



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 14, 2011

Ordinance 17235

Proposed No. 2011-0427.2

Sponsors Patterson and Dunn

1 AN ORDINANCE certifying damage to a collapsed
2 stormwater conveyance pipe on parcel no. 2473400710,
3 and the estimated cost relating to correcting the damage.

4 **STATEMENT OF FACTS:**

5 1. There is an underground stormwater conveyance pipe located in
6 Assessor Parcel No. 2473400710, owned by the Fairwood Crest
7 Homeowners Association and located on an easement dedicated to King
8 County.

9 2. The stormwater conveyance pipe is an integral part of the King County
10 stormwater conveyance system in the Fairwood Division 4 and Fairwood
11 Division 11 platted areas.

12 3. The stormwater conveyance pipe has collapsed inward by
13 approximately fifty percent, as verified by a video camera inserted into the
14 pipe.

15 4. The collapse has caused erosion and wash-out in the vicinity of the
16 collapse, and a two-foot-by-six-foot sinkhole has appeared over the
17 collapsed pipe area.

18 5. The collapsed pipe, if not repaired as soon as possible before the onset
19 of the upcoming wet season, which generally extends from October 1 thru

20 April 30, poses a substantial risk to the functioning of the stormwater
21 collection and conveyance system in the area and thereby threatens human
22 health and safety and both public and private property and infrastructure
23 from flooding and erosion.

24 6. If the stormwater pipe is left unrepaired, the sinkhole may grow
25 significantly in magnitude and increase future repair costs accordingly.

26 7. Based on the foregoing facts, on September 26, 2011, the director of
27 the department of natural resources and parks issued a determination of
28 emergency pursuant to K.C.C. chapter 12.52 and RCW 39.04.280, and a
29 waiver of procurement procedures to repair the collapsed stormwater
30 conveyance pipe.

31 8. King County road services division employees have both capacity and
32 capability to repair this failed stormwater conveyance system
33 immediately.

34 9. A contractor with similar capacity and capability is not available on the
35 same time schedule.

36 10. RCW 36.32.235(12) authorizes the county to use public employees
37 without any limitation for emergency work performed pursuant to a
38 declaration of emergency, but only if the county legislative authority
39 adopts a resolution certifying the damage to public facilities and the costs
40 incurred or anticipated relating to correcting the emergency.

41 11. The department of natural resources and parks estimated the costs
42 relating to repair of the stormwater conveyance pipe is \$400,000.

43 12. The King County executive has submitted a supplemental budget
44 appropriation ordinance that requests funding for costs relating to
45 performing emergency work to repair the stormwater conveyance pipe in
46 this amount.

47 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

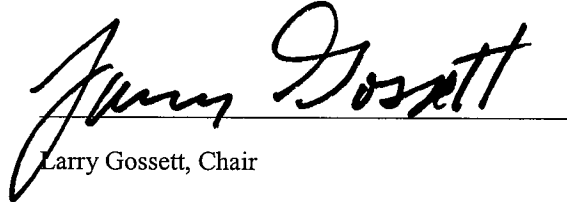
48 SECTION 1. In accordance with RCW 36.32.235(12), the council hereby
49 certifies that the collapsed stormwater pipe on parcel no. 2473400710, a public facility, is

50 damaged and certifies the estimated cost relating to correcting the damaged pipe to be
51 \$400,000.
52

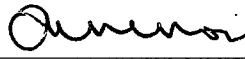
Ordinance 17235 was introduced on 10/31/2011 and passed by the Metropolitan King County Council on 11/14/2011, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson,
Ms. Lambert, Mr. Ferguson and Mr. McDermott
No: 0
Excused: 2 - Ms. Hague and Mr. Dunn

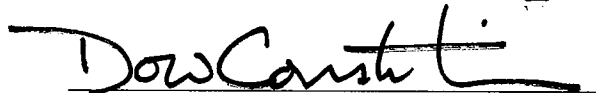
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 22 day of NOVEMBER 2011.


Dow Constantine, County Executive

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2011 NOV 22 PM 2:02
CLERK
KING COUNTY COUNCIL

Attachments: A. Emergency Determination Regarding Collapsed Stormwater Pipe on Parcel No. 2473400710

Attachment A


King County
**Department of
Natural Resources and Parks**

Director's Office
King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

September 26, 2011

TO: Ken Guy, Division Director, Finance and Business Operations Division,
King County Department of Executive Services

FROM: Christie True, Director, King County Department of Natural Resources
and Parks (DNRP)

VIA: Mark Isaacson, Division Director, Water and Land Resources Division,
DNRP

RE: Emergency Determination Regarding Collapsed Stormwater Pipe on
Parcel No. 2473400710

With regard to the need to repair the collapsed stormwater conveyance pipe located in Assessor Parcel No. 2473400710, owned by the Fairwood Crest Homeowners Association and maintained in an easement dedicated to King County, I have made the following factual determinations:

1. The stormwater pipe is an integral part of the stormwater conveyance system in the Fairwood Division 4 and Fairwood Division 11 platted areas.
2. The stormwater pipe has collapsed, as verified by a video camera inserted into the pipe, and such collapse has caused erosion and wash-out in the vicinity of the collapse, and a sinkhole has appeared over the collapsed pipe area.
3. The collapsed pipe, if not repaired as soon as possible before the onset of the upcoming wet season, which generally extends from October 1 thru April 30, poses a substantial risk to the functioning of the stormwater collection and conveyance system in the area and thereby threatens human health and safety and both public and private property and infrastructure. If the stormwater pipe is left unrepaired, the sinkhole may grow significantly in magnitude and increase future repair costs accordingly.
4. The need to repair the collapsed pipe constitutes an emergency, pursuant to King County Code (K.C.C.) Chapter 12.52 and RCW 39.04.280.
5. This emergency requires the waiver of procurement procedures for emergency purchases under K.C.C. 12.52.030.B.2 and 4.16.050.

Ken Guy
September 26, 2011
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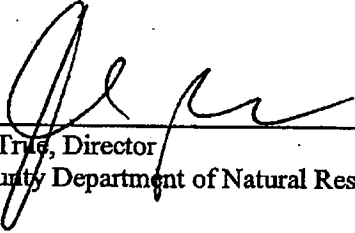
6. Without the waiver of procurement procedures, the estimated time to issue a notice to proceed for repair involves approximately 6 weeks, significantly beyond the onset of the wet season.

7. The cost estimate provided by the Water and Land Resources Division indicates that the cost of repair is below \$250,000, based upon the engineer's estimate dated September 1, 2011:

8. The financial impact of failure to repair the collapsed pipe could exceed many times over the cost estimate for repair, as significant private and public property and infrastructure are put at risk.

In light of the above factual determinations, I have determined that an emergency exists pursuant to K.C.C. Chapter 12.52 and RCW 39.04.280, for the repair of the collapsed stormwater pipe located in Assessor Parcel No. 2473400710, owned by the Fairwood Crest Homeowners Association and maintained in an easement dedicated to King County, and that in order to respond to such emergency, the requirements of K.C.C. 4.04, 4.16, 4.18, 12.16, and 12.18.095, and the requirements of competitive bidding and public notice are hereby waived with reference to any contract relating to the county's lease or purchase of supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to any contract for the selection and award of professional and/or technical consultant contracts.

I have further determined that, provided the processes mandated by RCW 36.32.235 (12) are observed, the limitations on use of day labor may be waived in undertaking such repair.



Christie Trigg, Director
King County Department of Natural Resources and Parks



Date