

RESOLUTION NO. 3089

RESOLUTION DECLARING THAT AN EMERGENCY EXISTS DUE TO UNEXPECTED FAILURE OF THE INFLUENT SCREEN AT THE CITY'S WASTEWATER TREATMENT PLANT; WAIVING ALL TYPICALLY-APPLICABLE COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN ONE OR MORE CONTRACTS TO PURCHASE ALL NECESSARY REPLACEMENT EQUIPMENT AND TO OBTAIN ALL NECESSARY PLANNING AND/OR INSTALLATION SERVICES WITHOUT DELAY OR FURTHER APPROVAL; AUTHORIZING ALL NECESSARY WORK TO COMMENCE WITHOUT DELAY OR FURTHER APPROVAL; AND PROVIDING FOR PUBLICATION OF SUMMARY AND FINANCIAL ESTIMATE

WHEREAS, the influent screen at the Wastewater Treatment Plant failed unexpectedly, and City staff is working with the manufacturer to gather quotes to see if it can be repaired or must be fully replaced; and

WHEREAS, such equipment is necessary for the permitted removal of solids from influent waste streams required by the City's Department of Ecology NPDES permit; and

WHEREAS, the occurrence of this unforeseen circumstance was beyond the control of City staff, and, absent immediate responsive action, it presents a real, immediate threat to the proper performance of an essential municipal function – namely meeting the requirements of the NPDES permit; and

WHEREAS, the longer the influent screen is not properly functioning, the greater risk that adverse impacts could be suffered by the treatment process; and

WHEREAS, time is of the essence in this emergency situation, and the typically-applicable competitive bidding process for public works projects would – if followed – simply be too slow of a process for remedying this emergency situation; and


WHEREAS, City staff has recommended: (1) that the City Council declare this situation to be an "emergency", per RCW 39.04.280; (2) that the City Council waive the typically-applicable competitive bidding requirements; (3) that the City Council authorize Public Works to sign one or more contracts to purchase all necessary replacement equipment and to obtain all necessary installation services without delay or further approval, at a combined estimated cost of \$125,000.00 but with authorization granted for up to \$200,000.00; and (4) that all work be allowed to commence without delay or further approval.

WHEREAS, the City Council finds that good cause exists;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON as follows:

1. This situation constitutes an “emergency”, per RCW 39.04.280, for the factual reasons recited above; and such statements are adopted by the City Council as its own findings and conclusions;
2. All typically-applicable competitive bidding requirements are waived with regard to purchasing necessary replacement equipment and obtaining necessary planning and/or installation services; and
3. The Public Works Director is authorized to sign one or more contracts, on behalf of the City, to purchase all necessary replacement equipment and to obtain all necessary planning and/or installation services without delay or further approval, at a combined estimated cost of \$125,000.00 (but Public Works can pay a lower cost if that somehow proves possible, and is authorized to spend up to \$200,000.00 if that for some reason proves necessary).
4. All work is authorized to commence without delay or further approval.
5. Because this is an emergency situation, this Ordinance shall take effect immediately, and the typically-applicable five-day-publication-prior-to-effectiveness requirements (of RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶)) shall not apply.
6. Consistent with RCW 39.04.020 (2nd ¶), a description of this emergency situation and the financial estimate for the necessary immediate responsive action shall be published in the City’s official newspaper within seven (7) days after commencement of the work.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 23rd day of January, 2024.



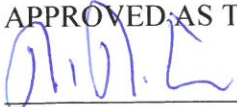
Roger Bell, Mayor

ATTEST:



Kim Grimm, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney