



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**December 12, 2017**

**Motion 15030**

**Proposed No. 2017-0510.1**

**Sponsors Lambert**

1           A MOTION waiving requirements for competitive bidding  
2           and solicitation requirements for contracts relating to the  
3           design, construction and other required services, materials  
4           and equipment necessary to prevent delay in completing the  
5           repair of the damaged portions of the Tolt Hill Bridge  
6           #1834A and extending the waiver granted under Motion  
7           14894 to December 31, 2018.

8           WHEREAS, the King County executive on June 19, 2017, issued an Executive  
9           Determination of Emergency, declaring that immediate steps must be taken to design,  
10          repair and replace damaged portions of the Tolt Hill Bridge, and

11          WHEREAS, in accordance with K.C.C. 2.93.080, the Executive Determination of  
12          Emergency waived the competitive procurement requirements of state and county law,  
13          stating in relevant part as follows:

14          "The requirements for competitive bidding and formal solicitation for the lease or  
15          purchase of tangible personal property or services, public works, and professional or  
16          technical services under chapter 36.32 RCW, chapter 39.80 RCW, and K.C.C. chapters  
17          4.04, 4A.100.070, 2.93, 12.16 and 12.18., and all applicable King County Executive  
18          policies and procedures are hereby waived with reference to any such contracts relating

19 to the repair and/or replacement of the damaged portions of the bridge. This waiver shall  
20 continue in full force and effect until all necessary contracts are executed, or until  
21 terminated by subsequent order of the King County executive, action by the metropolitan  
22 King County council by ordinance, or as otherwise may be required by law," and

23 WHEREAS, under K.C.C. 2.93.080.B., such a waiver stays in effect until  
24 terminated by order of the executive, or action of the council by ordinance, or until it  
25 expires, which is ten days after there have been contracts entered into, which combined,  
26 encumber funds in excess of two-hundred-fifty-thousand dollars or in excess of  
27 appropriation, unless the council extends the waiver by motion beyond the ten-day  
28 period, and

29 WHEREAS, King County council passed Motion 14894 on June 19, 2017, to  
30 extend the waiver beyond the ten-day period to December 31, 2017, and

31 WHEREAS, the road services division has hired a consultant to complete design  
32 that is currently at ninety percent of final design, and

33 WHEREAS, the construction of the repairs will be in 2018, which is past the  
34 December 31, 2017 waiver extension granted under Motion 14894, and

35 WHEREAS, King County owns and maintains the bridge located near Carnation,  
36 Washington, and

37 WHEREAS, construction of the bridge began in June 2006 and the bridge opened  
38 for public use on May 30, 2008, and

39 WHEREAS, the bridge is approximately one thousand feet long consisting of two

40 three-hundred-foot-long steel trussed spans, a short approach span on the west side and  
41 three one-hundred-twenty-foot-long concrete girder spans on the east side of the river.  
42 The bridge has two travel lanes and two shoulders, and

43 WHEREAS, following the 2007 collapse of the eight-lane bridge on Interstate  
44 35W in Minnesota, and the federal decision to allow heavier trucks on roadways, the  
45 Federal Highway Administration ("FHWA") developed new requirements for bridge load  
46 ratings, and

47 WHEREAS, the Washington state Department of Transportation ("WSDOT") is  
48 responsible for enforcing implementation of the new FHWA criteria for load ratings by  
49 local government agencies; and

50 WHEREAS, FHWA and WSDOT require all bridges to be evaluated by 2022  
51 using the new criteria, and

52 WHEREAS, as part of the new criteria, agencies are required to review gusset  
53 plate connections, which are thick sheets of steel bolting together structural elements of  
54 truss bridges. There are about thirty-six thousand bolts fastening the plates on the two  
55 three-hundred-foot-long steel trusses of the bridge, and

56 WHEREAS, the King County department of transportation has a bridge structural  
57 engineer who calculates bridge load ratings using specialized software, and

58 WHEREAS, in the spring of 2017, the King County department of transportation  
59 bridge structural engineer visually inspected the bridge and recalculated the bridge load  
60 ratings based on the new federal criteria, and

61           WHEREAS, although no signs of cracking at the gusset plate connections was  
62 observed, the recalculation revealed serious questions about the structural integrity of the  
63 bridge, and

64           WHEREAS, the county hired an independent structural engineering firm to  
65 review the King County department of transportation bridge structural engineer's  
66 rccalculation of the bridge load ratings for the bridge, and

67           WHEREAS, the independent structural engineering firm confirmed the King  
68 County department of transportation bridge structural engineer's recalculation of the  
69 bridge load ratings for the bridge and brought to light further concerns regarding the  
70 structural integrity of the bridge, and

71           WHEREAS, on June 16, 2017, the county reviewed the structural engineering  
72 firm's determinations with the WSDOT engineers and they concurred that the county and  
73 its consultants had appropriately applied the new criteria, and

74           WHEREAS, the average daily traffic of this bridge is approximately three  
75 thousand vehicle trips, and

76           WHEREAS, motorists with vehicles over the six ton posted load restriction will  
77 be forced to take detours of approximately twelve miles, depending upon the route, due to  
78 the bridge posted restriction, and

79           WHEREAS, repairs are complex, will require special expertise to resolve and will  
80 take time to design and implement, and

