

**CITY OF BUCKLEY, WASHINGTON**

**RESOLUTION NO. 14-04**

**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**, on April 18, 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 a section of the City/DSHS's Water Transmission Main had been damaged during another major landslide event in an area that not been damaged previously; and

**WHEREAS**, on April 21, 2014 that City engineer and Geotechnical Consultant conducted a field visit for damage assessment and it was determined that repair of the pipeline and access road would entail significant excavation and import of material, gabion retaining wall construction, pipeline replacement and roadway and slope reconstruction; 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**, two of the City's four groundwater wells are currently offline due to either inoperability and/or rehabilitation and are not expected to be back up and operable for at least 4-6 weeks; and

**WHEREAS**, the two remaining wells provide minimum flow to the system and do not have the capability of supplying the volume of water required for peak demand and/or fire suppression; and

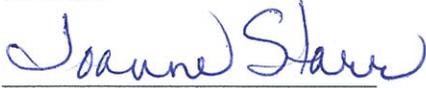
**WHEREAS**, the City Council has determined that due to the timing, location, critical function and immediate need of repair, insufficient time exists to make the necessary repairs through the standard competitive bidding process and must therefore declare the situation as an emergency; and

**WHEREAS**, the City Council has therefore determined that an emergency situation exists and desires to make the necessary repairs to the City/DSHS Water Transmission Main 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;

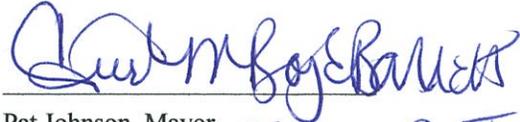
**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Buckley hereby declares that an emergency situation exists with the damage to the City/DSHS's Water Transmission Main and interruption of flow from the City's primary drinking source that resulted from a major landslide and authorizes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

Introduced, passed and approved this 22<sup>nd</sup> day of April, 2014.

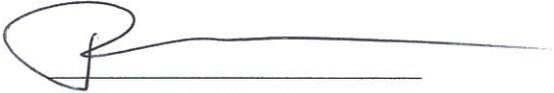
ATTEST:



Joanne Starr, City Clerk

  
for Pat Johnson, Mayor  
Mayor Pro Tem

**APPROVED AS TO FORM:**



Phil Olbrechts, City Attorney

**POSTED: April 28, 2014**