



## Legislation Details (With Text)

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**Title:** AN ORDINANCE authorizing the King County executive to execute a contract for construction of the new Factoria recycling and transfer station.

**Sponsors:** Jane Hague

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 17830.pdf, 2. A. Factoria Recycling and Transfer Station - Contract C00678C12 - Contract Volumes 1-15, 3. 2014-0166 transmittal letter.docx, 4. 2014-0166 fiscal note.xls, 5. Attachment A volume 1.pdf, 6. Attachment A volume 2.pdf, 7. Attachment A volume 3.pdf, 8. Attachment A volume 4.doc, 9. Attachment A volume 5.pdf, 10. Attachment A volume 6.pdf, 11. Attachment A volume 7.pdf, 12. Attachment A volume 8.pdf, 13. Attachment A volume 9.doc, 14. Attachment A volume 10.doc, 15. Attachment A volume 11.pdf, 16. Attachment A volume 12.pdf, 17. Attachment A volume 13.pdf, 18. Attachment A volume 14.pdf, 19. Attachment A volume 15.pdf, 20. Factoria Recycling and Transfer Station Contractor Selection Report, 21. Staff Report Proposed Ordinance 2014-0166 Factoria Contract Authorization.docx, 22. Attachment 1 Proposed Ordinance 2014-0166.doc, 23. Attachment 3 Transmittal Letter.docx, 24. Attachment 2 Factoria Recycling and Transfer Station Contractor Selection Report.docx, 25. Factoria-COW-May2014 Final.pptx, 26. Staff Report Proposed Ordinance 2014-0166 Factoria Contract Authorization.docx, 27. Attachment 2 2014-0166 Proposed striking amendment .docx, 28. Revised Staff Report Proposed Ordinance 2014-0166.docx, 29. 17830 Amendment 1 6-9-14.pdf

| Date      | Ver. | Action By                        | Action                         | Result |
|-----------|------|----------------------------------|--------------------------------|--------|
| 6/9/2014  | 3    | Metropolitan King County Council | Hearing Held                   |        |
| 6/9/2014  | 3    | Metropolitan King County Council | Passed as Amended              | Pass   |
| 6/4/2014  | 1    | Committee of the Whole           | Recommended Do Pass Substitute | Pass   |
| 5/14/2014 | 1    | Committee of the Whole           | Deferred                       |        |
| 4/28/2014 | 1    | Metropolitan King County Council | Introduced and Referred        |        |

AN ORDINANCE authorizing the King County executive to execute a contract for construction of the new Factoria recycling and transfer station.

### STATEMENT OF FACTS:

1. Ordinance 17435, as amended by Ordinance 17618, authorized the executive, through the solid waste division of the department of natural resources and parks, to procure vendors for construction of the new Factoria recycling and transfer station using the competitive negotiation

process in RCW 36.58.090 and the evaluation criteria approved in those ordinances.

2. The new station will provide flexibility to further reduce waste by separating and processing recyclables from the waste stream, includes improved and expanded household hazardous waste collection capacity and will add capacity to allow for economic growth. Construction of the new station will improve operational and energy efficiency, provide additional environmental benefits, enhance customer service and improve customer and employee safety.

3. Construction of the new station is consistent with the 2001 Comprehensive Solid Waste Management Plan, the 2010 Master Plan for the Factoria Transfer and Recycling Station, the 2006 Solid Waste Transfer and Waste Management Plan and the Factoria Recycling and Transfer Station Project Oversight Report prepared by the Auditor's Office Capital Projects Oversight Program in February 2013.

4. Ordinance 17619 directed the division to conduct a review of the transfer and waste management plan. The purpose of the review was, in part, to determine whether changes were needed to the size, design, or location of the new facility in light of the economic downturn, tonnage projection changes, and decisions by the cities of Bellevue, Clyde Hill, Hunts Point, Medina and Yarrow Point not to extend current solid waste interlocal agreements from 2028 to 2040.

5. The Transfer Plan Review Report, submitted March 3, 2014, concluded, in part, that construction of the new station should proceed in 2014 using current design and permits, with minor modifications to preserve future flexibility of the transfer system.

