



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**May 16, 2017**

**Motion 14859**

**Proposed No. 2017-0197.2**

**Sponsors Lambert**

1           A MOTION extending the waiver of requirements for  
2           competitive bidding and solicitation requirements for  
3           contracts relating to the repair and replacement of damaged  
4           structures at Baring Bridge #509A.

5           WHEREAS, the King County executive on May 4, 2017, issued an Executive  
6           Determination of Emergency, declaring that immediate steps must be taken to repair and  
7           replace damaged portions of the Baring Bridge, and

8           WHEREAS, in accordance with K.C.C. 2.93.080, the Executive Determination of  
9           Emergency waived the competitive procurement requirements of state and county law,  
10          stating in relevant part as follows:

11          "The requirements for competitive bidding and formal solicitation for the lease or  
12          purchase of tangible personal property or services, public works, and professional or  
13          technical services under Chapter 36.32 RCW, Chapter 39.80 RCW, and KCC chapters  
14          4.04, 4A.100.070, 2.93, 12.16 and 12.18., and all applicable King County Executive  
15          policies and procedures are hereby waived with reference to any such contracts relating  
16          to the repair and/or replacement of the damaged portions of the Bridge. This waiver shall  
17          continue in full force and effect until all necessary contracts are executed, or until  
18          terminated by subsequent order of the King County Executive, action by the Metropolitan  
19          King County Council by ordinance, or as otherwise may be required by law," and

20 WHEREAS, under K.C.C. 2.93.080.B., such a waiver stays in effect until  
21 terminated by order of the executive, or action of the council by ordinance, or until it  
22 expires, which is ten days after there have been contracts entered into, which combined,  
23 encumber funds in excess of two-hundred-fifty-thousand dollars or in excess of  
24 appropriation, unless the council extends the waiver by motion beyond the ten day  
25 period, and

26 WHEREAS, King County owns and maintains the Baring Bridge that provides  
27 sole access for more than forty residences and access to about one hundred seventy  
28 properties in Baring, near Skykomish, Washington, and

29 WHEREAS, the Bridge is a timber suspension bridge originally built in 1930 that  
30 is three hundred thirty feet long, eight-and-three-tenths feet wide curb to curb, and  
31 consists of a two-hundred-seventy-two foot suspension bridge span and two timber  
32 approach spans. The bridge is located on a dead end road with no other alternate access  
33 for the residents on the south side, and it has gone through many major maintenance  
34 repairs through the years in order to keep it operational, and

35 WHEREAS, the bridge is posted for weight limits of twenty thousand pounds,  
36 one vehicle at a time, and a maximum five miles-per-hour speed limit, and

37 WHEREAS, the weight limits on the bridge make inspection difficult since  
38 specialized equipment needed to safely inspect the underside of the bridge exceeds the  
39 bridge's load limits, and

40 WHEREAS, the alternative method for inspection of key structural components  
41 of the bridge involves destruction and removal of the decking, and

42 WHEREAS, a special condition inspection was performed on the bridge's timber

43 stringers and floor beams on April 12, 2017, before a planned deck replacement. Two  
44 selected sections that consist of six lines of stringers and their supporting floor beams  
45 were inspected by sounding and drilling. The six lines of 7.5 inch by 7.5 inch stringers  
46 were found to be soft, cracked or split. From these findings it is estimated that a loss of  
47 forty percent of the structural capacity of the stringers has occurred. The timber bridge  
48 deck planks were also found to be worn down in the wheel lines, and the fasteners  
49 connecting the planks to the stringers are loose, causing tire impacts as vehicles cross the  
50 bridge, and

51 WHEREAS, damage to the bridge, the possibility of failure of the components of  
52 the bridge, and the potential life-safety impacts posed by such a failure, constitutes an  
53 unforeseen circumstance beyond the county's control that presents a real and immediate  
54 threat to the proper performance of an essential government facility, and will likely result  
55 in material loss or damage to property and injury to persons unless expeditious action is  
56 taken to repair the bridge, and

57 WHEREAS, if repairs are done this year, sudden restrictions, closures, or failures  
58 may be avoided, and

59 WHEREAS, an emergency waiver of competitive bidding and formal solicitation  
60 requirements of state and county law is necessary to ensure the timely procurement of  
61 design, construction and other required services, materials and equipment necessary to  
62 prevent delay in completing the repair of the damaged portions of the bridge, and

