

3/11/09  
3/16/09 Council Mtg.

**S1**

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Sponsor: Gossett

Proposed No.: 2008-0593

*Ly moved 8-0 RD excused*

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2008-0593, VERSION**

2 **1**

3 On page 1, beginning on line 13, strike everything through page 2, line 23, and insert:

4 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Ordinance 15975, Section 130, as amended, is hereby amended by  
6 adding thereto and inserting therein the following:

7 From several capital improvement project funds there is hereby appropriated and  
8 authorized to be disbursed the following amounts for the specific projects identified in  
9 Attachment A to this ordinance.

10 <b>Fund</b>	<b>Fund Title</b>	<b>Amount</b>
11 3951	Building Repair and Replacement	\$6,107,876

12 ER1 Expenditure Restriction:

13 Of this appropriation, \$18,132,483 shall be expended solely for the  
14 implementation of the King County Flood Control Zone District capital program.

15 ER2 Expenditure Restriction:

16 Of the appropriation for CIP Project 358101, Community Partnership Grants  
17 Program, the following amounts shall be spent solely as specified below:

18 Steve Cox Park Seattle Preparatory School \$50,000

19 P1 PROVIDED THAT:

20 Of this appropriation, \$100,000 for the IT permit integration project (CIP Project  
21 377210) shall not be expended or encumbered until the completed quantifiable business  
22 case analysis is transmitted to the council. The quantifiable business case should include  
23 a detailed description of the preferred alternative, a cost range and implementation  
24 schedule for the preferred alternative, and the expected cost allocation, based on benefit,  
25 among the various county agencies and funds to implement the recommended alternative.  
26 The quantifiable business case must include the signatures of directors of departments  
27 that are project sponsors, including the department of development and environmental  
28 services, the department of public health, the department of executive services, the  
29 department of transportation, and the department of natural resources and parks. The  
30 signatures of the directors of departments shall indicate agreement with the business case.

31 The quantifiable business case must be filed in the form of 11 copies with the  
32 clerk of the council, who will retain the original and will forward copies to each  
33 councilmember and to the lead staff for the growth management and natural resources  
34 committee, or its successor.

35 P2 PROVIDED FURTHER THAT:

36 Of this appropriation, no funds shall be expended or encumbered for the issuance  
37 of the request for proposal related for the IT permit integration project (CIP Project  
38 377210) until the completed quantifiable business case analysis is transmitted to the  
39 council as required by this ordinance. However, funds may be used to prepare the  
40 request for proposal.

41 P3 PROVIDED FURTHER THAT:

42 Of this appropriation, funds may not be encumbered or spent for the following  
43 projects: DDES IT Permit Integration (CIP Project 377210), KCSO Sector Project (CIP  
44 Project 377218) and the DCHS Client Information Services Project (CIP Project 377209)  
45 until the project managers for each project have identified preliminary performance  
46 measure, approved by the project review board, for measuring the benefits of each  
47 project.

48 P4 PROVIDED FURTHER THAT:

49 Of this appropriation, no funds may be spent on the implementation of a solution  
50 for the Replacement of R:Base for DOS Program until the proposed solution is evaluated  
51 and approved by the ABT project team.

52 P5 PROVIDED FURTHER THAT:

53 Of the appropriation for Project 377142, Accountable Business Transformation,  
54 \$100,000 shall not be expended or encumbered until the ABT program management  
55 office provides to the council, in writing, the proposed Capital Improvement Program  
56 ("CIP") reporting and analysis requirements that will be included in ABT high level  
57 business design for the budget system business functions. Such proposed CIP reporting  
58 and analysis requirements shall be the basis for a critical analysis report of all the CIP  
59 managed by the various divisions within the executive departments and subject to proviso  
60 P6 of this section.

61 The ABT program management office and the office of management and budget  
62 ("OMB") shall continue to work collaboratively with council staff to develop the  
63 proposed budget system processes for CIP reporting and analysis requirements to ensure

64 that the countywide budget system selected as part of the ABT program will be able to  
65 report for each CIP project the following "reporting elements": (1) the initial, baseline  
66 schedule, scope of work and budget ("baseline information"); (2) all the costs, incurred to  
67 date and/or projected to complete the project, by a standard category system ("standard  
68 system") to be used by all agencies to capture and report such project costs; (3) the  
69 standards or methodologies used by the CIP agency for estimating those costs; (4) the  
70 schedule milestones for each project, completed and projected; and (5) a reporting  
71 mechanism that clearly indicates a project's deviations from the initial baseline  
72 information, when the deviations occurred, in what project cost category, and the reasons  
73 why.

