



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

June 10, 2014

### Ordinance 17830

Proposed No. 2014-0166.3

Sponsors Hague

1 AN ORDINANCE authorizing the King County executive  
2 to execute a contract for construction of the new Factoria  
3 recycling and transfer station.

4 STATEMENT OF FACTS:

- 5 1. Ordinance 17435, as amended by Ordinance 17618, authorized the  
6 executive, through the solid waste division of the department of natural  
7 resources and parks, to procure vendors for construction of the new  
8 Factoria recycling and transfer station using the competitive negotiation  
9 process in RCW 36.58.090 and the evaluation criteria approved in those  
10 ordinances.
- 11 2. The new station will provide flexibility to further reduce waste by  
12 separating and processing recyclables from the waste stream, includes  
13 improved and expanded household hazardous waste collection capacity  
14 and will add capacity to allow for economic growth. Construction of the  
15 new station will improve operational and energy efficiency, provide  
16 additional environmental benefits, enhance customer service and improve  
17 customer and employee safety.
- 18 3. Construction of the new station is consistent with the 2001  
19 Comprehensive Solid Waste Management Plan, the 2010 Master Plan for

20 the Factoria Transfer and Recycling Station, the 2006 Solid Waste  
21 Transfer and Waste Management Plan and the Factoria Recycling and  
22 Transfer Station Project Oversight Report prepared by the Auditor's Office  
23 Capital Projects Oversight Program in February 2013.

24 4. Ordinance 17619 directed the division to conduct a review of the  
25 transfer and waste management plan. The purpose of the review was, in  
26 part, to determine whether changes were needed to the size, design, or  
27 location of the new facility in light of the economic downturn, tonnage  
28 projection changes, and decisions by the cities of Bellevue, Clyde Hill,  
29 Hunts Point, Medina and Yarrow Point not to extend current solid waste  
30 interlocal agreements from 2028 to 2040.

31 5. The Transfer Plan Review Report, submitted March 3, 2014,  
32 concluded, in part, that construction of the new station should proceed in  
33 2014 using current design and permits, with minor modifications to  
34 preserve future flexibility of the transfer system.

35 6. Consistent with executive order PER 13-1(AEO), a project labor  
36 agreement was negotiated for construction of the new station. The use of  
37 a project labor agreement promotes labor stability and advances King  
38 County's interest in maximizing value, efficiency, quality, safety and  
39 timeliness.

40 7. In accordance with Ordinance 17435, Section 2, the executive prepared  
41 and filed with the clerk of the council the Vendor Selection Report , which

42 describes the vendor evaluation process and recommends the most  
43 qualified vendor or vendors based on the evaluation.

44 8. As detailed in the Vendor Selection Report, after consideration of  
45 overall qualifications, small contractor/supplier approach, technical  
46 strength, financial ability and price, the team led by PCL Construction  
47 Services, Inc., received the highest score and is considered the best  
48 qualified and has agreed to the county's contracting terms set forth in  
49 Attachment A to this ordinance. The executive recommended PCL  
50 Construction Services, Inc., as providing best value to King County.

51 9. The report also describes benefits to the county from use of the  
52 competitive negotiation process. Based on these benefits, executive staff  
53 conclude that the negotiated procurement method of contracting with PCL  
54 Construction Services, Inc., is advantageous to the county compared to  
55 other methods.

56 10. The executive reports that the contract terms negotiated with PCL  
57 Construction Services, Inc., are fair and reasonable and in the best interest  
58 of the county, consistent with RCW 36.58.090(5).

59 11. The construction of the facility will be based on the sale of general  
60 obligation bonds, with repayment from revenues derived primarily from  
61 tipping fees associated with waste streams from cities contracted to deliver  
62 their waste to the system. The price proposed by the successful vendor is  
63 within one percent of the engineers estimate of costs, and is therefore  
64 considered reasonable.

65 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

66 SECTION 1. Findings: Having held a public hearing, the King County council  
67 finds, based on the recommendations and representations made by the executive, that it is  
68 in the public interest to enter into a contract substantially in the form of Attachment A to  
69 this ordinance with PCL Construction Services, Inc., for construction of the Factoria  
70 recycling and transfer station, that the contract is financially sound and that it is  
71 advantageous for the county to use the competitive negotiation contracting method  
72 authorized in RCW 36.58.090 for this contract with PCL Construction Services, Inc., as  
73 compared to other methods.

74 SECTION 2. The executive is hereby authorized to execute a contract with  
75 PCL Construction Services, Inc., for construction of the Factoria recycling and  
76 transfer station substantially in the form of Attachment A to this ordinance.

77 By June 30, 2015, the division shall transmit an interim report to the  
78 council that describes the results of the contractor's efforts to achieve contract  
79 goals addressing participation rates of minority and women business enterprises in  
80 performing the work of this Factoria recycling and transfer station construction  
81 contract. By June 30, 2017, the division shall submit a final report. The interim  
82 and final reports shall identify the proportion of: minority-owned businesses  
83 participating as contractors on the project, against the ten percent minority  
84 business enterprise goal of the project; and the proportion of women-owned  
85 businesses participating as contractors on the project, against the six percent  
86 women-owned business enterprise goal of the project. The interim and final  
87 reports shall identify reasons for any shortfall in meeting interim or final goals, and

88 describe efforts to overcome obstacles. The interim and final reports shall provide  
89 recommendations for achieving the identified participation goals of minority-  
90 owned businesses and women-owned businesses in future transfer station CIP  
91 projects. The interim and final reports shall also describe the participation levels  
92 of women and minorities in the contractor workforce of the Factoria recycling and  
93 transfer station construction project. The interim and final reports shall identify  
94 reasonable participation levels for women and minorities based on workforce  
95 availability and regional demographic representation levels. The interim and final  
96 reports shall make recommendations for achieving reasonable participation levels  
97 for women and minorities in future transfer station CIP projects. The interim and  
98 final reports shall further identify, for the Factoria recycling and transfer station  
99 construction contract: the proportion of minority and women apprentices  
100 performing all first year apprentice hours in all trades on the project, against the  
101 fifty percent goal for that category; the proportion of apprentice hours worked by  
102 minority apprentices in comparison to the goal of twenty-one percent of hours  
103 worked by minority apprentices; and the proportion of hours worked by women  
104 apprentices in comparison to the goal of twelve percent of hours worked by  
105 women apprentices. The interim and final reports shall describe the substance of  
106 the good faith effort undertaken to achieve these goals, and any obstacles  
107 encountered in achieving them, as well as efforts to overcome such obstacles. The  
108 interim and final reports shall make recommendations for achieving such goals on  
109 future transfer station CIP projects. The final report shall be accompanied by a  
110 motion acknowledging receipt of the report. The executive shall transmit the

111 interim and final reports and the motion in the form of a paper original and an  
112 electronic copy to the clerk of the council, who shall retain the original and provide  
113 an electronic copy to all councilmembers.  
114

Ordinance 17830 was introduced on 4/28/2014 and passed as amended by the Metropolitan King County Council on 6/9/2014, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski and Mr. Upthegrove  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 13 day of JUNE, 2014.



Dow Constantine, County Executive

RECEIVED  
2014 JUN 13 PM 2:07  
CLERK  
KING COUNTY COUNCIL

**Attachments:** A. Factoria Recycling and Transfer Station - Contract C00678C12 - Contract Volumes 1-15