



King County

KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

Signature Report

March 17, 2009

Ordinance 16390

Proposed No. 2008-0593.2

Sponsors Hague

1 AN ORDINANCE making a supplemental appropriation  
2 of \$6,107,876 to the building repair and replacement fund  
3 for the purpose of implementing a contract with  
4 McKinstry Essention for a series of facility energy  
5 improvements, the most significant of which is to provide  
6 local boilers in the courthouse and King County  
7 Correctional Facility, and providing for the costs of  
8 overseeing the delivery of the improvements and  
9 department of adult and juvenile detention escort; and  
10 amending the 2008 Budget Ordinance, Ordinance 15975,  
11 Section 130, as amended, and Attachment B, as amended.

12

13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

| 19 | <b>Fund</b> | <b>Fund Title</b>               | <b>Amount</b> |
|----|-------------|---------------------------------|---------------|
| 20 | 3951        | Building Repair and Replacement | \$6,107,876   |

21 ER1 Expenditure Restriction:

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

24 ER2 Expenditure Restriction:

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

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

28 P1 PROVIDED THAT:

29 Of this appropriation, \$100,000 for the IT permit integration project (CIP Project  
30 377210) shall not be expended or encumbered until the completed quantifiable business  
31 case analysis is transmitted to the council. The quantifiable business case should include  
32 a detailed description of the preferred alternative, a cost range and implementation  
33 schedule for the preferred alternative, and the expected cost allocation, based on benefit,  
34 among the various county agencies and funds to implement the recommended alternative.  
35 The quantifiable business case must include the signatures of directors of departments  
36 that are project sponsors, including the department of development and environmental  
37 services, the department of public health, the department of executive services, the

38 department of transportation, and the department of natural resources and parks. The  
39 signatures of the directors of departments shall indicate agreement with the business case.

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

44 P2 PROVIDED FURTHER THAT:

45 Of this appropriation, no funds shall be expended or encumbered for the issuance  
46 of the request for proposal related for the IT permit integration project (CIP Project  
47 377210) until the completed quantifiable business case analysis is transmitted to the  
48 council as required by this ordinance. However, funds may be used to prepare the  
49 request for proposal.

50 P3 PROVIDED FURTHER THAT:

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

57 P4 PROVIDED FURTHER THAT:

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

61 P5 PROVIDED FURTHER THAT:

62 Of the appropriation for Project 377142, Accountable Business Transformation,  
63 \$100,000 shall not be expended or encumbered until the ABT program management  
64 office provides to the council, in writing, the proposed Capital Improvement Program  
65 ("CIP") reporting and analysis requirements that will be included in ABT high level  
66 business design for the budget system business functions. Such proposed CIP reporting  
67 and analysis requirements shall be the basis for a critical analysis report of all the CIP  
68 managed by the various divisions within the executive departments and subject to proviso  
69 P6 of this section.

70 The ABT program management office and the office of management and budget  
71 ("OMB") shall continue to work collaboratively with council staff to develop the  
72 proposed budget system processes for CIP reporting and analysis requirements to ensure  
73 that the countywide budget system selected as part of the ABT program will be able to  
74 report for each CIP project the following "reporting elements": (1) the initial, baseline  
75 schedule, scope of work and budget ("baseline information"); (2) all the costs, incurred to  
76 date and/or projected to complete the project, by a standard category system ("standard  
77 system") to be used by all agencies to capture and report such project costs; (3) the  
78 standards or methodologies used by the CIP agency for estimating those costs; (4) the  
79 schedule milestones for each project, completed and projected; and (5) a reporting  
80 mechanism that clearly indicates a project's deviations from the initial baseline  
81 Information, when the deviations occurred, in what project cost category, and the reasons  
82 why.

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

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

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

96           P6 PROVIDED FURTHER THAT:

97           Of the appropriation for Project 377142, Accountable Business Transformation,  
98 \$150,000 shall not be expended or encumbered until the council accepts, by motion, the  
99 executive's transmitted critical analysis report, as required by this proviso to this section  
100 to this ordinance, for all current CIP projects managed by the various divisions within the  
101 executive departments that are currently active or have not been closed out. However,  
102 the executive shall not be required to report on any projects with either a total project cost  
103 of less than \$750,000, or projects involving work order construction contracts or projects  
104 involving small work roster construction contracts. The report shall be broken into

105 chapters, with each CIP agency constituting a chapter. Within each chapter, the  
106 executive will indicate each project's ranking in order of priority.

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

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

118           P7 PROVIDED FURTHER THAT:

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

126           P8 PROVIDED FURTHER THAT:

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

131           P9 PROVIDED FURTHER THAT:

132           For CIP projects 395839, Animal Control – cat cages and 395842, Animal  
133 Control – portable dog runs/temporary dog relocation, the facilities management division  
134 shall coordinate with the records and licensing division to prepare a brief weekly  
135 electronic status report detailing progress for project implementation. The facilities  
136 management division portion of the weekly report shall include data on the number of cat  
137 cages purchased and occupied, the number of portable dog runs purchased and occupied,  
138 and the number of dogs requiring temporary relocation and the reasons for that  
139 relocation. The weekly electronic report shall be transmitted to the clerk of the council.

140           P10 PROVIDED FURTHER THAT:

141           Of the appropriation for project 377220 no single allocation that would exceed  
142 fifteen percent of the remaining unexpended and unencumbered balance existing on the  
143 first day of the month, or no allocation that when combined with prior allocations in that  
144 month would exceed fifteen percent of the remaining unexpended and unencumbered  
145 balance existing on the first day of the month, shall be encumbered or expended until:  
146 (1) the executive notifies the council of the proposed allocation or allocations; (2) ten  
147 days have elapsed since transmittal of the written notification; and (3) within the ten-day  
148 period, no councilmember has objected to the encumbrance or expenditure via written  
149 notification transmitted to the executive.