81           WHEREAS, closure of the bridge will impact individuals and nearby

82 communities by reducing access to transportation networks, schools and first responder  
83 services, and by potentially isolating residents during storm and flooding events, and

84 WHEREAS, the bridge structural integrity issues revealed by the county's review  
85 under the federally mandated load rating criteria, and the ensuing posted load restriction  
86 of the bridge to protect the lives and safety of King County residents, constitutes an  
87 unforeseen circumstance beyond the county's control that presents a real and immediate  
88 threat to the proper performance of an essential government facility, and will likely result  
89 in material loss or damage to property unless expeditious action is taken to repair the  
90 bridge, and

91 WHEREAS, an emergency waiver of competitive bidding and formal solicitation  
92 requirements of state and county law is necessary to assure the timely procurement of  
93 design, construction and other required services, materials and equipment necessary to  
94 prevent delay in completing the repair of the damaged portions of the bridge, and

95 WHEREAS, this emergency waiver will allow King County to contract for  
96 expedited replacement of the damaged portions of the bridge, and

97 WHEREAS, the executive intends to negotiate and execute one or more  
98 additional contracts to either repair or replace, or both, the damaged structures of the  
99 bridge, and

100 WHEREAS, an extension of the waiver from the competitive procurement  
101 requirements of state and county law is necessary at this time because the magnitude of  
102 the expenses to be incurred will almost immediately exceed the two-hundred-fifty-

103 thousand-dollar limit, and

104 WHEREAS, the facts set forth in these clauses and in the executive's  
105 Determination of Emergency and Waiver establish an emergency as defined by K.C.C.  
106 2.93.080 and RCW 39.04.280, and

107 WHEREAS, the county intends that to the fullest extent feasible all contracts and  
108 agreements entered into in accordance with the waiver extended by this motion will  
109 include all of the county procurement requirements, including, but not limited to, K.C.C.  
110 chapters 4.04, 2.93, 12.16 and 12.18, K.C.C. 4A.100.070 and all applicable King County  
111 executive policies and procedures, waived by the executive in the Executive  
112 Determination of Emergency issued on June 19, 2017, and

113 WHEREAS, by the King County Code, the council has the authority to terminate  
114 waivers by ordinance;

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

116 A. The June 19, 2017, Determination of Emergency and Waiver of competitive  
117 bidding and formal solicitation requirements for the lease or purchase of tangible  
118 personal property or services, public works as defined by RCW 39.04.010, or to the  
119 selection and award of either and professional or technical consultant services under state  
120 law and K.C.C. chapter 2.93 is extended through December 31, 2018, in order to  
121 complete either the repair or the replacement, or both, of damaged portions of the bridge.

122 B. The extension of the waiver of competitive bidding and formal solicitation  
123 requirements included in section A. of this motion are contingent upon the following:

124           1. The executive filing status reports on the ongoing repair work quarterly with  
125 each report filed no later than forty-five days after the close of a fiscal quarter, so that the  
126 first report shall be filed no later than April 13, 2018. The reports shall include at a  
127 minimum:

128           a. expenditures during the previous quarter and anticipated for the next quarter;

129           b. project expenditures to date;

130           c. a current estimate of the total costs of the repairs;

131           d. a list of the contracts or agreements undertaken under the authority in this  
132 waiver, including for each contract or agreement: the name of the vendor, the type of  
133 work, the value of the contract or agreement and the level of compliance with the  
134 contracting requirements of K.C.C. 3.15.100, K.C.C. chapters 12.16, 12.17, 12.18 and  
135 12.19 and related administrative rules;

136           e. a summary of procurement actions anticipated, but not yet undertaken under  
137 the authority of this procurement waiver; and

138           f. a discussion of specific actions taken during the previous quarter to continue  
139 to obtain competitive prices on behalf of the rate payers despite this waiver, including but  
140 not limited to procurements let or to be let in accordance with the requirements of K.C.C.  
141 chapters 2.93 and achieving compliance with K.C.C. 3.15.100, K.C.C. chapters 12.16,  
142 12.17, 12.18 and 12.19 and related administrative rules; and

143           2. The reports required under this section B. shall be filed in the form of a paper  
144 original and an electronic copy with the clerk of the council who shall retain the original

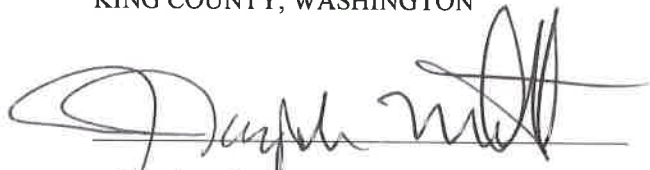
145 and provide an electronic copy with the clerk of the council who shall retain the original  
146 and provide a copy to all councilmembers, the council chief of staff, the chief policy  
147 officer, the lead staff for the transportation, environment and economy committee, or its  
148 successor, the budget and fiscal management committee, or its successor, and the  
149 regional water quality committee, or its successor.

150

Motion 15030 was introduced on 12/11/2017 and passed by the Metropolitan King  
County Council on 12/11/2017, by the following vote:

Yes: 7 - Mr. von Reichbauer, Mr. Dunn, Mr. McDermott, Mr.  
Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 0  
Excused: 2 - Mr. Gossett and Ms. Lambert

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



**Attachments:** None