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Title: A MOTION declaring an emergency and extending a waiver from competitive bidding and solicitation requirements for the King County Norm Maleng Regional Justice Center hot water piping system replacement project.

Sponsors: Dow Constantine, Larry Gossett

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Attachments: 1. 12950.pdf, 2. Facilities Management Division's responses to questions raised in the Budget and Fiscal Management Committee regarding the MRJC piping replacement proposal (2009-0108), 3. 2009-0154 Transmittal Letter.doc, 4. STAFF REPORT 03-25-09, 5. SR ATTACHMENT 3, 6. SR ATTACHMENT 5, 7. SR ATTACHMENT 4, 8. A. Executive Determination of Emergency and Waiver from Competitive Procurement and Solicitation Requirements for the Maleng Regional Justice Center (MRJC) Central Hot Water Heating System, 9. B. King County Norm Maleng Regional Justice Center - Kent Heating Piping Assessment Final Report by Sazan Group, Inc., Dated January 13, 2009

Date	Ver.	Action By	Action	Result
3/30/2009	1	Metropolitan King County Council	Passed	Pass
3/25/2009	1	Budget and Fiscal Management Committee	Recommended Do Pass	Pass
3/2/2009	1	Metropolitan King County Council	Introduced and Referred	

Clerk 02/26/2009

A MOTION declaring an emergency and extending a waiver from competitive bidding and solicitation requirements for the King County Norm Maleng Regional Justice Center hot water piping system replacement project.

WHEREAS, the hot water piping system in the King County Norm Maleng Regional Justice Center ("MRJC") is a critical component of the heating and other essential systems. When properly functioning, the system provides a safe and useable environment to MRJC staff, inmates and the public. If the system does not function properly, safety and use could be compromised, and

WHEREAS, during routine maintenance and repairs to the piping system in October 2008, King County

maintenance workers noticed significant deterioration to the condition of the pipes, and

WHEREAS, the facilities management division has procured a consultant, Sazan Group, Inc, ("MRJC consultants") who has central hot water piping system expertise, to provide an assessment of the MRJC hot water piping system, and

WHEREAS, the MRJC consultants have concluded in a report dated January 13, 2009, a copy of which is attached as Attachment B to this motion, that:

1. The existing hot water piping system has been found to be in a deteriorating condition and is at risk of imminent failure;
2. The cause of the problem is failing soldered joints on copper pipes;
3. A major break is likely and will cause a significant hazard releasing steam that will seriously harm any person nearby, and could potentially require evacuation of the facility; and
4. Replacement of the hot water piping system should proceed immediately, and

WHEREAS, the possibility of a failure in the MRJC hot water piping system constitutes an emergency that presents a real and immediate threat to the proper performance of an essential government facility, and will likely result in material loss or damage to property and injury to persons unless expeditious action is taken to mitigate the MRJC hot water piping condition, and

WHEREAS, the King County executive on February 4, 2009, issued a determination of emergency and waiver from competitive procurement and solicitation requirements for the MRJC hot water piping system project. A copy of the waiver is included in Attachment A to this motion, and

WHEREAS, an extension of the waiver from competitive bidding and solicitation requirements of state and county law is necessary to assure the timely procurement of design, construction and other required services, materials and equipment necessary to prevent delay in completing the MRJC hot water piping system project, and

WHEREAS, investigation of the extent of the piping system failure continues with potential that

additional pipes may need replacement to avoid failure, and

WHEREAS, the cost for the project is currently estimated to be \$3,056,114 for replacement of the larger hot water pipes but may require revision based upon continuing investigation, and

WHEREAS, investigation continues as to the reasons for the pipe's deteriorating condition, and

WHEREAS, the prosecuting attorney's office has been asked to assist the facilities management division in an investigation as to who should be accountable for the pipe's deteriorating condition, and

WHEREAS, the King County executive has proposed an appropriation of \$3,056,114, to the major maintenance reserve fund to fund the MRJC hot water piping system replacement project as currently scoped, and

WHEREAS, extension of the waiver from competitive bidding and solicitation requirements of state and county law requires council approval by motion;

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

A. The waiver from competitive bidding and solicitation requirements of state and county law is extended until the project is completed to assure the timely procurement of design, construction and other required services, materials and equipment necessary to prevent delay in completing the MRJC hot water piping system project;

B. The King County council finds as a fact and declares that an emergency exists

and that this motion is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.