

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 22-9-1A

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, WAIVING THE RETENTION OF ENGINEERING SERVICES IN ACCORDANCE WITH RCW 39.80, AND AUTHORIZING AND DIRECTING THE GENERAL MANAGER OR DESIGNEE TO NEGOTIATE, APPROVE, AND EXECUTE THE NECESSARY CONTRACTS AND WORK ON THE DISTRICT'S BEHALF TO PERFORM EMERGENCY RELOCATION AND REPLACEMENT WORK ALONG SOUTH 272ND STREET

WHEREAS, the District maintains and operates an existing 8-inch diameter water main in right-of-way along S 272nd St from 20th Pl S to Interstate 5 that is critical in providing fire flow for the Star Lake area; and

WHEREAS, on August 27, 2022, a portion of the cast iron water main spontaneously ruptured resulting in severe damage to the intersection of S 272nd St and Star Lake Road; and

WHEREAS, the failure is the third break along the segment of pipe and its condition indicates the main is nearing the end of its useful life and future failures will likely occur if the main is not replaced; and

WHEREAS, Sound Transit is constructing the Federal Way Link Light Rail Extension project and has performed significant construction activities in the general vicinity of the water main increasing the risk of a future failure caused by disturbance of the aging pipe; and,

WHEREAS, Sound Transit will overlay S 272nd St upon completion of their work which will prohibit future access to the main due to a pavement cut moratorium issued by 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 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.

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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 and the retention of engineering services in accordance with RCW 39.80 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 work on the District's behalf to have the District water work performed.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held on the **1st** day of **September 2022**.

BOARD OF COMMISSIONERS



Polly Daigle, President



Todd Fultz, Commissioner



Kathleen Quong-Vermeire, Commissioner



Daniel Johnson, Secretary



Vince Koester, Commissioner

Agenda Item No.: 3
Agenda Date: 09/01/22
Reviewed By: FD

SUBJECT: Resolution to authorize a Declaration of Emergency to perform relocation and replacement work along S 272nd St.

| 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 22-9-1A

COMMENTS:

The District maintains and operates an existing 8-inch diameter water main in right-of-way along S 272nd St from 20th Pl S to Interstate 5 that is critical in providing fire flow for the Star Lake area. On August 27, 2022, a portion of the cast iron water main spontaneously ruptured resulting in severe damage to the intersection of S 272nd St and Star Lake Road.

The failure is the third break along the segment of pipe and its condition indicates the main is nearing the end of its useful life and future failures will likely occur if the main is not replaced.

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 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.