

urgency- to issue.

For Exec. Signature

In KCE 2/23 (CO)

TO CO/MB 2/23

TO RS 2/23

Wastewater Treatment Division

Department of Natural Resources and Parks
King Street Center
201 South Jackson Street
Seattle, WA 98104-3855

February 24, 2006

TO: Ron Sims, King County Executive

VIA: Pam Bissonnette, Director, Department of Natural Resources and Parks (DNRP)

FM: Don Theiler, Division Director, Wastewater Treatment Division (WTD), DNRP

RE: Emergency Declaration of Force Main Failure at Barton Pump Station in Lincoln Park in Seattle

On January 17, 2006, the 30-inch reinforced concrete force main pipe failed, leaking large volumes of sewage onto the beach at Lincoln Park. We need to make immediate repairs to prevent on-going sewage overflows and to protect public health and safety.

On February 4, 2006, a second failure of the Beach Interceptor occurred, again leaking large volumes of sewage onto the beach. A by-pass pipeline was installed and connected to temporary diesel pumps. A subsequent video inspection of the Beach Interceptor revealed four other sections of the Interceptor in imminent risk of failure.

A decision was made to replace the 30-inch diameter concrete pipe with two parallel 24-inch diameter high density polyethylene pipes. Replacement pipe work is presently on-going with expected completion in approximately four months.

Frank Coluccio Construction Company (familiar with the site as they made the repair to the first failure of the Beach Interceptor in January 2006), is qualified to replace the Interceptor pipe, and presently has the necessary equipment, labor, and materials. Estimated cost of this work is \$4,000,000.

We respectfully request that you sign the attached Executive Determination of Emergency and Waiver from Competitive Procurement Requirements for the Beach Interceptor Pipe Replacement at Lincoln Park.

cc: Thomas Kuffel, Prosecuting Attorney, Civil Division, PAO
Nora Huey, Supervisor, Professional and Construction Services
Tina Phipps, Contract Specialist, Professional and Construction Services
Jack Irby, Asset Management Section Manager, Wastewater Treatment Division, (WTD)
Department of Natural Resources and Parks (DNRP)
Christy Sanders-Meena, Construction Manager East Satellite Construction, WTD, DNRP

EXECUTIVE DETERMINATION OF EMERGENCY AND WAIVER FROM COMPETITIVE
PROCUREMENT REQUIREMENTS FOR THE BEACH INTERCEPTOR PIPE
REPLACEMENT AT LINCOLN PARK IN SEATTLE

WHEREAS, on February 4, 2006, a section of the Beach Interceptor at Lincoln Park in Seattle failed causing sewage to leak onto the Lincoln Park beach and into Puget Sound; and

WHEREAS, immediately after the February 4 failure, the Department of Natural Resources and Parks, Wastewater Treatment Division (WTD), instituted tanker trucking operations to move sewage from the Barton pump station to the Murray pump station in order to reduce overflow sewage from entering Puget Sound; and

WHEREAS, since the tanker trucking operations were only partially effective in that there was still an overflow of approximately 1,000,000 gallons of sewage per day, 600 feet out into Puget Sound, a temporary pump station was installed and a temporary line was laid along the beach to control sewage overflows; and

WHEREAS, the February 4 failure of the Beach Interceptor was the second failure in less than one month, the first having occurred on January 17, 2006, and having been repaired on January 21, 2006; and

WHEREAS, video inspection of the Beach Interceptor after the February 4 failure revealed four other sections of the Interceptor that are at imminent risk of failure; and

WHEREAS, WTD has determined that further repair and use of the Beach Interceptor pipe at Lincoln Park beach is not feasible and that the 30-inch concrete cylinder force main should be replaced with two parallel 24-inch diameter high density polyethylene pipes, one being inserted into the failed pipe and one being laid parallel to it; and

WHEREAS, Frank Coluccio Construction Company is familiar with the site having made the repair to the first failure of the Beach Interceptor in January 2006, is qualified to replace the Interceptor pipe, and presently has the necessary equipment, labor, and materials; and

WHEREAS, the measures instituted to reduce sewage overflow due to the second failure of the Beach Interceptor are temporary, costly, and have a negative effect on Lincoln Park and the surrounding community; and

WHEREAS, the second failure of the Beach Interceptor and the imminent risk of failure of four additional sections of the Interceptor and the resulting possibility of the release of overflow sewage onto Lincoln Park beach and into Puget Sound, constitute an emergency that presents a real and immediate threat to public health, safety, and welfare; and

WHEREAS, an emergency waiver of competitive bidding and formal solicitation requirements of state and county law is necessary to assure the timely replacement of the Beach Interceptor pipe; and

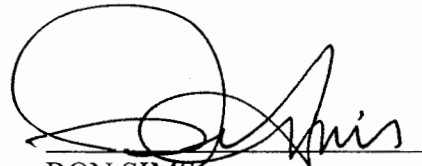
WHEREAS, the contract to replace the Beach Interceptor pipe will be a standard time and materials contract to cover the cost of the replacement pipes, installation, and other related measures, and will be in excess of \$250,000.

NOW THEREFORE THE KING COUNTY EXECUTIVE, RON SIMS, HEREBY DETERMINES AND DECLARES AS FOLLOWS:

SECTION 1: There is an emergency due to the second failure of the Beach Interceptor at Lincoln Park in Seattle and due to the imminent risk of new failures in four additional sections of the Interceptor pipe and the resulting possibility of the release of overflow sewage onto Lincoln Park beach and into Puget Sound, and as a result, immediate steps must be take to preserve the health, safety, and welfare of the public.

SECTION 2: The requirements for competitive bidding and formal solicitation of time, materials, and other related services under Chapter 36.32 RCW, Chapter 39.80, Chapter 39.10 RCW, and KCC Chapters 4.04, 4.16, 4.18, 12.16, 12.18 and 12.19, and all applicable King County executive policies and procedures are hereby waived with reference to any such contracts relating to the response to the second failure of the Beach Interceptor at Lincoln Park in Seattle, including tanker trucking operations, the temporary pumping, and temporary line, and to the replacement of the Beach Interceptor pipe, including the cost of the replacement pipes, installation, and other related measures. This waiver shall continue in full force and effect until terminated by subsequent order of the Executive, action by the Metropolitan King County Council by ordinance, or as otherwise may be required by law.

DATED this 23 day of February, 2006.



RON SIMS
King County Executive