Attachment B 15336

KING COUNTY

DEPARTMENT OF NATURAL RESOURCES AND PARKS

WASTEWATER TREATMENT DIVISION

KING COUNTY PUBLIC HEARING

BRIGHTWATER OUTFALL DESIGN-BUILD PROJECT

1:00 to 2:00 p.m.

April 29th, 2005

ORIGINAL

King Street Center, Conference Room 5B
Seattle, Washington

KATHERINE M. CULLMAN
CCR 3001

INDEX OF SPEAKERS

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REPRESENTING KING COUNTY

Professional Lead, Procurement and Contract Services Section:

MR. KENNETH E. CURL
Department of Executive Services
EXC-ES-0825
821 Second Avenue
Seattle, Washington 98104-1598

Engineer, Brightwater Conveyance:

MR. RUSS PABARCUS
Wastewater Treatment Division
Department of Natural Resources and Parks
BWO-NR-0100
22509 State Route 9 Southeast
Woodinville, Washington 98072-6010

Senior Project Administrator:

MR. GUNARS SREIBERS
Wastewater Treatment Division
King Street Center
201 South Jackson Street, Room 503
Seattle, Washington 98104-3855

Court Reporter:

KATHERINE M. CULLMAN
VAN PELT, CORBETT & BELLOWS
423 Second Avenue Extension S., #21
Seattle, Washington 98104

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OPENING STATEMENT, MR. KEN CURL

I'm going to go ahead and open the public hearing for the Brightwater Outfall Design-Build Project. My name is Ken Curl. This is Friday, April 29, 2005, at 1:00 p.m. The hearing is scheduled from 1:00 to 2:00 p.m. today.

We are in King Street Center, 201 South Jackson, and we are in conference room 5B.

The contract number or RFP number for this is E58016E.

We will make introductions. Again, my name is Ken Curl. I'll be covering the reasons for design-build. Russ Pabarcus, who's an engineer in our wastewater treatment division will talk a little about the project background.

And then we will open the hearing for public comment. What we are doing today is taking public comment. This will not be a question and answer session in any way. What our task is, is to take down your comments with regard to the use of the design-build process for procuring the construction of the Brightwater outflow.

So I'm going to go ahead and cover the reasons. This is taken from our Reason Statement that was published along with our advertisement for this hearing:

The RCW allows public agencies to use a design-build procurement procedure for public works projects valued at over $10 million dollars where the alternative will

serve the public interest by providing substantial fiscal benefit or that use of the traditional method of awarding contracts in lump sum to the low responsive bidder is not practical for meeting desired quality standards or delivery schedules.

The preliminary cost estimates for construction of the marine outfall is approximately $27.9 million, including $1.85 million in Washington state sales tax. The project involves highly specialized design and construction requirements, including the use of special construction materials to prevent corrosion and abrasion during installation and operation of the pipeline; the need to select among several marine construction methods for the outfall pipeline and for placing it on the seafloor at such a great depth; the need to use construction mitigation measures meant to protect salmon and the marine and coastal environments; and a strong possibility that the contractor will need to adapt means and methods during construction to address actual conditions encountered in the highly variable marine and nearshore environments.

Given this complexity and the variability, the County does not believe that awarding contracts in lump sum to the low responsive bidder is practical for meeting desired quality standards or delivery

schedules.

The efficiency inherent in having a single entity responsible for both design and construction will potentially reduce project costs and minimize delays and project completion.

This procedure also encourages efficient project scheduling by allowing the design-build contractor to phase its procurement/construction of certain portions of the marine outfall to proceed while design of other project elements of the outfall project is being completed.

Those are the reasons we've stated for use of the design-build process, one of the alternative processes allowed by RCW 39.10.

I'm going to go ahead and let Russ read the project background statement into the record, and then we'll go ahead and take comments.

MR. RUSS PABARCUS, PROJECT BACKGROUND

I'm Russ Pabarcus, an engineer to King County.

The Brightwater treatment system consists of the treatment plant, the associated conveyance system, and a marine outfall. The conveyance system will connect existing sewage collection pipes to the treatment plant and convey treated wastewater to an outfall and diffuser in Puget Sound.

The Brightwater Treatment Plant is a 36-million gallon per day facility that will provide wastewater treatment for portions in north King County and south Snohomish counties.

