



Signature Report

Motion 15335

Proposed No. 2019-0072.1

Sponsors Balducci

1 A MOTION extending the waived competitive bidding and
2 solicitation requirements for repairs to protect life and
3 property threatened by the emergency conditions related to
4 extreme winter weather conditions.

5 WHEREAS, the King County executive on February 7, 2019, issued a
6 Proclamation of Emergency, included as Attachment A to this motion, declaring that
7 immediate steps must be taken to protect and provide assistance to victims of extreme
8 winter weather conditions and other secondary hazards, and

9 WHEREAS, upon the proclamation of an emergency, and during the existence of
10 such emergency, K.C.C. 12.52.030.B.2 authorizes the executive to make and proclaim:

11 "An order waiving K.C.C. 4A.100.070, K.C.C. chapters 2.93 and 12.16 and K.C.C.
12 12.18.095 with reference to any contract relating to the county's lease or purchase of
13 supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to
14 any contract for the selection and award of professional and/or technical consultant
15 contract. However any emergency waiver under K.C.C. chapters 12.15 and 12.18 shall not
16 amend the annual utilization goals, unless the emergency makes it impossible to achieve
17 the annual utilization goals," and

18 WHEREAS, in accordance with K.C.C. 12.52.030.B.2, the Proclamation of
19 Emergency waived the competitive procurement requirements of state and county law,

20 stating in relevant part as follows:

21 "Each designated department is authorized to exercise the powers vested under
22 Section 1 of this Resolution in light of the exigencies of an emergency situation without
23 regard to time consuming procedures and formalities prescribed by law (excepting
24 mandatory constitutional requirements)," and

25 WHEREAS, weather conditions consisting of heavy snowfall, high winds and
26 persistent icy conditions that began on January 31, 2019, are creating hazardous conditions
27 and posing a risk of bodily injury and a risk to public property and facilities, and

28 WHEREAS, since that time a succession of severe storms have brought more than
29 sixty inches of snow, drenching rain and high winds in excess of forty miles per hour to the
30 environs of King County, causing severe limitation on travel by all manner of transport and
31 transit, threatening landslides, neighborhood flooding and structural collapse due to unsafe
32 snow loads, and

33 WHEREAS, since the proclamation, the county has been combatting the
34 emergency through concerted government-wide actions including activation of its
35 Emergency Operations Center, activation of the Metro transit department's Emergency
36 Snow Network, implementation of road services division's emergency road maintenance
37 response efforts, dissemination of public health - Seattle & King County's weather-related
38 health safety information and implementation of the King County sheriff's office's
39 emergency response plans, all of which seek to save lives, prevent injury, protect property
40 and speed recovery from the emergency, and

41 WHEREAS, persons and property have been and will be adversely affected
42 throughout King County unless further efforts are taken to reduce the potential threat to life

43 and public property, and

44 WHEREAS, emergency measures to clear and de-ice county roads, restore transit
45 services, and protect other public facilities must continue without interruption to minimize
46 the potential risk of personal injury and property damage, and

47 WHEREAS, any delay in completing these and other response efforts presents a
48 risk to safety and property, and

49 WHEREAS, under K.C.C. 12.52.030.C. and K.C.C. 2.93.080.B., the waiver of
50 competitive procurement requirements of state and county law stays in effect until
51 terminated by order of the executive, or action of the council by ordinance, or until it
52 expires, which is ten days after there have been contracts entered into, which combined,
53 encumber funds in excess of two hundred fifty thousand dollars or in excess of
54 appropriation, unless the council extends the waiver by motion beyond the ten day period,
55 and

56 WHEREAS, an extension of the waiver from the competitive procurement
57 requirements of state and county law is necessary at this time because the magnitude of the
58 expenses to be incurred will likely exceed the two hundred fifty thousand dollar limit, and

59 WHEREAS, an extension of the waiver from the competitive bidding and
60 solicitation requirements of state and county law is necessary to prevent delay in continuing
61 the work described in the preceding clauses;

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

63 The February 7, 2019, waiver of competitive procurement requirements for
64 contracting under state law and county code, in the Proclamation of Emergency included as

65 Attachment A to this motion, is extended through March 11, 2019, to continue these and
66 other activities and efforts to prevent injury to persons and property.

67

Motion 15335 was introduced on 2/27/2019 and passed by the Metropolitan King
County Council on 3/6/2019, by the following vote:

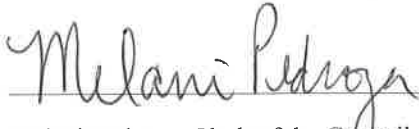
Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr.
McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and
Ms. Balducci
No: 0
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Rod Dembowski, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



Attachments: A. Proclamation of Emergency



King County

PROCLAMATION OF EMERGENCY

WHEREAS, the King County Office of Emergency Management has reported to the King County Executive that winter storm conditions with heavy snow and persistent icy conditions throughout King County since January 31, 2019, recorded as State Mission Numbers 19-0336 and 19-0410, potentially causing significant impacts to King County government departments and infrastructure as well as to cities and special purpose districts, and

WHEREAS, persons and property are and will be threatened and damaged unless further efforts are taken to reduce the threat to life and property; and

WHEREAS, this emergency has the potential to cause an undesignated amount of damage; and

WHEREAS, the severity and magnitude of this disaster may well be beyond the response and recovery capability of local resources; and

WHEREAS, there is an emergency present which necessitates activation of the King County Comprehensive Emergency Management Plan and utilization of emergency powers granted pursuant to RCW Chapter 38.52 and K.C.C. Chapter 12.52; and

WHEREAS, the emergency may require emergency purchases by King County and the waiver of public procurement processes as described under K.C.C. Chapter 4.16.050, therefore

BE IT PROCLAIMED BY THE KING COUNTY EXECUTIVE, DOW CONSTANTINE

SECTION 1

That it is hereby declared that there is an emergency due to extreme winter weather conditions and other secondary hazards affecting King County; therefore designated departments of King County are authorized to enter into contracts and incur obligations necessary to combat such emergency to protect and provide emergency assistance to victims of such emergency.

SECTION 2

Each designated department is authorized to exercise the powers vested under Section 1 of this Resolution in light of the exigencies of an emergency situation without regard to time consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements).

DATED this 7th day of February, 2019.

**DOW CONSTANTINE, King County Executive
State of Washington**