



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

June 20, 2017

Motion 14894

**Proposed No. 2017-0278.2**

**Sponsors Lambert**

1           A MOTION waiving requirements for competitive bidding  
2           and solicitation requirements for contracts relating to the  
3           design, construction and other required services, materials  
4           and equipment necessary to prevent delay in completing the  
5           repair of the damaged portions of the Tolt Hill Bridge  
6           #1834A and extending the waiver beyond the ten-day  
7           period in K.C.C. 2.93.080.B.

8           WHEREAS, the King County executive on June 19, 2017, issued an Executive  
9           Determination of Emergency, declaring that immediate steps must be taken to design,  
10          repair and replace damaged portions of the Tolt Hill Bridge, and

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

14          "The requirements for competitive bidding and formal solicitation for the lease or  
15          purchase of tangible personal property or services, public works, and professional or  
16          technical services under Chapter 36.32 RCW, Chapter 39.80 RCW, and KCC chapters  
17          4.04, 4A.100.070, 2.93, 12.16 and 12.18., and all applicable King County Executive  
18          policies and procedures are hereby waived with reference to any such contracts relating  
19          to the repair and/or replacement of the damaged portions of the bridge. This waiver shall

20 continue in full force and effect until all necessary contracts are executed, or until  
21 terminated by subsequent order of the King County Executive, action by the Metropolitan  
22 King County Council by ordinance, or as otherwise may be required by law," and

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

29 WHEREAS, King County owns and maintains the bridge located near Carnation,  
30 Washington, and

31 WHEREAS, construction of the bridge began in June 2006 and the bridge opened  
32 for public use on May 30, 2008, and

33 WHEREAS, the bridge is approximately one thousand feet long consisting of two  
34 three-hundred-foot-long steel trussed spans, a short approach span on the west side, and  
35 three one-hundred-twenty-foot-long concrete girder spans on the east side of the river.  
36 The bridge has two travel lanes and two shoulders, and

37 WHEREAS, following the 2007 collapse of the eight-lane bridge on Interstate  
38 35W in Minnesota, and the federal decision to allow heavier trucks on roadways, the  
39 Federal Highway Administration ("FHWA") developed new requirements for bridge load  
40 ratings, and

41 WHEREAS, the Washington state Department of Transportation ("WSDOT") is  
42 responsible for enforcing implementation of the new FHWA criteria for load ratings by

43 local government agencies; and

44 WHEREAS, FHWA and WSDOT require all bridges to be evaluated by 2022  
45 using the new criteria; and, and

46 WHEREAS, as part of the new criteria, agencies are required to review gusset  
47 plate connections, which are thick sheets of steel bolting together structural elements of  
48 truss bridges. There are about thirty-six thousand bolts fastening the plates on the two  
49 three-hundred-foot-long steel trusses of the bridge, and

50 WHEREAS, the King County department of transportation has a bridge structural  
51 engineer who calculates bridge load ratings using specialized software, and

52 WHEREAS, in the spring of 2017, the King County department of transportation  
53 bridge structural engineer visually inspected the bridge and recalculated the bridge load  
54 ratings based on the new federal criteria, and

55 WHEREAS, although no signs of cracking at the gusset plate connections was  
56 observed, the recalculation revealed serious questions about the structural integrity of the  
57 bridge, and

58 WHEREAS, the county hired an independent structural engineering firm to  
59 review the King County department of transportation bridge structural engineer's  
60 recalculation of the bridge load ratings for the bridge, and

61 WHEREAS, the independent structural engineering firm confirmed the King  
62 County department of transportation bridge structural engineer's recalculation of the  
63 bridge load ratings for the bridge and brought to light further concerns regarding the  
64 structural integrity of the bridge, and

65 WHEREAS, on June 16, 2017, the county reviewed the structural engineering

66 firm's determinations with the WSDOT engineers and they concurred that the county and  
67 its consultants had appropriately applied the new criteria, and

68 WHEREAS, the county made the decision to close the bridge to vehicular traffic  
69 on June 16, 2017, at approximately 8:00 p.m. to avoid potential life-safety risk that the  
70 bridge posed to users, and

71 WHEREAS, the average daily traffic of this bridge is approximately three  
72 thousand vehicle trips, and

73 WHEREAS, motorists will be forced to take detours of approximately twelve  
74 miles, depending upon the route, due to the bridge closure, and

75 WHEREAS, repairs are complex, will require special expertise to resolve, and  
76 will take time to design and implement, and

