



King County

EXECUTIVE DETERMINATION OF EMERGENCY AND WAIVER FROM COMPETITIVE PROCUREMENT REQUIREMENTS FOR REPAIR OF THE WEST POINT TREATMENT FACILITY

WHEREAS, King County owns and operates the West Point Treatment Plant that provides wastewater treatment for residents and businesses in Seattle, Shoreline, north Lake Washington, north King County and parts of Snohomish County; and

WHEREAS, the City of Seattle's combined stormwater/wastewater sewer system also flows into the West Point Treatment Plant; and

WHEREAS, West Point Treatment Plant treats approximately 90 million gallons a day (mgd) of wastewater during dry months and up to 300 mgd during the rain/storm season, and can provide primary treatment and disinfection for flows up to 440 mgd; and

WHEREAS, in the early morning of February 9, 2017, the West Point Treatment Plant had an equipment failure while receiving maximum high flows of combined wastewater and stormwater during very high tides; and

WHEREAS, to protect the West Point Treatment Plant from significant flooding that could severely damage equipment, the plant is now operating in emergency bypass mode and untreated wastewater is being discharged from the outfall; and

WHEREAS, equipment at the West Point Treatment Plant is damaged and requires immediate repair; and

WHEREAS, any delay in completing the equipment repairs as needed presents a risk to public health and the environment, and a financial loss to the County; and

WHEREAS, this emergency declaration will allow the King County Wastewater Treatment Division to contract for emergency clean-up and repair of the West Point Treatment Plant; and

WHEREAS, an emergency waiver of competitive bidding and formal solicitation requirements of state and county law is necessary to prevent further financial loss to the County associated with the damaged equipment at West Point Treatment Plant.

NOW, THEREFORE, THE KING COUNTY EXECUTIVE, DOW CONSTANTINE, HEREBY DETERMINES AND DECLARES AS FOLLOWS:

SECTION 1

In accordance with RCW 39.04.280(3) and KCC 2.93.080 there is an emergency due to the failure of equipment at the West Point Treatment Plant. As a result, immediate steps must be taken to address a real, immediate threat to the proper performance of essential government functions and to prevent material loss or damage to property and injury to persons. Any delay in repairing the damage at West Point Treatment Plant will impact public health and the environment, and could result in a financial loss to the County.

SECTION 2

The requirements for competitive bidding and formal solicitation for the lease or purchase of tangible personal property or services, public works and professional or technical services under Chapter 36.32 RCW, Chapter 39.80 RCW and KCC Chapters 4.04, 4A.100.070, 2.93, 12.16 and 12.18 and all applicable King County Executive policies and procedures are hereby waived with reference to any such contracts relating to the repair and/or replacement of the damage at West Point Treatment Plant. This waiver shall continue in full force and effect until all necessary contracts are executed or until terminated by subsequent order of the King County Executive, action by the Metropolitan King County Council by ordinance or as otherwise required by law.

DATED this 9 th day of February, 2017



DOW CONSTANTINE,
King County Executive
State of Washington