63 WHEREAS, this emergency waiver will allow King County to contract for  
64 expedited repair or replacement, or both, of the damaged portions of the bridge, and

65 WHEREAS, the executive intends to negotiate and execute one or more

66 additional contracts to either repair or replace, or both, the damaged structures of the  
67 bridge, and

68 WHEREAS, an extension of the waiver from the competitive procurement  
69 requirements of state and county law is necessary at this time because the magnitude of  
70 the expenses to be incurred will almost immediately exceed the two-hundred-fifty-  
71 thousand-dollar limit, and

72 WHEREAS, the facts set forth in these clauses and in the executive's  
73 Determination of Emergency and waiver establish an emergency as defined by K.C.C.  
74 2.93.080 and RCW 39.04.280, and

75 WHEREAS, the county intends that to the fullest extent feasible all contracts and  
76 agreements entered into in accordance with the waiver extended by this motion will  
77 include all of the county procurement requirements, including, but not limited to, K.C.C.  
78 chapters 4.04, 2.93, 12.16 and 12.18, K.C.C. 4A.100.070 and all applicable King County  
79 executive policies and procedures, waived by the executive in the Executive  
80 Determination of Emergency issued on May 4, 2017, and

81 WHEREAS, by the King County Code, the council has the authority to terminate  
82 waivers by ordinance;

83 NOW, THEREFORE, BE IT MOVED by the Council of King County:

84 A. The council finds that unforeseen circumstances beyond the control of the  
85 county, as set forth in the "whereas" clauses of this motion, present a real and immediate  
86 threat to the proper performance of essential government functions and the potential for  
87 material loss or damage to property and injury to persons, and will impact public health  
88 and the environment, all of which constitutes an emergency under RCW 39.04.280.

89           B. The May 4, 2017, waiver of competitive bidding and formal solicitation  
90 requirements for the lease or purchase of tangible personal property or services, public  
91 works as defined by RCW 39.04.010, or to the selection and award of either and  
92 professional or technical consultant services under state law and K.C.C. chapter 2.93 is  
93 extended through December 31, 2017, in order to complete either the repair or the  
94 replacement, or both, of damaged portions of the Baring Bridge.

95           C. The extension of the waiver of competitive bidding and formal solicitation  
96 requirements included in section B. of this motion are contingent upon the following:

- 97           1. The executive filing status reports on the ongoing repair work quarterly with  
98 each report filed no later than forty-five days after the close of a fiscal quarter, so that the  
99 first report shall be filed no later than August 14, 2017. The reports shall include at a  
100 minimum:
- 101           a. expenditures during the previous quarter and anticipated for the next quarter;
  - 102           b. project expenditures to date;
  - 103           c. a current estimate of the total costs of the repairs;
  - 104           d. a list of the contracts or agreements undertaken under the authority in this  
105 waiver, including for each contract or agreement: the name of the vendor, the type of  
106 work, the value of the contract or agreement and the level of compliance with the  
107 contracting requirements of K.C.C. 3.15.100, K.C.C. chapters 12.16, 12.17, 12.18 and  
108 12.19 and related administrative rules;
  - 109           e. a summary of procurement actions anticipated, but not yet undertaken under  
110 the authority of this procurement waiver; and
  - 111           f. a discussion of specific actions taken during the previous quarter to continue

112 to obtain competitive prices on behalf of the taxpayers despite this waiver, including but  
113 not limited to procurements let or to be let in accordance with the requirements of K.C.C.  
114 chapters 2.93 and achieving compliance with K.C.C. 3.15.100, K.C.C. chapters 12.16,  
115 12.17, 12.18 and 12.19 and related administrative rules; and


116           2. The reports required under this section C. shall be filed in the form of a paper  
117 original and an electronic copy with the clerk of the council who shall retain the original  
118 and provide an electronic copy to all councilmembers, the council chief of staff, the chief  
119 policy officer, the lead staff to the transportation, environment and economy

120 committee, or its successor, and the budget and fiscal management committee, or its  
121 successor.  
122

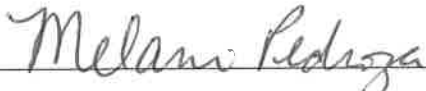
Motion 14859 was introduced on 5/15/2017 and passed as amended by the Metropolitan King County Council on 5/15/2017, by the following vote:

Yes: 8 - Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 0  
Excused: 1 - Mr. von Reichbauer

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
for J. Joseph McDermott, Chair