74 The standard system should include, but not be limited to, the following cost  
75 categories: programming, predesign/planning, environmental/EIS, permitting, design,  
76 mitigation construction/implementation, construction management/inspections,  
77 contract/project management and agency internal costs, close-out, contingencies.

78 The reporting elements shall be used the framework or format by which the  
79 executive shall produce a critical analysis report for selected projects within the CIPs  
80 managed by the various divisions within the executive departments as set forth in proviso  
81 P6 to this section.

82 The executive shall submit the report on the proposed reporting elements for CIP  
83 reporting and analysis requirements that will be included in ABT high level business  
84 design for the budget system business functions in the form of 11 copies with the clerk of  
85 the council, who will retain the original and forward copies to each councilmember and  
86 the lead staff of the capital budget committee, or its successor.

87 P6 PROVIDED FURTHER THAT:

88 Of the appropriation for Project 377142, Accountable Business Transformation,  
89 \$150,000 shall not be expended or encumbered until the council accepts, by motion, the  
90 executive's transmitted critical analysis report, as required by this proviso to this section  
91 to this ordinance, for all current CIP projects managed by the various divisions within the  
92 executive departments that are currently active or have not been closed out. However,  
93 the executive shall not be required to report on any projects with either a total project cost  
94 of less than \$750,000, or projects involving work order construction contracts or projects  
95 involving small work roster construction contracts. The report shall be broken into  
96 chapters, with each CIP agency constituting a chapter. Within each chapter, the  
97 executive will indicate each project's ranking in order of priority.

98 The executive shall submit the proposed motion and the critical analysis report, in  
99 the form of 11 copies with the clerk of the council, who will retain the original and  
100 forward copies to each councilmember and the lead staff of the capital budget committee,  
101 or its successor.

102 The executive shall submit this proposed motion and report within 120 days after  
103 the ABT Program Management office has submitted in writing, the proposed CIP  
104 reporting and analysis requirements that will be included in ABT high level business  
105 Design for the budget system business functions, required by proviso P5 to this section of  
106 this ordinance. The resources to develop and produce the motion and critical analysis  
107 report shall be provided by the ABT program management office of the department of  
108 executive services.

109 P7 PROVIDED FURTHER THAT:

110 In accordance with Motion 12737, the facility master plan funded in CIP 395838,  
111 Animal Control Facilities Master Plan, shall at a minimum include: (1) an inventory of  
112 existing animal services capital facilities, showing the locations and capacities of the  
113 facilities; (2) forecast of the future needs for such capital facilities, proposed location or  
114 locations and capacities of expanded or new capital facilities; and (3) at least a six-year  
115 plan that will finance such capital facilities within projected funding capacities and  
116 clearly identifies sources of public money for such purposes.

117 P8 PROVIDED FURTHER THAT:

118 Of the appropriation for CIP 395842, Animal Control - portable dog  
119 runs/temporary dog relocation, funding is intended to be used for the purchase of portable  
120 dog runs, to relieve overcrowding, to accommodate temporary relocation of dogs from  
121 the existing Kent and Eastside shelters, and to isolate dogs for improved disease control.

122 P9 PROVIDED FURTHER THAT:

123 For CIP projects 395839, Animal Control – cat cages and 395842, Animal  
124 Control – portable dog runs/temporary dog relocation, the facilities management division  
125 shall coordinate with the records and licensing division to prepare a brief weekly  
126 electronic status report detailing progress for project implementation. The facilities  
127 management division portion of the weekly report shall include data on the number of cat  
128 cages purchased and occupied, the number of portable dog runs purchased and occupied,  
129 and the number of dogs requiring temporary relocation and the reasons for that  
130 relocation. The weekly electronic report shall be transmitted to the clerk of the council.

131 P10 PROVIDED FURTHER THAT:

132 Of the appropriation for project 377220 no single allocation that would exceed  
133 fifteen percent of the remaining unexpended and unencumbered balance existing on the  
134 first day of the month, or no allocation that when combined with prior allocations in that  
135 month would exceed fifteen percent of the remaining unexpended and unencumbered  
136 balance existing on the first day of the month, shall be encumbered or expended until:  
137 (1) the executive notifies the council of the proposed allocation or allocations; (2) ten  
138 days have elapsed since transmittal of the written notification; and (3) within the ten-day  
139 period, no councilmember has objected to the encumbrance or expenditure via written  
140 notification transmitted to the executive.

141 The executive's notification shall be in the form of 13 copies transmitted to the  
142 clerk of the council who will retain a copy and distribute one copy to each  
143 councilmember, the manager of the office of capital project oversight, the lead staff to the  
144 capital budget, and general government and labor relations committees or their successor  
145 or successors.

146 P11 PROVIDED FURTHER THAT:

147 Of the appropriation for project 377219 no single expenditure that would exceed  
148 fifteen percent of the remaining unexpended and unencumbered balance existing on the  
149 first day of the month, and no expenditure that when combined with prior allocations in  
150 that month would exceed fifteen percent of the remaining unexpended and unencumbered  
151 balance existing on the first day of the month, shall be encumbered or expended until:  
152 (1) the executive notifies the council of the proposed allocation or allocations; (2) ten  
153 days have elapsed since transmittal of the written notification; and (3) within the ten-day

154 period, no councilmember has objected to the encumbrance or expenditure via written  
155 notification transmitted to the executive.

156 The executive's notification shall be in the form of 13 copies transmitted to the  
157 clerk of the council who will retain a copy and distribute one copy to each  
158 councilmember, the manager of the office of capital project oversight, the lead staff to the  
159 capital budget, and operating budget, fiscal management and select issues committees or  
160 their successor or successors.

161 P12 PROVIDED FURTHER THAT:

162 Of the appropriation for project 377142, \$2,000,000 shall not be expended or  
163 encumbered unless, by April 30, 2009, the executive transmits to the council a benefits  
164 realization plan. This plan, as specified in proposed motion 2008-0414, will describe the  
165 process for how program benefits will be identified and how these benefits will be  
166 allocated and realized throughout the county organization.

167 The plan shall be in the form of 13 copies transmitted to the clerk of the council  
168 who will retain a copy and distribute one copy to each councilmember, the manager of  
169 the office of capital project oversight, the lead staff to the capital budget, and operating  
170 budget, fiscal management and select issues committees or their successor or successors.

171 P13 PROVIDED FURTHER THAT:

172 Of the appropriation for project 377142, \$5,000,000 shall not be expended or  
173 encumbered unless, by June 30, 2009, the executive transmits to the council a report on  
174 the policies and procedures that have been implemented in the ABT Program  
175 Management Office discussing the reporting and program management duties between

176 county employees and contractors and a certification that program employees have been  
177 trained regarding these policies and procedures.

178 The report and certification shall be in the form of 13 copies transmitted to the  
179 clerk of the council who will retain a copy and distribute one copy to each  
180 councilmember, the manager of the office of capital project oversight, the lead staff to the  
181 capital budget and operating budget, fiscal management and select issues committees or  
182 their successor or successors.

183 P14 PROVIDED FURTHER THAT:

184 Of the appropriation for project 377142 no funds for services provided by the  
185 project systems integrator shall be encumbered or expended until such a time as the chief  
186 civil deputy prosecuting attorney has certified to the council in writing that he has  
187 reviewed the contract for consulting services to be provided by the systems integrator and  
188 that, in his opinion, this contract clearly identifies: (1) the expected deliverables; (2) what  
189 tasks are to be done by the county and what work is required of the contractor; and (3) the  
190 protections for the county and the contractor's obligations as agreed to in the terms and  
191 conditions.

192 The certification shall be in the form of 13 copies transmitted to the clerk of the  
193 council who will retain a copy and distribute one copy to each councilmember, the  
194 manager of the office of capital project oversight, the lead staff to the capital budget, and  
195 operating budget, fiscal management and select issues committees or their successor or  
196 successors.

197 P15 PROVIDED FURTHER THAT:

198 Of the appropriation for project 377142 \$10,000,000 as specified in this proviso,  
199 shall not be encumbered or expended until the manager of the office of capital projects  
200 oversight has certified, by October 1 each year the project is active, that the office of  
201 capital project oversight: (1) had access to program files in a timely manner; 2) received  
202 annual and quarterly reports in compliance with the appropriation for the project; and (3)  
203 maintained an open communication with the program management office.

204 Of the \$10,000,000 restricted by this proviso, the following amounts will each  
205 become available for encumbrance or expenditure on October 1st of each year that the  
206 manager of the office of capital project oversight has so certified; (1) \$4,000,000 in  
207 2009; (2)\$3,000,000 in 2010; (3) \$2,000,000 in 2011; and (4) \$1,000,000 in 2012.

