

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 22-11-2A

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 COMPETITIVE BIDDING REQUIREMENTS OF RCW 57.08.050, AND AUTHORIZING AND DIRECTING THE GENERAL MANAGER OR DESIGNEE TO EXECUTE THE NECESSARY CONTRACTS AND/OR DIRECT THE WORK ON THE DISTRICT'S BEHALF TO PERFORM EMERGENCY RELOCATION AND REPLACEMENT WORK ALONG SOUTH 259th STREET and 33rd AVENUE SOUTH.

WHEREAS, the District maintains and operates several existing water mains in right-of-way along S. 259th St. from Interstate 5 to Military Road S. and along 33rd Ave S. from S 256th St. to S. 259th St. in the City of Kent that is critical in providing domestic and fire flow for the area; and,

WHEREAS, on September 27, 2022, the District received notice from the City of Kent of their intent to replace the existing road surface along these sections of right-of-way as part of their 2023 Pavement Preservation Work Plan; and,

WHEREAS, many of the mains in this area are aging asbestos cement pipe that are undersized with limited redundancy, significantly impacting the ability for the District to provide domestic and fire flow in the event of a failure from construction near the mains or by other causes; and,

WHEREAS, the City regulations will prohibit the District from excavating the new road surface upon completion and construction work, and,

WHEREAS, there is insufficient time for the District to retain an engineering consultant, design, bid, and construct the water main replacement without causing delay and damages to the City; and,

WHEREAS, supply chain issues resulting from Covid and other market influences have caused the inability for contractors to timely procure water materials and appurtenances increasing the likelihood of delay and damages to the City; and,

WHEREAS, the need to replace the 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, bodily injury or loss of life if immediate action is not taken to replace the water main as the District would lose fire flow and suppression to the if the main is severed, damaged and/or becomes inoperable; 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 exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency.

HIGHLINE WATER DISTRICT King County, Washington

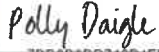
RESOLUTION 22-11-2A


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


1. Pursuant to RCW 39.04.280(1) (e), an emergency is hereby declared for the reasons stated above to perform the Work.
2. Due to the existence of an emergency, the competitive bidding requirements set forth in RCW 57.08.050(1) for public works projects are hereby waived for the purposes of having the Work performed as soon as possible.
3. The District General Manager or designee is authorized and directed to negotiate, approve, and execute the necessary contracts and direct the work on the District's behalf to have the water work performed.

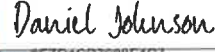
ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held on the **2nd** day of **November 2022**.

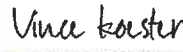
BOARD OF COMMISSIONERS

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Polly Daigle, President

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Todd Fultz, Commissioner

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Kathleen Quong-Vermeire, Commissioner

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Daniel Johnson, Secretary

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Vince Koester, Commissioner

Agenda Item No.: 5.2

Agenda Date: 11/02/22

Reviewed By: [Signature]
Scott [Signature]

Subject: Declaration of Emergency to perform removal and relocation of water main on 259th St and 33rd Ave S.

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 type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>Amount:</i> \$ _____			

ATTACHMENTS:

1. Resolution 22-11-2A

On September 27, 2022, the District received notice from the City of Kent of their intent to replace the existing road surface along these sections of right-of-way as part of their 2023 Pavement Preservation Work Plan.

The City regulations will prohibit the District from excavating the new road surface upon completion and construction work and there is insufficient time for the District to retain an engineering consultant, design, bid, and construct the water main replacement without causing delay and damages to the City.

Supply chain issues resulting from Covid and other market influences have caused the inability for contractors to timely procure water materials and appurtenances increasing the likelihood of delay and damages to the City. The need to replace the 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, bodily injury or loss of life if immediate action is not taken to replace the water main as the District would lose fire flow and suppression to the if the main is severed, damaged and/or becomes inoperable.

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 exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency.