



**Signature Report**

**November 14, 2006**

**Motion 12393**

**Proposed No.** 2006-0561.2

**Sponsors** Gossett and Phillips

1           A MOTION waiving the requirements for competitive  
2           bidding or formal solicitation and minority and women's  
3           business enterprises requirements, for repairs to protect life  
4           and property threatened by the emergency conditions cited in  
5           the Local Proclamation of Emergency issued by the King  
6           County executive.

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9           WHEREAS, the King County executive issued a Local Proclamation of Emergency  
10          on November 6, 2006, pursuant to chapter 38.52 RCW and K.C.C. chapter 12.52, and  
11          attached to this motion and by this reference made a part of this motion, and the council  
12          acknowledges receipt of the local proclamation of emergency, and

13          WHEREAS, weather conditions consisting of heavy rainfall creating record-  
14          breaking flooding conditions in King County caused extensive damage to public property  
15          and facilities, and

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

18           WHEREAS, the repair work to county roads and other public facilities must begin  
19 immediately to minimize the potential risk of personal injury and property damage, and

20           WHEREAS, the nonemergency requirements of K.C.C. chapter 4.16 relating to the  
21 county's lease or purchase of tangible personal property or services, contracts for public  
22 works as defined by RCW 39.04.010 or to the selection and award of professional and/or  
23 technical service consultant contracts; including contracting on a competitive basis for  
24 public works contracts, leases or purchase of supplies, materials and equipment pursuant to  
25 chapter 36.32 RCW and compliance with minority and women's business enterprises  
26 requirements pursuant to K.C.C. chapters 4.18, 12.16 and 12.18 for such repairs must be  
27 waived in order to prevent delay in beginning the repair work;

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

29           A. The nonemergency requirements of K.C.C. chapter 4.16 relating to the county's  
30 lease or purchase of tangible personal property or services, contracts for public works as  
31 defined by RCW 39.04.010, or to the selection and award of professional and/or technical  
32 service consultant contracts; including contracting on a competitive basis for public works  
33 contracts, leases or purchase of supplies, materials and equipment pursuant to chapter  
34 36.32 RCW for emergency repair, restoration or relief work, in order to prevent delay in  
35 beginning the work, are hereby waived.

36           B. The nonemergency minority and women's business enterprises requirements  
37 pursuant to K.C.C. chapters 4.18, 12.16 and 12.18 are hereby waived as to the individual  
38 project contracts, provided that the emergency waiver of the requirements of K.C.C.  
39 chapters 4.18, 12.16 and 12.18 pursuant to this motion shall not amend the annual

40 utilization goals unless the emergency makes it impossible to achieve the annual utilization  
41 goals.

42 C. This waiver of requirements for competitive bidding or formal solicitation and  
43 minority and women's business enterprises requirements expires January 15, 2007.

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Motion 12393 was introduced on 11/13/2006 and passed as amended by the Metropolitan King County Council on 11/13/2006, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Mr. Constantine and Ms. Patterson  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:

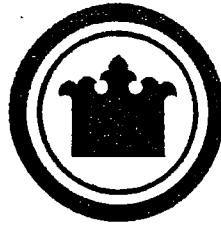


Anne Noris, Clerk of the Council

**Attachments**      A. Local Proclamation of Emergency

12393

Attachment H



King County

2006-561

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## LOCAL PROCLAMATION OF EMERGENCY

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**WHEREAS**, the King County Office of Emergency Management has reported to the King County Executive that unusual weather conditions consisting of heavy rainfall with a forecast of record stream flows and urban flooding are causing an emergency by creating damage, residential evacuations, and possible injury in King County; and

**WHEREAS**, persons and property are and will be threatened and damaged unless further efforts are taken to reduce the threat to life and property; and

**WHEREAS**, this disaster is causing an undesignated amount of damage; and

**WHEREAS**, the severity and magnitude of this disaster is beyond the response and recovery capability of local resources; and

**WHEREAS**, there is an emergency present which necessitates activation of the King County Emergency Operations Plan and utilization of emergency powers granted pursuant to RCW Chapter 38.52. and K.C.C. Chapter 12.52; and

**WHEREAS**, the emergency may require emergency purchases by King County and the waiver of public procurement processes as described under K.C.C. Chapter 4.16.050, therefore

**BE IT PROCLAIMED BY THE KING COUNTY EXECUTIVE, RON SIMS**

### SECTION 1

That it is hereby declared that there is an emergency due to rain, flooding and other secondary hazards affecting King County; therefore designated departments of King County are authorized to enter into contracts and incur obligations necessary to combat such emergency to protect and provide emergency assistance to victims of such emergency.

### SECTION 2

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).

DATED this 6<sup>th</sup> day of November, 2006.



RON SIMS, King County Executive  
State of Washington