77 WHEREAS, closure of the bridge will impact individuals and nearby  
78 communities by reducing access to transportation networks, schools and first responder  
79 services, and by potentially isolating residents during storm and flooding events, and

80 WHEREAS, the bridge structural integrity issues revealed by the county's review  
81 under the federally mandated load rating criteria, and the ensuing closure of the bridge to  
82 protect the lives and safety of King County residents, constitutes an unforeseen  
83 circumstance beyond the county's control that presents a real and immediate threat to the  
84 proper performance of an essential government facility, and will likely result in material  
85 loss or damage to property unless expeditious action is taken to repair the bridge, and

86 WHEREAS, an emergency waiver of competitive bidding and formal solicitation  
87 requirements of state and county law is necessary to assure the timely procurement of  
88 design, construction and other required services, materials and equipment necessary to

89 prevent delay in completing the repair of the damaged portions of the bridge, and

90 WHEREAS, this emergency waiver will allow King County to contract for  
91 expedited replacement of the damaged portions of the bridge, and

92 WHEREAS, the executive intends to negotiate and execute one or more  
93 additional contracts to either repair or replace, or both, the damaged structures of the  
94 bridge, and

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

99 WHEREAS, the facts set forth in these clauses and in the executive's  
100 Determination of Emergency and Waiver establish an emergency as defined by K.C.C.  
101 2.93.080 and RCW 39.04.280, and

102 WHEREAS, the county intends that to the fullest extent feasible all contracts and  
103 agreements entered into in accordance with the waiver extended by this motion will  
104 include all of the county procurement requirements, including, but not limited to, K.C.C.  
105 chapters 4.04, 2.93, 12.16 and 12.18, K.C.C. 4A.100.070 and all applicable King County  
106 executive policies and procedures, waived by the executive in the Executive  
107 Determination of Emergency issued on June 19, 2017, and

108 WHEREAS, by the King County Code, the council has the authority to terminate  
109 waivers by ordinance;

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

111 A. The June 19, 2017, Determination of Emergency and Waiver of competitive

112 bidding and formal solicitation requirements for the lease or purchase of tangible  
113 personal property or services, public works as defined by RCW 39.04.010, or to the  
114 selection and award of either and professional or technical consultant services under state  
115 law and K.C.C. chapter 2.93 is extended through December 31, 2017, in order to  
116 complete either the repair or the replacement, or both, of damaged portions of the bridge.

117 B. The extension of the waiver of competitive bidding and formal solicitation  
118 requirements included in section A. of this motion are contingent upon the following:

119 1. The executive filing status reports on the ongoing repair work quarterly with  
120 each report filed no later than forty-five days after the close of a fiscal quarter, so that the  
121 first report shall be filed no later than August 14, 2017. The reports shall include at a  
122 minimum:

123 a. expenditures during the previous quarter and anticipated for the next quarter;

124 b. project expenditures to date;

125 c. a current estimate of the total costs of the repairs;

126 d. a list of the contracts or agreements undertaken under the authority in this

127 waiver, including for each contract or agreement: the name of the vendor, the type of

128 work, the value of the contract or agreement and the level of compliance with the

129 contracting requirements of K.C.C. 3.15.100, K.C.C. chapters 12.16, 12.17, 12.18 and

130 12.19 and related administrative rules;

131 e. a summary of procurement actions anticipated, but not yet undertaken under  
132 the authority of this procurement waiver; and

133 f. a discussion of specific actions taken during the previous quarter to continue

134 to obtain competitive prices on behalf of the rate payers despite this waiver, including but

135 not limited to procurements let or to be let in accordance with the requirements of K.C.C.  
136 chapters 2.93 and achieving compliance with K.C.C. 3.15.100, K.C.C. chapters 12.16,  
137 12.17, 12.18 and 12.19 and related administrative rules; and

138           2. The reports required under this section B. shall be filed in the form of a paper  
139 original and an electronic copy with the clerk of the council who shall retain the original  
140 and provide an electronic copy to all councilmembers, the council chief of staff, the chief  
141 policy officer, the lead staff for the transportation, environment and economy committee,

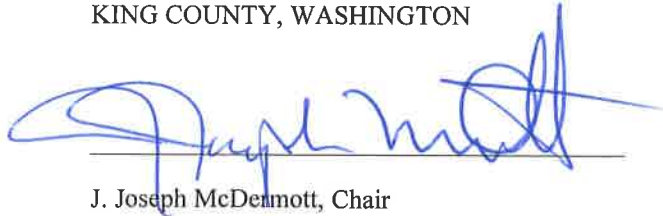
142 or its successor, the budget and fiscal management committee, or its successor, and the  
143 regional water quality committee, or its successor.