ATTEST:

  
Melani Pedroza, Acting Clerk of the Council

**Attachments:** A. Executive Determination of Emergency and Waiver from Competitive Procurement and Solicitation Requirements for the Baring Bridge #509A Emergency Repair



## King County

### EXECUTIVE DETERMINATION OF EMERGENCY AND WAIVER FROM COMPETITIVE PROCUREMENT AND SOLICITATION REQUIREMENTS FOR THE BARING BRIDGE #509A EMERGENCY REPAIR

WHEREAS, King County owns and maintains the Baring Bridge (the “Bridge”) that provides sole access for more than 40 residences and access to about 170 properties in Baring, near Skykomish, Washington; and

WHEREAS, the Bridge is a timber suspension bridge originally built in 1930 that is 340 feet long, 8.3 feet wide curb to curb, and consists of a 272 foot suspension bridge span and two timber approach spans. The bridge is located on a dead end road with no other alternate access for the residents on the south side, and it has gone through many major maintenance repairs through the years in order to keep it operational; and

WHEREAS, the Bridge is posted for weight limits of 20,000 pounds, one vehicle at a time, and a maximum 5 mph speed limit; and

WHEREAS, the weight limits on the bridge make inspection difficult since specialized equipment needed to safely inspect the underside of the bridge exceeds the Bridge’s load limits; and

WHEREAS, the alternative method for inspection of key structural components of the bridge involves destruction and removal of the decking; and

WHEREAS, a special condition inspection was performed on the Bridge’s timber stringers and floor beams on April 12, 2017, prior to a planned deck replacement. Two selected sections that consist of six lines of stringers and their supporting floor beams were inspected by sounding and drilling. The six lines of 7.5 inch 7.5 inch stringers were found to be soft, cracked or split. From these findings it is estimated that a loss of 40 percent of the structural capacity of the stringers has occurred. The timber bridge deck planks were also found to be worn down in the wheel lines, and the fasteners connecting the planks to the stringers are loose, causing tire impacts as vehicles cross the bridge; and



WHEREAS, damage to the Bridge, the possibility of failure of the components of the Bridge, and the potential life-safety impacts to King County constituents posed by such a failure, constitutes an unforeseen circumstance beyond the County's control that presents a real and immediate threat to the proper performance of an essential government facility, and will likely result in material loss or damage to property and injury to persons unless expeditious action is taken to repair the Bridge; and

WHEREAS, if repairs are done this year, sudden restrictions, closures, or failures may be avoided; and

WHEREAS, an emergency waiver of competitive bidding and formal solicitation requirements of state and County law is necessary to ensure the timely procurement of design, construction and other required services, materials and equipment necessary to prevent delay in completing the repair of the damaged portions of the Bridge; and

WHEREAS, this emergency waiver will allow King County to contract for expedited replacement of the damaged portions of the Bridge.

NOW, THEREFORE, THE KING COUNTY EXECUTIVE, DOW CONSTANTINE, HEREBY DETERMINES AS FOLLOWS:

#### SECTION 1

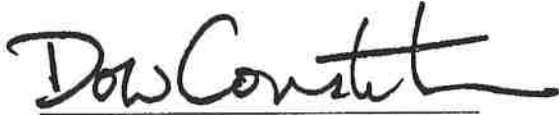
In accordance with RCW 39.04.280(3) and KCC 2.93.080 there is an emergency due to the life-safety risks posed by a possible failure of the components of the Bridge. As a result, immediate steps must be taken to address the real, immediate threat to the proper performance of essential government functions and to prevent material loss or damage to property and injury to persons.

#### SECTION 2

The requirements for competitive bidding and formal solicitation for the lease or purchase of tangible personal property or services, public works, and professional or technical services under Chapter 36.32 RCW, Chapter 39.80 RCW, and KCC chapters 4.04, 4A.100.070, 2.93, 12.16 and 12.18., and all applicable King County Executive policies and procedures are hereby waived with reference to any such contracts relating to the repair and/or replacement of

the damaged portions of the Bridge. This waiver shall continue in full force and effect until all necessary contracts are executed, or until terminated by subsequent order of the King County Executive, action by the King County Council by ordinance, or as otherwise may be required by law.

DATED this 4 day of MAY, 2017

A handwritten signature in black ink, appearing to read "Dow Constantine", written over a horizontal line.

DOW CONSTANTINE  
King County Executive  
State of Washington