



**Signature Report**

**Motion 15621**

**Proposed No.** 2020-0118.1

**Sponsors** Balducci and Dunn

1           A MOTION extending the waiver of requirements for  
2           competitive bidding and solicitation requirements for  
3           contracts relating to the King County COVID-19 response.

4           WHEREAS, the King County executive on March 1, 2020, issued a proclamation  
5 of emergency, included as Attachment A to this motion, declaring that extraordinary  
6 measures must be taken in response to the spread of COVID-19 in King County and to  
7 immediately preserve public health and relieve loss, hardship and suffering, and

8           WHEREAS, in accordance with the authority granted the executive upon issuing  
9 a proclamation of emergency, the executive ordered that the public advertising and  
10 competitive procurement requirements of state law and K.C.C. chapter 2.93, all  
11 applicable executive policies and procedures and K.C.C. chapter 12.19, are waived  
12 relating to county contracts for purchases or leases of: tangible personal property; public  
13 works as defined by RCW 39.04.010; and services, including professional or technical  
14 services, and

15           WHEREAS, under K.C.C. 2.93.080.B. and K.C.C. 12.52.030.C., the waiver of  
16 competitive procurement requirements of state and county law stays in effect until it  
17 expires, which shall be twenty-one calendar days after its issuance, unless terminated  
18 sooner by order of the executive or action of the council by motion. However, the  
19 council, by motion, may extend a waiver beyond the twenty-one-day period, and

20 WHEREAS, as of March 9, 2020, one hundred sixteen people in King County  
21 have been diagnosed with and twenty people have died from COVID-19, and

22 WHEREAS, given the nature of COVID-19 as a novel coronavirus, the Report of  
23 the World Health Organization-China Joint Mission on Coronavirus Disease 2019  
24 acknowledges that there are critical knowledge gaps about the virus and the Centers for  
25 Disease Control and Prevention has stated that if a COVID-19 outbreak happens in a  
26 community, "it could last for long time," and

27 WHEREAS, an extension of the waiver from the competitive procurement  
28 requirements is necessary as it is clear that this emergency will not be resolved by March  
29 22, 2020 and the ability to procure quickly the goods and services necessary to stem the  
30 transmission of COVID-19 will be critical;

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

32 The waiver from competitive bidding and solicitation requirements of state and  
33 county law as set forth in the March 1, 2020, proclamation of emergency issued by the

34 executive is extended until either the executive terminates the proclamation of the

35 emergency or the council by motion terminates this waiver.

36

Motion 15621 was introduced on 3/10/2020 and passed by the Metropolitan King County Council on 3/10/2020, by the following vote:

Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles, Ms. Balducci and Mr. Zahilay  
Excused: 1 - Mr. Dunn



KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

Melani Pedroza, Clerk of the Council

**Attachments:** A. Proclamation of Emergency



**King County**

## **PROCLAMATION OF EMERGENCY**

**WHEREAS**, Public Health—Seattle & King County reported to me that Public Health activated the Public Health Departmental Emergency Operations Center on January 21, 2020 for a significant health emergency caused by novel coronavirus, or COVID-19, which is new to humans and can cause serious infections, including pneumonia; and

**WHEREAS**, in the world as of 03/01/20 there are 87,470 cases, 2,990 fatalities as a result of COVID-19; and

**WHEREAS**, in King County as of 03/01/20 there have been 21 people under investigation (PUI), 6 cases and 1 fatality as a result of COVID-19 and

**WHEREAS**, Public Health – Seattle & King County has been responding to the COVID-19 outbreak since January 21, 2020 including: assessing possible cases of novel coronavirus and providing services to help people awaiting testing to remain in isolation; monitoring people in quarantine who are at elevated risk of developing COVID-19 due to travel or close contact with confirmed cases of coronavirus; tracing contacts of people who are under investigation for possible coronavirus infection; and providing wrap-around services.

**WHEREAS**, Public Health – Seattle & King County has been collaborating closely with experts from the CDC and colleagues at the Washington Department of Health to share the latest information and guidance for healthcare providers and the public regarding the risk to travelers, and contacts of known cases, the identification and management of possible cases, and prevention recommendations.

**WHEREAS**, Seattle-Tacoma International Airport is one of the eleven airports in the United States to receive and process travelers from the affected region where the COVID-19 outbreak originated.

**WHEREAS**, this emergency may become a pandemic.

**WHEREAS**, Governor Jay Inslee declared a state of emergency in response to the new cases of COVID-19 in Washington state on February 29, 2020.

**WHEREAS**, as described in SECTION 2 of this Proclamation, the situation is sufficiently serious that it is necessary that I proclaim an emergency within King County and exercise the Executive's emergency powers; and

**WHEREAS**, I have reviewed the situation, consulted with Executive branch agencies and personnel and verified the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in this Proclamation.

**NOW THEREFORE, I, DOW CONSTANTINE, AS KING COUNTY EXECUTIVE, DO PROCLAIM AND ORDER AS FOLLOWS:**

## **SECTION 1: EMERGENCY POWERS**

A. As described in SECTION 2, an emergency exists requiring and authorizing me to exercise the emergency powers vested in me as King County Executive by RCW chapter 38.52, and King County Code chapters 2.56 and 12.52, as described in this Proclamation; and

B. Effective upon my signing this Proclamation, I will exercise that authority through the use and direction of County personnel, services and equipment and additional acts necessary to the management of this emergency.

## **SECTION 2: PROCLAMATION OF EMERGENCY**

A. Based on my review of the present circumstances, the report of Public Health—Seattle & King County, and my consultations with Executive branch agencies and personnel, I find and proclaim that an emergency exists, as defined in K.C.C. 12.52.010.A, due to novel coronavirus, or COVID19, which is new to humans and can cause serious infections, including pneumonia, and that these conditions demand that I exercise the authority assumed in SECTION 1 and take the extraordinary measures stated in SECTION 3, for the immediate preservation of public health and to relieve loss, hardship and suffering.

## **SECTION 3: ORDER**

A. Pursuant to K.C.C. 12.52.030.C.2, I hereby order that the public advertising and competitive procurement requirements of state law and K.C.C. chapter 2.93, and all applicable Executive policies and procedures, and the requirements of K.C.C. chapter 12.19, are waived relating to County contracts for the following purchases or leases:

1. Tangible personal property;
2. Public works as defined by RCW 39.04.010; and
3. Services, including professional or technical services.

B. Pursuant to K.C.C. 12.52.030.C.1, I hereby order that King County Staff may authorize overtime for personnel in positions requiring overtime to adequately respond to the emergency.

C. Pursuant to K.C.C. 12.52.030.C.10, I hereby order that King County staff have the authority to make temporary (up to one year or the duration of the emergency) appointments of personnel to positions that directly respond to the emergency, when the urgency of filling positions prohibits examining applicants through the competitive process, and is imminently necessary for the protection of life and property.

I further reserve the right to issue such further orders as authorized by K.C.C. chapter 12.52 as may be necessary to respond to the emergency proclaimed in SECTION 2.

## **SECTION 4: NOTICE**

A. A copy of this Proclamation and any order(s) issued hereunder shall be delivered to the Clerk of the Council and each King County Councilmember by email before the execution of any contract or lease authorized under SECTION 3. A copy of this Proclamation and any order(s) issued

hereunder shall also be filed with the Clerk of the Council by no later than 10:00 a.m. on the second business day after issuance. To the extent practicable, a copy of this Proclamation and all emergency orders issued hereunder shall be delivered to all news media within King County and made available to the general public.

**SECTION 5: EXPIRATION AND TERMINATION**

A. This Proclamation shall continue in force and effect until terminated by order of the Executive or action by the County Council by ordinance. However, the orders in SECTION 3.A shall expire twenty-one (21) calendar days after issuance, unless terminated sooner by order of the Executive or action by the County Council by motion, or extended by the County Council by motion.

**DATED this 1st day of March, 2020.**

A handwritten signature in black ink that reads "Dow Constantine". The signature is written in a cursive style with a long horizontal stroke at the end.

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DOW CONSTANTINE, Executive  
King County, Washington