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

155           P11 PROVIDED FURTHER THAT:

156           Of the appropriation for project 377219 no single expenditure that would exceed  
157 fifteen percent of the remaining unexpended and unencumbered balance existing on the  
158 first day of the month, and no expenditure that when combined with prior allocations in  
159 that month would exceed fifteen percent of the remaining unexpended and unencumbered  
160 balance existing on the first day of the month, shall be encumbered or expended until:

161           (1) the executive notifies the council of the proposed allocation or allocations; (2) ten  
162 days have elapsed since transmittal of the written notification; and (3) within the ten-day  
163 period, no councilmember has objected to the encumbrance or expenditure via written  
164 notification transmitted to the executive.

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

170           P12 PROVIDED FURTHER THAT:

171           Of the appropriation for project 377142, \$2,000,000 shall not be expended or  
172 encumbered unless, by April 30, 2009, the executive transmits to the council a benefits

173 realization plan. This plan, as specified in proposed motion 2008-0414, will describe the  
174 process for how program benefits will be identified and how these benefits will be  
175 allocated and realized throughout the county organization.

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

180 P13 PROVIDED FURTHER THAT:

181 Of the appropriation for project 377142, \$5,000,000 shall not be expended or  
182 encumbered unless, by June 30, 2009, the executive transmits to the council a report on  
183 the policies and procedures that have been implemented in the ABT Program  
184 Management Office discussing the reporting and program management duties between  
185 county employees and contractors and a certification that program employees have been  
186 trained regarding these policies and procedures.

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

192 P14 PROVIDED FURTHER THAT:

193 Of the appropriation for project 377142 no funds for services provided by the  
194 project systems integrator shall be encumbered or expended until such a time as the chief  
195 civil deputy prosecuting attorney has certified to the council in writing that he has

196 reviewed the contract for consulting services to be provided by the systems integrator and  
197 that, in his opinion, this contract clearly identifies: (1) the expected deliverables; (2) what  
198 tasks are to be done by the county and what work is required of the contractor; and (3) the  
199 protections for the county and the contractor's obligations as agreed to in the terms and  
200 conditions.

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

206           P15 PROVIDED FURTHER THAT:

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

213           Of the \$10,000,000 restricted by this proviso, the following amounts will each  
214 become available for encumbrance or expenditure on October 1st of each year that the  
215 manager of the office of capital project oversight has so certified; (1) \$4,000,000 in  
216 2009; (2)\$3,000,000 in 2010; (3) \$2,000,000 in 2011; and (4) \$1,000,000 in 2012.

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

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

225 P16. PROVIDED FURTHER THAT:

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

229 P17. PROVIDED FURTHER THAT:

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

238 The certification shall be in the form of 13 copies transmitted to the clerk of the  
239 council who will retain a copy and distribute one copy to each councilmember, the

240 manager of the office of capital project oversight, and the lead staff to the budget and  
241 fiscal management committee, or its successor.

242 P18. PROVIDED FURTHER THAT:

243 No funds for the McKinstry Essention Contract – Energy Efficiencies shall be  
244 expended or encumbered unless the contract provides for: (a)(1) any infrastructure or  
245 equipment necessary to ensure, at a minimum, that N+1 emergency power to operate the  
246 system is available through a combination of existing county emergency power  
247 equipment together with any additional equipment which shall be supplied at the sole  
248 expense of McKinstry, to support any system currently proposed to be modified, repaired  
249 or replaced as part of project 35844, as needed to operate the county courthouse and  
250 correctional facility during an emergency power situation, and (2) a 5 percent reduction  
251 in the maximum allowable construction cost from the previously proposed \$3,623,463;  
252 and (b) is otherwise generally consistent with the proposal prepared by McKinstry  
253 Essention titled King County Courthouse and King County Jail Energy Services Proposal  
254 Updated November 6, 2008.

255 P19. PROVIDED FURTHER THAT:

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

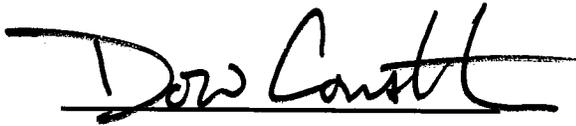
262            SECTION 2. Attachment A to this ordinance hereby amends Attachment B to  
263 Ordinance 15975, as amended, by adding thereto and inserting therein the projects listed  
264 in Attachment A to this ordinance.

265

Ordinance 16390 was introduced on 10/20/2008 and passed as amended by the Metropolitan King County Council on 3/16/2009, by the following vote:

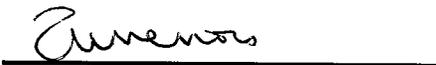
Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Ms. Patterson  
No: 0  
Excused: 1 - Mr. Dunn

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



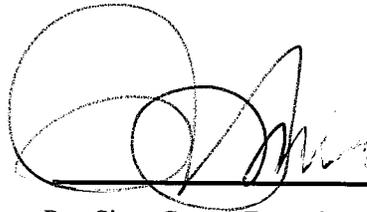
Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 31 day of MARCH, 2009.



Ron Sims, County Executive

RECEIVED  
2009 MAR 31 PM 4:26  
KING COUNTY COUNCIL CLERK

**Attachments**    A. General Government Capital Improvement Program, dated March 16, 2009

