



King County

**Department of
Natural Resources and Parks**
Director's Office
King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

September 26, 2011

TO: Ken Guy, Division Director, Finance and Business Operations Division,
King County Department of Executive Services

FROM: Christie True, Director, King County Department of Natural Resources
and Parks (DNRP)

VIA: Mark Isaacson, Division Director, Water and Land Resources Division,
DNRP

RE: Emergency Determination Regarding Collapsed Stormwater Pipe on
Parcel No. 2473400710

With regard to the need to repair the collapsed stormwater conveyance pipe located in Assessor Parcel No. 2473400710, owned by the Fairwood Crest Homeowners Association and maintained in an easement dedicated to King County, I have made the following factual determinations:

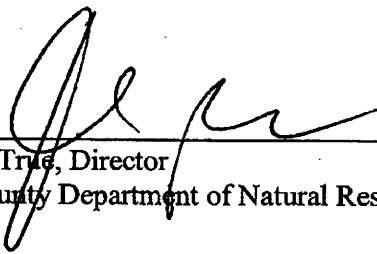
1. The stormwater pipe is an integral part of the stormwater conveyance system in the Fairwood Division 4 and Fairwood Division 11 platted areas.
2. The stormwater pipe has collapsed, as verified by a video camera inserted into the pipe, and such collapse has caused erosion and wash-out in the vicinity of the collapse, and a sinkhole has appeared over the collapsed pipe area.
3. The collapsed pipe, if not repaired as soon as possible before the onset of the upcoming wet season, which generally extends from October 1 thru April 30, poses a substantial risk to the functioning of the stormwater collection and conveyance system in the area and thereby threatens human health and safety and both public and private property and infrastructure. If the stormwater pipe is left unrepaired, the sinkhole may grow significantly in magnitude and increase future repair costs accordingly.
4. The need to repair the collapsed pipe constitutes an emergency, pursuant to King County Code (K.C.C.) Chapter 12.52 and RCW 39.04.280.
5. This emergency requires the waiver of procurement procedures for emergency purchases under K.C.C. 12.52.030.B.2 and 4.16.050.

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6. Without the waiver of procurement procedures, the estimated time to issue a notice to proceed for repair involves approximately 6 weeks, significantly beyond the onset of the wet season.
7. The cost estimate provided by the Water and Land Resources Division indicates that the cost of repair is below \$250,000, based upon the engineer's estimate dated September 1, 2011.
8. The financial impact of failure to repair the collapsed pipe could exceed many times over the cost estimate for repair, as significant private and public property and infrastructure are put at risk.

In light of the above factual determinations, I have determined that an emergency exists pursuant to K.C.C. Chapter 12.52 and RCW 39.04.280, for the repair of the collapsed stormwater pipe located in Assessor Parcel No. 2473400710, owned by the Fairwood Crest Homeowners Association and maintained in an easement dedicated to King County, and that in order to respond to such emergency, the requirements of K.C.C. 4.04, 4.16, 4.18, 12.16, and 12.18.095, and the requirements of competitive bidding and public notice are hereby waived 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 contracts.

I have further determined that, provided the processes mandated by RCW 36.32.235 (12) are observed, the limitations on use of day labor may be waived in undertaking such repair.



Christie True, Director
King County Department of Natural Resources and Parks

9/29/2011

Date