

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 21-8-24A**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, DECLARING AN EMERGENCY PURSUANT TO RCW 39.04.280(1)(e), WAIVING THE REQUIREMENTS OF CHAPTER 39.80 RCW FOR THE RETENTION OF ENGINEERING SERVICES, WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF RCW 57.08.050, AND AUTHORIZING AND DIRECTING THE DISTRICT MANAGER OR DESIGNEE TO NEGOTIATE, APPROVE, AND EXECUTE THE NECESSARY CONTRACTS ON THE DISTRICT'S BEHALF TO PERFORM EMERGENCY REPAIR AND REPLACEMENT WORK ON 1ST PL SOUTH IN THE CITY OF DES MOINES**

**WHEREAS**, the District experienced a water main break on a four-inch (4") Asbestos Cement water main, Facility ID P4176, on 1st Pl S, south of 202 St S, in the City of Des Moines, on August 11, 2021 and again on August 13, 2021; and

**WHEREAS**, the condition, size, age, and material type of the existing water main, starting at 202 St S and continuing approximately three hundred and seventy feet (370') south to the six-inch (6") water main transition, indicates a high likelihood of repeated failures of the water main in the near future; and

**WHEREAS**, the need to replace this water main as soon as possible constitutes an emergency due to unforeseen circumstances beyond the control of the District and presents a real, immediate threat to the proper performance of the essential function of the District's water system and will likely result in material loss or damage to property, sudden and unplanned interruption in service, bodily injury or loss of life if immediate action is not taken to repair and replace the Water Main; and

**WHEREAS**, Chapter 39.80 RCW provides for a process to procure engineering services based on a qualifications process as set forth therein; however, such chapter also provides in RCW 39.80.060 that the procurement requirements of Chapter 39.80 RCW need not be complied with if the contracting agency makes a finding that an emergency requires the immediate execution of the work involved; and

**WHEREAS**, RCW 39.04.280(1) authorizes persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation.

# HIGHLINE WATER DISTRICT King County, Washington

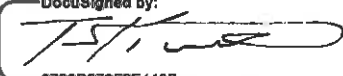
## RESOLUTION 21-8-24A

**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 in full by this reference.
2. Pursuant to RCW 39.04.280(1) (e), an emergency is hereby declared for the reasons stated above to perform the Work.
3. Due to the existence of an emergency, the retention of engineering services in accordance to Chapter 39.80 RCW is waived.
4. Due to the existence of an emergency, the competitive bidding requirements set forth in RCW 57.08.050(1) for public works projects is hereby waived for the purposes of having the Work performed as soon as possible.
5. The District General Manager or designee is authorized and directed to negotiate, approve, and execute the necessary contract(s) on the District's behalf to have the Water Main Replacement Work performed.

**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District, King County, Washington, at an open public meeting held this **24th** day of **August 2021**.

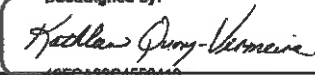
### BOARD OF COMMISSIONERS

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**Todd Fultz, President**

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**Daniel Johnson, Commissioner**

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**Kathleen Quong-Vermeire, Commissioner**

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**Polly Daigle, Secretary**

  
**Vince Koester, Commissioner**

Agenda Item No.: 5.1  
 Agenda Date: 08/24/21  
 Reviewed By: PA

**RE:** Declaring an emergency pursuant to RCW 39.04.280(1)(e), waiving the competitive bidding requirements of RCW 57.08.050, and authorizing and directing the District Manager or designee to negotiate, approve, and execute the necessary contracts on the District's behalf to perform emergency repair and replacement work on 1st Pl S in the City of Des Moines.

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"/>
<i>Estimated Amount:</i> \$ _____						
<small>Excludes sales tax</small>						

**ATTACHMENTS:**

1. Resolution 21-8-24A

**COMMENTS:**

The District experienced a water main break on a four-inch (4") Asbestos Cement water main, Facility ID P4176, on 1st Pl S, south of 202 St S, in the City of Des Moines, on August 11, 2021 and again on August 13, 2021.

The condition, size, age, and material type of the existing water main, starting at 202 St S and continuing approximately three hundred and seventy feet (370') south to the six-inch (6") water main transition, indicates a high likelihood of repeated failures of the water main in the near future.

The need to replace this water main as soon as possible constitutes an emergency due to unforeseen circumstances beyond the control of the District and presents a real, immediate threat to the proper performance of the essential function of the District's water system and will likely result in material loss or damage to property, sudden and unplanned interruption in service, bodily injury or loss of life if immediate action is not taken to repair and replace the Water Main.

Staff recommends approval of this resolution.