

**HIGHLINE WATER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION 13-6-19A

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, DECLARING AN EMERGENCY RELATING TO THE RELOCATION OF WATER MAIN LOCATED IN VACATED SOUTH 178TH STREET RIGHT-OF-WAY, TUKWILA, WASHINGTON, AND WAIVING THE PUBLIC BIDDING REQUIREMENTS OF RCW 57.08.050 TO PERFORM THE WATER MAIN RELOCATION WORK PURSUANT TO RCW 39.04.280(1)(E).

WHEREAS, Highline Water District (District) is a water district organized and existing pursuant to Chapter 57 RCW and owns and operates a water distribution system within its water service area; and

WHEREAS, the District owns and operates a water main in South 178th Street right-of-way located within the City of Tukwila, Washington (City), pursuant to the District's franchise with the City; and

WHEREAS, the City advised the District by letter dated May 22, 2013, that a portion of South 178th Street right-of-way was vacated by the adoption of Ordinance No. 2400 on April 1, 2013, which includes a portion of the District's water main so the City may construct a new fire station on the vacated portion of South 178th Street, and the City has advised that South 178th Street is presently being relocated and realigned with completion by Fall 2013, and the District will need to relocate its existing water main into the new alignment at the District's expense;

WHEREAS, the District's need to relocate its existing water main constitutes an emergency due to unforeseen circumstances beyond the control of the District which present a real, immediate threat to the proper performance of the essential functions of the District's water system or will likely result in material loss or damage to property, bodily injury or loss of life if action is not taken immediately to relocate the District's water main in South 178th Street; and

WHEREAS, District staff and legal counsel have also advised that action must be taken immediately to relocate the water main in South 178th Street to avoid an imminent threat to public health and safety, to prevent imminent danger to the public and private property serviced by and in the vicinity of such existing water main, and the failure of such water main could create an imminent threat of serious environmental degradation, and therefore, pursuant to WAC 197-11-880, time is too short to comply with the requirements of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA); and

WHEREAS, District staff and legal counsel have recommended (a) the water main in South 178th Street be relocated immediately (Water main Relocation Project), (b) an emergency be declared to proceed with work as soon as possible to complete the relocation during the existing construction of the realignment of South 178th Street, and (3) pursuant to RCW 39.04.280(1)(e), the formal bidding requirements set forth in RCW 57.08.050 applicable to the District be waived to immediately obtain a qualified and responsible contractor to undertake the Water Main Relocation Project.

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

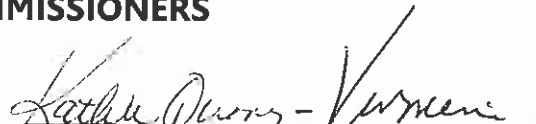
1. The recitals set forth above are incorporated herein by this reference.
2. Pursuant to RCW 39.04.280(1)(e), an emergency is hereby declared for the above stated reasons to perform the Water main Relocation Project.
3. Because of the existence of an emergency, the formal bidding requirements set forth in RCW 57.08.050 are hereby waived for the purposes of undertaking the Work.
4. Because of the existence of an emergency, the requirements to comply with SEPA are hereby waived.
5. District staff are hereby authorized and directed to immediately (a) prepare plans and specifications and all other contract documents necessary to undertake the Water Main Relocation Project, or retain a consulting engineer to perform such work, (b) obtain a bid(s) from a contractor(s) experienced with such work, and (c) the District General Manager is authorized to enter into public works contracts with a contractor to perform the Water Main Relocation Project and to undertake the Work.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at a regular open public meeting held on the **19th** day of **June 2013**.

BOARD OF COMMISSIONERS



Daniel Johnson, President




Kathleen Quong-Vermeire, Secretary

Gerald R. Gulte, Commissioner



Vince Koester, Commissioner



George Landon, Commissioner

Agenda Item No.: 5.1

Agenda Date: 6/19/2013

Reviewed By: OSD

Subject: Declaration of Emergency
S 178th Street Water Main Replacement

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input type="checkbox"/>
<i>Engineering/Operations</i>	<input checked="" type="checkbox"/>

FINANCIAL			
<i>Expenditures?</i>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Budgeted?</i>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Estimated Amount: \$ _____			
Does not include WSST			

ATTACHMENTS:

1. Resolution 13-6-19A

COMMENTS:

The City of Tukwila notified the District by letter dated May 22, 2013, that a portion of South 178th Street right-of-way was vacated by the adoption of Ordinance No. 2400 on April 1, 2013, which includes a portion of the District's water main so the City may construct a new fire station on the vacated portion of South 178th Street, and the City has advised that South 178th Street is presently being relocated and realigned with completion by Fall 2013, and the District will need to relocate its existing water main into the new alignment at the District's expense.

District staff and legal counsel have recommended (a) the water main in South 178th Street be relocated immediately (Water main Relocation Project), (b) an emergency be declared to proceed with work as soon as possible to complete the relocation during the existing construction of the realignment of South 178th Street, and (3) pursuant to RCW 39.04.280(1)(e), the formal bidding requirements set forth in RCW 57.08.050 applicable to the District be waived to immediately obtain a qualified and responsible contractor to undertake the Water Main Relocation Project.