

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 15-06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUCKLEY,
PIERCE COUNTY, WASHINGTON DECLARING AN EMERGENCY AND
WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR A PUBLIC
WORKS PROJECT.**

WHEREAS, RCW 39.04.280(1)(e) provides that the governing body of a municipality may waive the competitive bidding requirement for a public works project in the event of an emergency; and

WHEREAS, RCW 39.04.280(3) defines "emergency" as unforeseen circumstances beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, in December, 2014 the Public Works Department discovered that water flow to the City/DSHS Water Treatment Facility from South Prairie Creek had been interrupted; and

WHEREAS, upon further investigation City staff discovered that an exposed segment of pipe of the Water Transmission Main at the crossing of South Prairie Creek had been damaged due to impact from a rock or log and raw water was spraying out of the pipeline; and

WHEREAS, the Public Works Department installed a sleeve to repair the damaged pipe, but the sleeve did not hold and needs to be replaced to prevent leakage from the pipeline; and

WHEREAS, the sleeve repairs that have been completed by the Public Works Department each time the pipe has been damaged are only temporary fixes and do not address the susceptibility of the exposed pipeline from future damage from rocks and logs carried down South Prairie Creek; and

WHEREAS, the City is pursuing construction of a cable suspension bridge across South Prairie Creek with a new segment of pipeline to be installed on the bridge, thus removing the pipe segment from the creek bed where the pipe has been repeatedly damaged; and

WHEREAS, the City's water system consists of four wells (including DSHS's well #5) and the jointly operated surface water diversion from South Prairie Creek; and

WHEREAS, the City's surface water diversion from South Prairie Creek is the community's primary drinking water source and provides the highest volume and flow to the system; and

WHEREAS, the City Council has determined that due to the timing, location, critical function, the need of construction of a cable suspension bridge to remove the pipeline from the bed of South Prairie Creek, the limited accessibility to the construction site, and the specialty nature of the construction work, insufficient time may not exist to complete the construction project through the standard competitive bidding process and must therefore declare the situation as an emergency; and

WHEREAS, the City Council has therefore determined that an emergency situation exists and desires to perform the necessary construction of the cable bridge with pipe segment on the City/DSHS Water Transmission Main across South Prairie Creek by directing the Mayor and City Administrator to waive the competitive bidding process and award all necessary contracts on behalf of the municipality to address the emergency situation;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Buckley hereby declares that an emergency situation exists with the damage to the City/DSHS Water Transmission Main and interruption of flow from the City's primary drinking source and authorizes the Mayor and City Administrator to waive the competitive bidding process and award all necessary contracts on behalf of the municipality to undertake construction.

Introduced, passed and approved this 28th day of April, 2015.



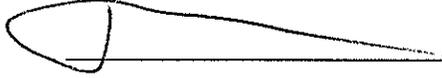
Pat Johnson, Mayor

ATTEST:



Joanne Starr, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

POSTED: April 29, 2015