



Legislation Text

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Clerk 02/20/2019

A MOTION extending the waived competitive bidding and solicitation requirements for repairs to protect life and property threatened by the emergency conditions related to extreme winter weather conditions.

WHEREAS, the King County executive on February 7, 2019, issued a Proclamation of Emergency, included as Attachment A to this motion, declaring that immediate steps must be taken to protect and provide assistance to victims of extreme winter weather conditions and other secondary hazards, and

WHEREAS, upon the proclamation of an emergency, and during the existence of such emergency, K.C.C. 12.52.030.B.2 authorizes the executive to make and proclaim:

"An order waiving K.C.C. 4A.100.070, K.C.C. chapters 2.93 and 12.16 and K.C.C. 12.18.095 with reference to any contract relating to the county's lease or purchase of supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to any contract for the selection and award of professional and/or technical consultant contract. However any emergency waiver under K.C.C. chapters 12.15 and 12.18 shall not amend the annual utilization goals, unless the emergency makes it impossible to achieve the annual utilization goals," and

WHEREAS, in accordance with K.C.C. 12.52.030.B.2, the Proclamation of Emergency waived the competitive procurement requirements of state and county law, stating in relevant part as follows:

"Each designated department is authorized to exercise the powers vested under Section 1 of this Resolution in light of the exigencies of an emergency situation without regard to time consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements)," and

WHEREAS, weather conditions consisting of heavy snowfall, high winds and persistent icy conditions that began on January 31, 2019, are creating hazardous conditions and posing a risk of bodily injury and a risk to public property and facilities, and

WHEREAS, since that time a succession of severe storms have brought more than sixty inches of snow, drenching rain and high winds in excess of forty miles per hour to the environs of King County, causing severe limitation on travel by all manner of transport and transit, threatening landslides, neighborhood flooding and structural collapse due to unsafe snow loads, and

WHEREAS, since the proclamation, the county has been combatting the emergency through concerted government-wide actions including activation of its Emergency Operations Center, activation of the Metro transit department's Emergency Snow Network, implementation of road services division's emergency road maintenance response efforts, dissemination of public health - Seattle & King County's weather-related health safety information and implementation of the King County sheriff's office's emergency response plans, all of which seek to save lives, prevent injury, protect property and speed recovery from the emergency, and

WHEREAS, persons and property have been and will be adversely affected throughout King County unless further efforts are taken to reduce the potential threat to life and public property, and

WHEREAS, emergency measures to clear and de-ice county roads, restore transit services, and protect other public facilities must continue without interruption to minimize the potential risk of personal injury and property damage, and

WHEREAS, any delay in completing these and other response efforts presents a risk to safety and property, and

WHEREAS, under K.C.C. 12.52.030.C. and K.C.C. 2.93.080.B., the waiver of competitive procurement requirements of state and county law stays in effect until terminated by order of the executive, or action of the council by ordinance, or until it expires, which is ten days after there have been contracts entered into, which combined, encumber funds in excess of two hundred fifty thousand dollars or in excess of appropriation, unless

the council extends the waiver by motion beyond the ten day period, and

WHEREAS, an extension of the waiver from the competitive procurement requirements of state and county law is necessary at this time because the magnitude of the expenses to be incurred will likely exceed the two hundred fifty thousand dollar limit, and

WHEREAS, an extension of the waiver from the competitive bidding and solicitation requirements of state and county law is necessary to prevent delay in continuing the work described in the preceding clauses;

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

The February 7, 2019, waiver of competitive procurement requirements for contracting under state law and county code, in the Proclamation of Emergency included as Attachment A to this motion, is extended through March 11, 2019, to continue these and other activities and efforts to prevent injury to persons and property.