

**RESOLUTION NO. 996**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DECLARING THE EXISTENCE OF AN EMERGENCY NECESSITATING THE WAIVER OF COMPETITIVE BIDDING REQUIREMENTS TO ADDRESS THE EMERGENCY REHABILITATION OF WELL No. 2; WAIVING THE REQUIREMENTS OF RCW 39.04.190, RCW 39.04.155, AND CITY OF GIG HARBOR RESOLUTION NO. 884, AS ALLOWED BY RCW 39.04.280; AND AUTHORIZING THE EMERGENCY WORK.**

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WHEREAS, the City's Well No. 2 typically provides drinking water with minimal amounts of iron and manganese bacteria, which are considered a secondary contaminant by the Washington State Department of Health; and

WHEREAS, since April 2015 citizens and City Staff have noted strong taste and odor issues often connected to high iron and manganese bacteria coming from drinking water in the area supplied by Well No. 2; and

WHEREAS, Staff has verified high iron and manganese levels with laboratory testing and attempted to isolate and sanitize Well No. 2 without success so therefore have temporarily turned off the well; and

WHEREAS, the resulting reduction in water supply has caused Well No. 4 to exceed the available water supply in the aquifer and thus compounding a strain on the remaining components of the City's water system; and

WHEREAS, the fastest and least expensive alternative to reduce the iron and manganese bacteria released from Well No. 2 as identified by a consultant is to rehabilitate the well; and

WHEREAS, on May 15, 2015 Washington State Governor Jay Inslee declared a drought emergency in all 39 counties of the State; and

WHEREAS, due to the existing drought emergency and the fact that the City is entering the months of calendar year with the least precipitation, and thus the highest demands on the City's water system, it is critical to the health, safety, property and welfare of City residents to have all available water supply systems operational at this time; and

WHEREAS, the emergency rehabilitation project provides for a consultant to manage a Contractor to provide all the necessary tools, equipment, labor and material associated with the emergency rehabilitation of Well No. 2; and

WHEREAS, RCW 39.04.280(1)(c) authorizes the City to waive competitive bidding

and professional selection requirements in the event of an emergency; and

WHEREAS, RCW 39.04.280(3) defines an emergency as an unforeseen circumstance beyond the control of the municipality that either (a) presents a real, immediate threat to the proper performance of an essential function; 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, because of this emergency, the City is unable to comply with the City's resolution applicable to bidding procedures; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Finding and Declaration of Emergency. Based upon the WHEREAS clauses above, which are incorporated as findings, the City Council hereby declares that an emergency exists requiring the immediate action by the City in order to preserve the public health, safety, property and welfare. The Council further declares that the delay necessitated by compliance with the procedures for procurement of equipment and construction of public works found in City Resolution No. 884, RCW 39.04.190 and RCW 39.04.155, prevents the City from coping with the emergency in time to minimize impact to the City's vital infrastructure.

Section 2. Authorization of Repairs. The City Council hereby authorizes expenditures necessary for the emergency repairs and authorizes the Mayor to execute contracts necessary to complete the work.

RESOLVED by the City Council this 8<sup>th</sup> day of June, 2015.

APPROVED:

  
MAYOR JILL GUERNSEY

ATTEST/AUTHENTICATED:

  
MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 06/04/15  
PASSED BY THE CITY COUNCIL: 06/08/15  
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