

**City of Bellevue
450 110th Ave NE
Bellevue, WA 98004**

Competitive Exception Form

Method of Procurement: Professional Services

Type of Exemption Request: Sole Source

**Name of Requestor: Debbie Harris
Department: UT**

**Requested Vendor Name: Tetra-Tech
Estimated Cost: \$600,000**

Requested for the purpose of: Engineering services for the design and services during construction of a culvert removal and stream restoration to complete work at the location of the Lakemont Emergency Project.

Statement of Need:

My department's recommendation as an exception to the competitive process is based upon an objective review of the product/service required and appears to be in the best interest of the City. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favors or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or service providers been a deciding influence on my request. Refer to the Exception Justification below as prepared by our department for additional explanation.

Exception Justification:

1. Description of item/service and its function:

Professional services to provide alternatives analysis, design, develop construction documents, assist in obtaining permitting approvals and services during construction for a public works capital project.

2. Project scope of work:

The consultant will provide services to develop and analyze alternatives for stream restoration, select and develop a preferred design, develop the construction documents for a public works project, assist with permitting, property acquisition, public outreach and services during construction.

3. Reason, or reasons a competitive process was not conducted:
Single or Sole Source. (When the purchase or service is clearly and legitimately limited to a single or sole source of supply. The requestor negotiated favorable pricing, terms, and delivery time that are fair and reasonable, and in the best interest of the City.)

The Lakemont Emergency Culvert Replacement Project – Phase I is an emergency project, under an Emergency Declaration by the City Manager (see attached). This project is currently replacing a failed stormwater culvert under Lakemont Boulevard. The design phase of the emergency project required a professional engineering consultant team to be hired for design of a new bridge over Lakemont Blvd. to replace the failed culvert and safeguard vehicular travel. The bridge project is Phase I of the overall culvert replacement project. This bridge is expected to be completed by June, 2024.

The new bridge needed to be designed to incorporate several sensitive and unique design aspects, that will affect Phase II of the project. The bridge will be completed in June, 2024.

The next phase of the project needs to be undertaken as soon as the bridge is completed and open to traffic. This next phase consists of the removal of the failed culvert and restoration of Coal Creek to a more natural condition, in keeping with environmental regulatory requirements from state and federal resource agencies, including Washington Department of Fish & Wildlife, the US Army Corps of Engineers and the Bureau of Reclamation/Office of Surface Mines.

The Office of Surface Mines is involved in this project due to the presence of abandoned coal mines in the project area. One of these abandoned mines lies underneath the Lakemont Culvert and poses a significant risk to the Phase II project. The engineering consultant, Tetra Tech, has performed a substantial amount of geotechnical and subsurface exploration, mapping of the location of the coal mines, and structural design of the bridge foundations to take into account the presence of the coal mines underneath the bridge and culvert.

4. Necessary features/knowledge/qualifications this vendor provides which are not available from other vendors:

This project has a unique combination of coal mines, coal mine openings at the surface and an open channel/ creek crossing of the coal mine features. Tetra-Tech has unique knowledge of the coal mine openings in the vicinity of bridge foundations and under the stream, as well as the expertise in creek design for restoring Coal Creek to a natural condition. Design of the creek restoration needs to take into account the presence of the new bridge, due to the proximity of the bridge foundations to the failed culvert and the creek that is to be restored, once the culvert is removed.

5. Steps taken to verify that these features/knowledge/qualifications were not available elsewhere:

To the best of our knowledge no other engineering firms have worked with both the coal mines and Coal Creek in this vicinity. We are aware of engineering and other firms that have worked in Coal Creek but they lack the knowledge of the coal mines in the project vicinity that is vital to the success of this project.

6. Explanation of why this option is the only option, makes good business sense, and is in the best interests of the City:

a) Technical knowledge - Tetra-Tech is the only engineering firm with knowledge of both the coal mines and Coal Creek in the vicinity of the project, having spent the last 15 months gathering information, performing geotechnical and subsurface exploration work, and working with interested parties, permitting agencies and supporting firms for the design of a bridge at this location. Building rapport with interested parties, including local and regulatory agencies, takes time and can significantly impact schedule and budget. Tetra-Tech has established relationships from the Phase 1 project; this will streamline the Phase 2 project. In addition, the supporting structure of the bridge and interaction of the coal mines has given them specialized technical understanding that no other firm has of the specific mine workings and potential hazards that can be crucial for designing a safe and structurally sound project.

b) Reduced Cost - Their work on the emergency project means they will be able to pick up the 2nd phase of the project with a minimal amount of time and expense to start the 2nd phase of the project. This would save the City money as compared to a hiring a new engineering consultant which would require time and funds to gather information and learn about the coal mines and creek.

c) Regulatory Permitting Requirements - There is a permit requirement that the culvert be removed and the stream restored within 5 years from roughly December 2022. The time required to deliver a culvert removal and stream restoration project takes approximately 4 years to perform alternatives analysis and design, obtain permitting and property rights and schedule construction work to occur in an approved regulatory fish work window. Due to the limited time to remove the culvert and restore the stream we believe that proceeding with Tetra-Tech for phase 2 of the project will reduce the risk of not being able to finish the work required in the permit within the 5-year time frame. The project needs to be on an accelerated schedule, which is another reason for using Tetra Tech under a sole source contract.

Signature

Date

Requestor: Debbie Harris 4/2/24

Linda De Boldt 4/2/24

Department Director: Duffy 4/3/24

Finance: Lajerald Jackson 4/9/24