144

Motion 14894 was introduced on 6/19/2017 and passed as amended by the  
Metropolitan King County Council on 6/19/2017, by the following vote:

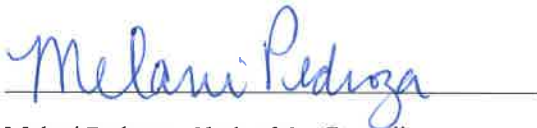
Yes: 8 - Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Mr. McDermott,  
Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 0  
Excused: 1 - Ms. Lambert

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Clerk of the Council

**Attachments:** A. Executive Determination of Emergency and Waiver from Competitive Procurement  
and Solicitation Requirements for the Tolt Hill Bridge 1834A Emergency Repair





## King County

### EXECUTIVE DETERMINATION OF EMERGENCY AND WAIVER FROM COMPETITIVE PROCUREMENT AND SOLICITATION REQUIREMENTS FOR THE TOLT HILL BRIDGE 1834A EMERGENCY REPAIR

WHEREAS, King County owns and maintains the Tolt Hill Bridge (the "Bridge") located near Carnation, Washington; and

WHEREAS, construction of the Bridge began in June 2006 and opened for public use on May 30, 2008; and

WHEREAS, the Bridge is approximately 1,000 feet long consisting of two 300-foot long steel trussed spans, a short approach span on the west side, and three 120-foot long concrete girder spans on the east side of the river. The Bridge has two travel lanes and two shoulders; and

WHEREAS, following the 2007 collapse of the eight-lane bridge on Interstate 35W in Minnesota, and the federal decision to allow heavier trucks on roadways, the Federal Highway Administration (FHWA) developed new requirements for bridge load ratings; and

WHEREAS, the Washington State Department of Transportation (WSDOT) is responsible for enforcing implementation of the new FHWA criteria for load ratings by local government agencies; and

WHEREAS, FHWA and WSDOT require all bridges to be evaluated by 2022 using the new criteria; and

WHEREAS, as part of the new criteria, agencies are required to review gusset plate connections, which are thick sheets of steel bolting together structural elements of truss bridges. There are about 36,000 bolts fastening the gusset plates on the two 300-foot long steel trusses of the Bridge; and

WHEREAS, the King County Department of Transportation has a bridge structural engineer who calculates bridge load ratings using specialized software; and

WHEREAS, in the spring of 2017, the King County Department of Transportation bridge structural engineer visually inspected the Bridge and recalculated the bridge load ratings based on the new federal criteria; and

WHEREAS, although no signs of cracking at the gusset plate connections was observed, the recalculation revealed serious questions about the structural integrity of the Bridge; and

WHEREAS, the County hired an independent structural engineering firm to review the King County Department of Transportation bridge structural engineer's recalculation of the bridge load ratings for the Bridge; and

WHEREAS, the independent structural engineering firm confirmed the King County Department of Transportation bridge structural engineer's recalculation of the bridge load ratings for the Bridge and brought to light further concerns regarding the structural integrity of the Bridge; and

WHEREAS, on June 16, 2017, the County reviewed the structural engineering firm's determinations with WSDOT engineers and they concurred that the County and its consultants had appropriately applied the new criteria; and

WHEREAS, the County made the decision to close the Bridge to vehicular traffic on June 16, 2017 at approximately 8:00 PM to avoid potential life-safety risk that the Bridge posed to users; and

WHEREAS, the average daily traffic ("ADT") on the Bridge is approximately 3,000 vehicle trips; and

WHEREAS, motorists will be forced to take detours of approximately 12 miles, depending upon the route, due to the Bridge closure; and

WHEREAS, repairs are complex, will require special expertise to resolve, and will take time to design and implement; and

WHEREAS, closure of the Bridge will impact individuals and nearby communities by reducing access to transportation networks, schools, and first responder services, and by potentially isolating residents during storm and flooding events; and

WHEREAS, the Bridge structural integrity issues revealed by the County's review under the federally mandated load rating criteria, and the ensuing closure of the Bridge to protect the lives and safety of King County residents, 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 unless expeditious action is taken to repair the Bridge; and

WHEREAS, an emergency waiver of competitive bidding and formal solicitation requirements of state and county law is necessary to assure 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 risk to the usefulness of the Bridge 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.

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 Metropolitan King County Council by ordinance, or as otherwise may be required by law.

DATED this 19 day of JUNE, 2017



DOW CONSTANTINE  
King County Executive  
State of Washington