



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**June 14, 2010**

**Ordinance 16854**

**Proposed No. 2010-0186.2**

**Sponsors Lambert and Ferguson**

1 AN ORDINANCE relating to procurement procedures for  
2 public contracts; amending Ordinance 12138, Section 7, as  
3 amended, and K.C.C. 4.16.010, adding new sections to  
4 K.C.C. chapter 4.16, adding a new section to K.C.C.  
5 chapter 4.08, recodifying K.C.C. 4.16.130 and K.C.C.  
6 4.16.140 and repealing Ordinance 10581, Section 7, and  
7 K.C.C. 4.16.083, Ordinance 10581, Section 8, as amended,  
8 and K.C.C. 4.16.085, and K.C.C. 4.16.130, Ordinance  
9 12138, Section 20, as amended, and K.C.C. 4.16.165 and  
10 Ordinance 12138, Section 21, and K.C.C. 4.16.168.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 4.16 a  
13 new section to read as follows:

14 To ensure open, fair and competitive procurement processes, to establish a  
15 procurement system of quality and integrity, and to maximize the purchasing value of  
16 public funds, this chapter applies to contracts for the procurement of tangible personal  
17 property, services, professional or technical services and public work entered into by  
18 county elected officials, department heads and their designees. Except where exempt by  
19 state law, county ordinance or executive policy, county procurement shall be

20 administered through the purchasing and contract services section to maximize  
21 economies of scale, consistency in county practices and accountability procedures.

22         When a procurement involves the expenditure of federal or state assistance, grants  
23 or funds, the manager shall conduct the procurement in accordance with this chapter  
24 unless the federal or state agency specifically requires otherwise. This chapter does not  
25 limit the authority of the executive to procure tangible personal property, services,  
26 professional or technical services, or public work in a manner otherwise provided for in  
27 law.

28         SECTION 2. Ordinance 12138, Section 7, as amended, and K.C.C. 4.16.010 are  
29 each hereby amended to read as follows:

30         ~~((Terms used in this chapter shall be given their common and ordinary meaning~~  
31 ~~except where otherwise declared or clearly apparent from the context. Additionally, the~~  
32 ~~following definitions shall apply.)) The definitions in this section apply throughout this  
33 chapter unless the context clearly requires otherwise.~~

34         A. ~~((The term))~~ "~~((b))~~Bid" or "proposal" ~~((as used throughout this chapter shall))~~  
35 means an offer to provide ~~((materials, equipment, supplies, or services,))~~ tangible  
36 personal property, services, technical or professional services and public work in  
37 response to a solicitation for bids or proposals issued by the county.

38         B. ~~((The terms))~~ "~~((b))~~Bidder," or "proposer" ~~((or "offeror" as used throughout~~  
39 ~~this chapter shall))~~ means ~~((any))~~ a person, firm, partnership or corporation ~~((which))~~ that  
40 formally submits a bid, proposal or offer to provide tangible personal property, ~~((or))~~  
41 services, ~~((including expert personal,))~~ professional~~((,))~~ or technical~~((, and consultant))~~

42 services~~((;))~~ and public work to the county in response to a solicitation for bids or  
43 proposals or request for qualifications issued by the county.

44 C. ~~((The term))~~ "~~((e))~~ Contract" ~~((as used throughout this chapter shall))~~ means a  
45 mutually binding legal relationship or any modification thereof obligating a person, firm,  
46 corporation~~((;))~~ or partnership ~~((or group))~~ to provide tangible personal property, ~~((or))~~  
47 services, professional or technical services or public work to the county, and ~~((which))~~  
48 that obligates the county to pay therefor.

49 D. ~~((The term))~~ "~~((m))~~ Manager" ~~((as used throughout this chapter shall))~~ means  
50 the manager of the finance and business operations division.