208 If the manager of the office of capital project oversight anticipates that such a  
209 notification may not occur on the following October 1, the manager should notify the  
210 program management office and the county council by July 1 of that year.

211 Any notification required by this proviso shall be in the form of 13 copies  
212 transmitted to the clerk of the council who will retain a copy and distribute one copy to  
213 each councilmember, the manager of the office of capital project oversight, the lead staff  
214 to the capital budget and operating budget, fiscal management and select issues  
215 committees or their successor or successors.

216 **P16. PROVIDED FURTHER THAT:**

217 Of the appropriation for CIP Project 667900, Columbia Tower Lease Relocation  
218 Costs, \$31,285 shall only be used for a transfer to the major maintenance reserve fund to  
219 support the 2009 Chinook Building eight floor assessed fund allocation.

220 **P17. PROVIDED FURTHER THAT:**

221 Of the appropriation for project 35844, no funds for the McKinstry Essention  
222 Contract – Energy Efficiencies shall be encumbered or expended until such a time as the  
223 chief civil deputy prosecuting attorney has certified to the council in writing that the  
224 prosecuting attorney has reviewed the contract and that, in the prosecuting attorney's  
225 opinion, the contract between the county and McKinstry Essention clearly identifies: (a)  
226 the expected deliverables; (b) what tasks are to be done by the county and what work is  
227 required of the contractor; and (c) the protections for the county and the contractor's  
228 obligations as agreed to in the terms and conditions.

229 The certification shall be in the form of 13 copies transmitted to the clerk of the  
230 council who will retain a copy and distribute one copy to each councilmember, the  
231 manager of the office of capital project oversight, and the lead staff to the budget and  
232 fiscal management committee, or its successor.

233 P18. PROVIDED FURTHER THAT:

234 No funds for the McKinstry Essention Contract – Energy Efficiencies shall be  
235 expended or encumbered unless the contract provides for: (a)(1) any infrastructure or  
236 equipment necessary to ensure, at a minimum, that N+1 emergency power to operate the  
237 system is available through a combination of existing county emergency power  
238 equipment together with any additional equipment which shall be supplied at the sole  
239 expense of McKinstry, to support any system currently proposed to be modified, repaired  
240 or replaced as part of project 35844, as needed to operate the county courthouse and  
241 correctional facility during an emergency power situation, and (2) a 5 percent reduction  
242 in the maximum allowable construction cost from the previously proposed \$3,623,463;  
243 and (b) is otherwise generally consistent with the proposal prepared by McKinstry

244 Essention titled King County Courthouse and King County Jail Energy Services Proposal  
245 Updated November 6, 2008.

246 P19. PROVIDED FURTHER THAT:

247 The facilities management division shall submit a report to the council on the  
248 project's energy savings, cost savings and environmental performance no later than six  
249 months following project completion. The report shall be submitted in the form of 13  
250 copies transmitted to the clerk of the council who will retain a copy and distribute one  
251 copy to each councilmember, the manager of the office of capital project oversight, and  
252 the lead staff to the budget and fiscal management committee, or its successor.

253 SECTION 2. Attachment A to this ordinance hereby amends Attachment B to  
254 Ordinance 15975, as amended, by adding thereto and inserting therein the projects listed  
255 in Attachment A to this ordinance."

256

257 Delete Attachment A and insert "Attachment A. General Government Capital  
258 Improvement Program, dated March 16, 2009"

259

260 **EFFECT: Adds proviso requiring certification by Prosecuting Attorney's Office**  
261 **that the contract with McKinstry Essention clearly identifies expected deliverables,**  
262 **tasks to be performed, protections for the county and contractor obligations. Adds**  
263 **proviso to specify that the contract must provide for emergency power consistent**  
264 **with existing conditions and a 5 percent reduction from the original guaranteed**  
265 **construction cost. Changes the total appropriation amount from \$6,289,049 to**

266 \$6,107,876 to reflect the 5 percent reduction. This version also specifies that the  
267 contract must be generally consistent with the November 2008 proposal.

**T1**

3/9/09

3/16/09 Council Mtg.

wsh/bar

Sponsor: Gossett

*JD Jane Hague*

Proposed No.: 2008-0593

*Ag moved 8-0 RD Excused*

- 1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2008-0593, VERSION 1**
- 2 On page 1, line 2, delete "\$6,289,049" and insert "\$6,107,876"
- 3
- 4 **EFFECT: Amends the title to reflect Amendment S1.**