The associated conveyance system includes approximately 13 miles of influent and effluent tunnels of 170 million gallon per day peak capacity influent pump station, odor control and other facilities. The marine outfall includes a 60-inch diameter outfall pipe, approximately 5,200 feet long, and a 500-foot long diffuser located at a depth of approximately 600 feet.

Construction will include trenching the outfall pipe to the shore and nearshore environments and then laying approximately 4,000 feet of pipe on the seafloor.

The County is considering using a design procurement procedure for the marine outfall construction.

The preparation for procuring a design-build team is scheduled to begin in early 2005. The schedule would allow

marine outfall construction to begin in approximately mid 2009 and be completed before the Brightwater system comes online in 2010.

MR. CURL: Thank you.

As I stated earlier -- thank you Russ -- we are not here as a Q&A session. We are here to take public comment. And so what I'll do is just ask you to make your comments in the order that you arrived.

All right, Tom, you want to go ahead.

STATEMENT OF MR. TOM DeLAAT

My name is Tom DeLaat. I am a professional engineer, and I'm employed by Parametrix, Inc. in the Seattle area. We have offices in Bellevue and Sumner. And I played a role in the pre-design for the outfall as a subconsultant to HDR.

The thing that caught my attention on the description of this particular project was the -- at least my perception of the statements which said that you felt there was the potential for providing substantial fiscal benefit for this particular approach to the construction of the outfall. You can interpret that statement in many ways. One statement, or one interpretation would be the idea that there's going to be a cost benefit of doing it -- the construction by means of design-build versus the more traditional design-build method. And I don't really feel that that is a proper indication of what design-build benefit on this project would be, the main reason being that historically, I don't think that projects that go the design-build route have been shown to save substantial money to the benefit of the owner of the facility.

Typically, in my opinion and experience, projects that are done on the design-build basis more potentially run the benefit of getting the job done when you want it done or ahead of schedule than it does one of saying you're going to save money.

In my role as the manager of the predesign for the

outfall, I consented to the concept of doing design-build on this project focused on the basis that it was of a means considering the risks for this particular project to get it done in the schedule that has been put in front of us for completing the work. And I still believe that, that with the schedule you're on, you run a great potential for success in getting the project done on time.

There are risks with the project, and I don't think that -- we've tried to portray those risks during the predesign, and I don't know of anything different today to say that those risks are any different than what we portrayed during the many discussions that we had on the project and in the predesign reporting that was done.

That's my statement.

MR. CURL: Thank you. You're welcome to stay. You're welcome to leave. Thank you for your statement.

STATEMENT OF ANDREW MENCKE

MR. CURL: I don't know your name, I'm sorry.

MR. MENCKE: My name's Andrew Mencke, and I work for Cosmopolitan Engineering Group. And I came to this meeting just to observe and see what was being commented on and some of the concerns that would be associated with the design-build concept or lack thereof concerns. So I was just here to observe today.

And that's my statement.

MR. CURL: All right. Thank you for coming.

STATEMENT OF ADE BRIGHT

Yeah, my name is Ade Bright. I'm an engineer with Bright Engineering in Seattle. And I also was a part of the consultant group that did the preliminary design of the outfall pipeline.

The comment I have has to do with risk. Our last studies indicated, more so than anything else, that risk is a primary factor in the construction of this particular project. We did put together a workshop naturally indicated -- I mean a workshop that included a number of consultants, engineers, tunnel people, and contractors, and that the one principle, the result of that was everybody agreed that risk was a big factor rather than the essential costs. The design-build option is good for that because we can flush out a lot of all the difficulties upfront and then look at risk and see how things goes.

So I do -- that's all the comments I have, I guess.

MR. CURL: Okay. Thank you.

CLOSING STATEMENT BY MR. CURL

It is now 2:00 p.m., and we are adjourning the public hearing for the Brightwater Outfall Design-Build Project. I want to take this opportunity to thank the people that did come and provide comment.

Thank you.

[Public hearing adjourned at 2:03 p.m.]

C E R T I F I C A T E

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

I, Katherine Cullman, a Notary Public in and for the State of Washington, do hereby certify:

That the foregoing public hearing was taken before me by voice recognition at the time and place therein set forth;

That the foregoing transcript is a true record of the comments given by the public speakers at the time of the hearing, to the best of my ability.

I further certify that I am in no way related to any party to this matter, nor do I have any interest in the matter.

Witness my hand and seal this 11th day of May, 2005.

Katherine Cullman, Notary Public in and for the State of Washington, residing at Kent. Commission expires April 26, 2008.