinance:

A. "Construction" means the creation of a new building or structure or significant expansion of an existing structure, rather than repair, alteration, renovation, or improvement of something already existing.

B. "Ordinary maintenance" means the routine work necessary to keep county facilities in that condition of good upkeep and repair necessary for safe and efficient continued use.

C. "Alteration, renovation or improvement" means to alter or improve something already existing and the alterations or improvements do not constitute "construction" or "ordinary maintenance" as defined above.

D. "Responsible Official" means the department head given line responsibility by either the King County Charter or county ordinance for an individual capital project or capital improvement program.

SECTION 2. A. King County forces may perform ordinary maintenance when the skills necessary to perform a particular maintenance task are readily available from in-house staff. The department head responsible for the project will make a determination as to whether the skills necessary to perform a

1 particular maintenance task are readily available from in-house  
2 staff.

3 B. Construction of public buildings and works, other than  
4 county road projects having a value of less than twenty-five  
5 thousand dollars, shall be performed by independent  
6 contractors.

7 C. Subject to the provisions of this ordinance, the  
8 alteration, renovation or improvement (other than ordinary  
9 maintenance) of public buildings and works may be performed or  
10 accomplished by King County forces when the county determines  
11 it is necessary or advisable to do so, but subject to the  
12 publication requirements prescribed by RCW 39.04.020.

13 SECTION 3. With respect to the county capital improvement  
14 program, the capital improvement section of the budget shall  
15 include an identification of those projects in which it is  
16 necessary or advisable to use county force labor. The county  
17 council's adoption of a budget for an individual capital  
18 project where use of county force labor is proposed by the  
19 county executive shall constitute the county's determination  
20 that use of county force labor on an individual capital project  
21 is necessary or advisable.

22 SECTION 4. In making the determination as to whether it  
23 is necessary or advisable to use King County forces during the  
24 construction phase of any particular capital project, the  
25 responsible official(s) shall give due regard both to  
26 considerations of fiscal prudence and efficiency and to which  
27 mode of accomplishing the project best advances the public  
28 interest. Among factors to be considered and balanced are:

29 A. Whether the skills necessary to perform the particular  
30 tasks are readily available from in-house county staff.

31 B. Whether the work to be done is of reasonably limited  
32 scope and duration.

33 C. Whether the work to be done would expose the county to  
34 a danger of extraordinary work compensation or third party  
35 liability claims.

1 D. Whether adequate consideration has been made of  
2 subcontracting out such portions of an overall capital project  
3 as best lend themselves to such a procedure.

4 E. Whether the county's achievement of W/MBE goals would  
5 be seriously impaired by using county force labor on an  
6 individual project.

7 F. Whether it is not in the county's interest to achieve a  
8 specified guarantee or warranty period on the installation of  
9 new equipment or fixtures.

10 INTRODUCED AND READ for the first time this 22nd day  
11 of June, 1992.

12 PASSED this 27th day of July, 1992.

13 KING COUNTY COUNCIL  
14 KING COUNTY, WASHINGTON

15 Richard L. Meyer  
16 Chair

17 ATTEST:

18 Arnold A. Peterson  
19 Clerk of the Council

20 APPROVED this 7th day of August, 1992.

21 Jim Hill  
22 King County Executive