51 E. ~~((The term))~~ "~~((m))~~ Metropolitan function" ~~((as used throughout this chapter  
52 shall))~~ means ~~((those))~~ a function~~((s))~~ or functions authorized by RCW 35.58.050,  
53 approved by the voters, and assumed by the county ~~((pursuant to))~~ in accordance with  
54 RCW 36.56.010.

55 F. ~~((The term))~~ "~~((p))~~ Professional or technical services" ~~((as used throughout this  
56 chapter shall))~~ means those services provided by independent contractors:

57 1. Within the scope of architecture, accounting, engineering, landscape  
58 architecture, law, financial or administrative studies, feasibility studies of a scientific or  
59 technical nature, management advisory services and special project management for a  
60 defined ~~((period of))~~ time or result or other practice that requires specialized knowledge,  
61 advanced education or professional licensing or certification; and

62 2. Where the primary service provided is mental or intellectual involving the  
63 consistent exercise of judgment and discretion or the provision of specialized skills.

64 G. "Public work" means all work, construction, alteration, enlargement, repair,  
65 demolition or improvement other than ordinary maintenance executed at the cost of the  
66 county or which is by law a lien or charge on any property therein.

67 H. ~~((The term))~~ "((~~¶~~))Rolling stock" as used throughout this chapter shall mean  
68 revenue producing vehicles, including buses, vans, cars, railcars, locomotives((~~;~~)) and  
69 trolley cars ((and buses)).

70 ~~((H. The term))~~ I. "((~~s~~))Services", except for professional or technical services,  
71 ~~((as used throughout this chapter shall))~~ means the furnishing of labor, time((~~;~~)) or effort  
72 by a contractor, not involving the delivery of tangible personal property, other than  
73 reports ~~((which))~~ that are merely incidental to the required performance.

74 ~~((I. The term))~~ J. "((~~¶~~))Tangible personal property" ~~((as used throughout this~~  
75 ~~chapter shall))~~ means equipment, supplies, materials, goods((~~;~~)) and rolling stock.

76 SECTION 3. Ordinance 10581, Section 7, and K.C.C. 4.16.083 are each hereby  
77 repealed.

78 SECTION 4. Ordinance 10581, Section 8, as amended, and K.C.C. 4.16.085 are  
79 each hereby repealed.

80 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 4.16 a  
81 new section to read as follows:

82 The manager shall solicit and award all county public works contracts in  
83 accordance with the authority granted by state law, as set forth in Title 36 and Title 39  
84 RCW and all other applicable provisions of the RCW, and any additional requirements  
85 prescribed by county ordinance, policy, rule or procedure established by the executive or  
86 the executive's designee.

87            SECTION 6. Ordinance 12138, Section 20, as amended, and K.C.C. 4.16.165 are  
88 each hereby repealed.

89            SECTION 7. Ordinance 12138, Section 21, and K.C.C. 4.16.168 are each hereby  
90 repealed.

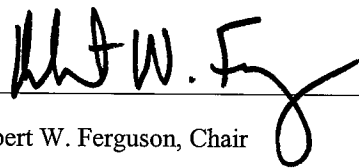
91            SECTION 8. K.C.C. 4.16.130 is recodified as a new section in K.C.C. chapter  
92 4.08 to follow K.C.C. 4.08.390.

93            SECTION 9. K.C.C. 4.16.140 is recodified as a new section in K.C.C. chapter  
94 4.16 to follow K.C.C. 4.16.155.  
95

Ordinance 16854 was introduced on 3/22/2010 and passed by the Metropolitan King  
County Council on 6/14/2010, by the following vote:

Yes: 6 - Ms. Drago, Mr. Phillips, Mr. Gossett, Ms. Patterson, Ms.  
Lambert and Mr. Ferguson  
No: 0  
Excused: 3 - Mr. von Reichbauer, Ms. Hague and Mr. Dunn

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 25 day of JUNE, 2010.



Dow Constantine, County Executive

Attachments: None

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CLERK  
KING COUNTY COUNCIL