

RESOLUTION NO. 1316

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, accepting findings that an emergency existed on October 31, 2015, which justified the City's entering into emergency contracts to repair and remediate the effects of heavy rains undermining the stormwater discharge diffuser and threatening to undermine the retaining wall that supports the 251st Street road and utilities; and to ratify the actions taken and the waiver of the competitive bid laws pursuant to state law and the November 3, 2015 Proclamation of Emergency.

WHEREAS, on October 31, 2015, the City experienced heavy rains resulting in a slide at 1000 block of South 251st Street which represented a real and immediate threat to life and property, and

WHEREAS, RCW 39.04.280(1)(e) allows for the waiver of competitive bidding for contracts for emergency expenditures caused by unanticipated occurrences for the restoration to a condition of usefulness of any public property which has been damaged or destroyed or for public relief from an unanticipated emergency, and

WHEREAS, on November 3, 2015, a Proclamation of Emergency was issued by the City Manager, thereby waiving competitive bidding requirements and awards for any emergency related work, and

WHEREAS, emergency-related work included efforts to secure and stabilize the existing retaining wall, extend the storm drainage outfall away from the wall, to buttress the wall with rock, to again stabilize the surrounding environment for public safety, and

WHEREAS, the City entered into emergency professional services and public works contracts to respond to the remediation of the site and the emergency structural stabilization of South 251st Street to their previous condition prior to the storm, and

WHEREAS, The City Council was formally briefed on the situation on November 5, 2015; now therefore,

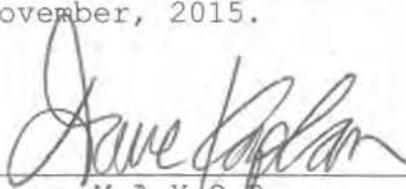
THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. The foregoing recitals are adopted as findings of fact.

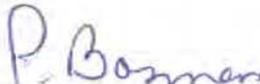
Sec. 2. The City Council finds that, under these circumstances, an emergency existed as defined by RCW 39.04.280(3), justifying execution of construction contracts and professional services contracts without compliance with competitive bidding requirements of state law, including an emergency design contract with KPG for time and expense, and an emergency construction contract with Scarsella Bros., Inc. for time and expense as directed by the City and it's agent.

Sec. 3. The Des Moines City Council does hereby ratify the actions taken and the waiver of the competitive bid laws pursuant to state law and the November 3, 2015 Proclamation of Emergency.

ADOPTED BY the City Council of the City of Des Moines, Washington this 19th day of November, 2015 and signed in authentication thereof this 19th day of November, 2015.


MAYOR

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk