

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 7061

A RESOLUTION certifying the existence of an emergency and authorizing staff to waive the contract bidding process for construction of emergency public works to address a leaking sewer line along the shoreline of Meydenbauer Bay.

WHEREAS, a public health and safety hazard exists consisting of a leaking sewer line along the shoreline of Meydenbauer Bay; and

WHEREAS, if the sewer line is not repaired there is a likelihood that the health, safety and welfare of the public and the environment will be jeopardized;

WHEREAS, on July 28, 2004, the City Manager declared a state of emergency pursuant to BCC 4.28.140, RCW 35.22.620 and RCW 39.04.280; and

WHEREAS, said emergency requires immediate execution of certain public works in order to protect property within the City; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Pursuant to BCC 4.28.140, RCW 35.22.620 and RCW 39.04.280, the City Council hereby certifies the existence of an emergency situation arising from a leaking sewer line described in the Declaration of Emergency issued by the City Manager on July 28, 2004, which situation requires emergency public works without formal bid.

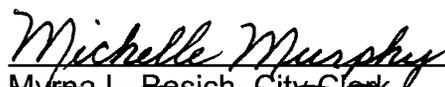
Passed by the City Council this 2nd day of August, 2004, and signed in authentication of its passage this 2nd day of August, 2004.

(SEAL)



Connie B. Marshall, Mayor

Attest:



Myrna L. Basich, City Clerk

Deputy City Clerk

**DECLARATION OF EMERGENCY
FOR
WAIVER OF PUBLIC BIDDING REQUIREMENTS**

On July 9, 2004 the King County Department of Public Health closed the beach at Bellevue's Meydenbauer Bay Park due to high bacteria levels in the water. Bellevue utility maintenance crews later discovered that the bacterial levels were being contributed to by a leak in the City's sewer lake line under a rockery just north of the park. Emergency repairs are needed to address the health and environmental risks that the sewage leak poses.

Therefore, in accordance with RCW 35.22.620(6), RCW 39.04.280(1)(e) and WAC 197-11-880, the undersigned has determined that an emergency situation exists requiring the waiver of competitive bidding requirements and the award of a contract to repair the leaking sanitary sewer pipeline to avoid the very real threat to the environment as well as to the health, welfare and safety of the public. The Utilities Department is therefore authorized to execute a contract for the repair of the leaking sanitary sewer pipeline without competitive bidding. This declaration of emergency will be presented to the City Council at the earliest possible opportunity after contract execution for confirmation of the existence of an emergency.

Executed this 28th day of July, 2004.

CITY OF BELLEVUE


Steve Sarkozy, City Manager

Approved as to form:


Patrice C. Cole,
Assistant City Attorney