6. Consistent with executive order PER 13-1(AEO), a project labor agreement was negotiated for construction of the new station. The use of a project labor agreement promotes labor stability and advances King County's interest in maximizing value, efficiency, quality, safety and timeliness.

7. In accordance with Ordinance 17435, Section 2, the executive prepared and filed with the clerk of the council the Vendor Selection Report , which describes the vendor evaluation process and recommends the most qualified vendor or vendors based on the evaluation.

8. As detailed in the Vendor Selection Report, after consideration of overall qualifications, small contractor/supplier approach, technical strength, financial ability and price, the team led by PCL Construction Services, Inc., received the highest score and is considered the best qualified and has agreed to the county's contracting terms set forth in Attachment A to this ordinance. The executive recommended PCL Construction Services, Inc., as providing best value to King County.

9. The report also describes benefits to the county from use of the competitive negotiation process. Based on these benefits, executive staff conclude that the negotiated procurement method of contracting with PCL Construction Services, Inc., is advantageous to the county compared to other methods.

10. The executive reports that the contract terms negotiated with PCL Construction Services, Inc., are fair and reasonable and in the best interest of the county, consistent with RCW 36.58.090(5).

11. The construction of the facility will be based on the sale of general obligation bonds, with repayment from revenues derived primarily from tipping fees associated with waste streams from cities contracted to deliver their waste to the system. The price proposed by the successful vendor is within one percent of the engineers estimate of costs, and is therefore considered reasonable.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: Having held a public hearing, the King County council finds, based on the recommendations and representations made by the executive, that it is in the public interest to enter into a

contract substantially in the form of Attachment A to this ordinance with PCL Construction Services, Inc., for construction of the Factoria recycling and transfer station, that the contract is financially sound and that it is advantageous for the county to use the competitive negotiation contracting method authorized in RCW 36.58.090 for this contract with PCL Construction Services, Inc., as compared to other methods.

SECTION 2. The executive is hereby authorized to execute a contract with PCL Construction Services, Inc., for construction of the Factoria recycling and transfer station substantially in the form of Attachment A to this ordinance.

By June 30, 2015, the division shall transmit an interim report to the council that describes the results of the contractor's efforts to achieve contract goals addressing participation rates of minority and women business enterprises in performing the work of this Factoria recycling and transfer station construction contract. By June 30, 2017, the division shall submit a final report. The interim and final reports shall identify the proportion of: minority-owned businesses participating as contractors on the project, against the ten percent minority business enterprise goal of the project; and the proportion of women-owned businesses participating as contractors on the project, against the six percent women-owned business enterprise goal of the project. The interim and final reports shall identify reasons for any shortfall in meeting interim or final goals, and describe efforts to overcome obstacles. The interim and final reports shall provide recommendations for achieving the identified participation goals of minority-owned businesses and women-owned businesses in future transfer station CIP projects. The interim and final reports shall also describe the participation levels of women and minorities in the contractor workforce of the Factoria recycling and transfer station construction project. The interim and final reports shall identify reasonable participation levels for women and minorities based on workforce availability and regional demographic representation levels. The interim and final reports shall make recommendations for achieving reasonable participation levels for women and minorities in future transfer station CIP projects. The interim and final reports shall further identify, for the Factoria

recycling and transfer station construction contract: the proportion of minority and women apprentices performing all first year apprentice hours in all trades on the project, against the fifty percent goal for that category; the proportion of apprentice hours worked by minority apprentices in comparison to the goal of twenty-one percent of hours worked by minority apprentices; and the proportion of hours worked by women apprentices in comparison to the goal of twelve percent of hours worked by women apprentices. The interim and final reports shall describe the substance of the good faith effort undertaken to achieve these goals, and any obstacles encountered in achieving them, as well as efforts to overcome such obstacles. The interim and final reports shall make recommendations for achieving such goals on future transfer station CIP projects. The final report shall be accompanied by a motion acknowledging receipt of the report. The executive shall transmit the interim and final reports and the motion in the form of a paper original and an electronic copy to the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.