
Board of Commissioners
NANCY HOLLAND-YOUNG, *Chair*
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Executive Director: STEPHEN J. NORMAN



KING COUNTY

HOUSING AUTHORITY

January 24, 2008

Resolution No. 5146 was approved by the KCHA Board of Commissioners with the proviso that the *contract amount not exceed \$17.8 million without further Board review and approval.*

The minutes for the Board meeting reflect this proviso as well.

Tessa Martin

**THE HOUSING AUTHORITY OF THE COUNTY OF KING
RESOLUTION NO. 5146**

**AUTHORIZING ALTERNATIVE PROCUREMENT PROCEDURES
FOR CONSTRUCTION OF THE SALMON CREEK PORTION
OF THE GREENBRIDGE PROJECT**

This Resolution is adopted in accordance with RCW 39.04.280, which provides, in part, that the governing body of a public agency may waive competitive bidding requirements for purchases involving special market conditions or an emergency, and in accordance with 24 CFR 85.36(d)(3) and (4), which provide, in part, that a public agency utilizing federal funds may procure property and services either by competitive proposals or by noncompetitive proposals where procurement by competitive bidding is not feasible or has been unsuccessful, and where a public exigency for the requirement will not permit a delay resulting from competitive solicitation.

WHEREAS, the King County Housing Authority is in the middle of the redevelopment of a large affordable housing site located at 9800 8th Ave SW in White Center, commonly known as “Greenbridge,” of which the multiple family building group to be known as “Salmon Creek” is a portion; and

WHEREAS, in accordance with the open competitive bidding procedures required under Chapter 39.04 RCW, the King County Housing Authority solicited bids from qualified bidders and advertised the procurement widely; and

WHEREAS, at a bid opening for the Salmon Creek project held on December 19, 2007, only one bid was received, from Synergy Construction, Inc., and that bid exceeded both the Housing Authority’s budget and the engineer’s cost estimate by a substantial margin; and

WHEREAS, market conditions resulting from the robust residential construction climate in the greater Puget Sound area have made it seriously and increasingly difficult to entice qualified multifamily housing construction companies to submit competitive bids on residential public works projects; and

WHEREAS, the cost to the Housing Authority from delay in commencement of construction of the Salmon Creek will be very substantial, and delay in commencement may affect schedules for other portions of the Greenbridge Project adversely; and

WHEREAS, in present market conditions it is unlikely that the Housing Authority will be able to obtain an acceptable price for construction of the Salmon Creek project without being able to negotiate with one or more qualified contractors;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING AS FOLLOWS:

Section 1: The Board finds as follows:

- a. Special market conditions exist that have prevented the King County Housing Authority, despite a concerted effort, from obtaining competitive bids, or any bids at all within its budgets and cost estimates, and such conditions are likely to continue in the near future.
- b. Any delay in contracting for construction of the Salmon Creek project will result in substantial increased costs to the Housing Authority, and may result in disruption of other scheduling at the Greenbridge Project.
- c. The present lack of competition for publicly bid and awarded construction contracts was unforeseen and beyond the control of the King County Housing Authority, and presents a real, immediate threat to the proper performance of essential functions in redeveloping the very large Greenbridge site and repopulating the site with hundreds of people in the community who have been temporarily displaced by the redevelopment.
- d. For these reasons, special market conditions and an emergency exist that warrant waiving competitive bidding requirements for the Salmon Creek project.

Section 2: As authorized by RCW 39.04.280, by this Resolution the Board hereby waives any competitive bidding requirement for the contract for construction of the Salmon Creek project.

Section 3: The Board hereby authorizes the Executive Director, Stephen J. Norman, or his staff under his direction, to attempt to negotiate a construction contract for Salmon Creek with a responsible contractor at a price within available resources, according to the following general procedures:

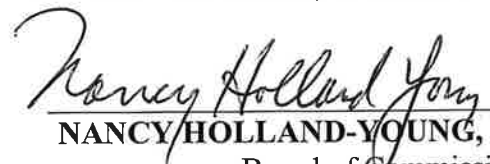
- a. Stage 1: After rejecting the sole bid for the Salmon Creek project, negotiate with the sole bidder to obtain a price and construction proposal acceptable to the Housing Authority. The price shall be subject to cost analysis and justification as required under 24 CFR Part 85 and shall be within the construction budget the Authority has established for the Salmon Creek project.
- b. Stage 2: If the Stage 1 negotiations do not produce an agreement on acceptable terms within a reasonably short period of time, proceed as described in this paragraph (b). Conduct a limited competitive proposal process by identifying at least five qualified residential construction contractors who have participated in other large publicly funded or sponsored housing construction projects and solicit a written proposal from each through a Request for Qualifications. Qualifications may include but not be limited to experience and track record in undertaking similar projects, readiness to mobilize, qualifications and experience of assigned project management personnel, proposed schedule, and bonding capacity. Select the most qualified contractor from contractors submitting written proposals and negotiate a construction contract for a price and schedule acceptable to the Housing Authority. Failing successful negotiations, negotiate seriatim with the next highest ranked proposer until an acceptable agreement is reached.

**ADOPTED AT A SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF KING THIS 24TH DAY OF
JANUARY, 2008.**



STEPHEN NORMAN
Secretary-Treasurer

**THE HOUSING AUTHORITY OF THE
COUNTY OF KING, WASHINGTON**



NANCY HOLLAND-YOUNG, Chair
Board of Commissioners