

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 6991

A RESOLUTION affirming the Emergency Declaration of the Deputy City Manager authorizing staff to waive the contract bidding process and authorizing execution of a purchase agreement in the amount of \$81,984.15 with Statewide Security Systems for the purchase of water system security equipment.

WHEREAS, the attacks on September 11, 2001 have created a heightened awareness that public water systems may be the target of terrorist activities; and

WHEREAS, in order to make the water system more secure, the 2003-2009 CIP Plan identifies the need to incorporate improved security measures to better protect the City's water system from the threat of contamination or service disruption; and

WHEREAS, on April 16, 2004, the Deputy City Manager, pursuant to RCW 39.04.280 and BCC 4.28.090 declared a state of emergency for security equipment procurement purposes; and

WHEREAS, this declaration provides for the purchase of water system security monitoring equipment without competitive bidding to eliminate the threat to public health, welfare and safety resulting from the release of the purchase specifications through a public bid process; now, therefore,

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

Section 1. The City Council hereby certifies the existence of an emergency situation described in the April 16, 2004 Declaration of Emergency issued by the Deputy City Manager, which authorizes the procurement of certain water system security equipment without competitive bidding.

Section 2. The City Manager or his designee is hereby authorized to enter into a purchase agreement in the amount of \$81,984.15 with Statewide Security Systems for certain water system security equipment under CIP Plan No. W-95, a copy of which Agreement has been given Clerk's Receiving No. 35829.

Passed by the City Council this 3rd day of May, 2004, and signed in authentication of its passage this 3rd day of May, 2004.

(SEAL)

Connie B. Marshall
Connie B. Marshall, Mayor

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

**DECLARATION OF EMERGENCY
for
EQUIPMENT PROCUREMENT PURPOSES**

In accordance with RCW 39.04.280(c), the undersigned has determined that an emergency situation exists requiring the waiver of competitive bidding requirements and the award of a contract to purchase water system security enhancements. The reasons for the emergency situation are:

The events of September 11, 2001 have created a heightened awareness that public water systems may be the target of terrorist activities. In order to make the water system more secure from the threat of contamination or service disruption, the City designated CIP No. W-95, Water System Security Enhancements to implement needed security measures.

During 2003, the Utility's vulnerability assessment team developed plans to improve security of vulnerable utility sites. In order to ensure the security of these sites, it was decided that security equipment should be installed by City Operations and Maintenance staff. In addition, it was determined that the City should not release detailed security information out in the general public domain through the open bid process. Since release of this information through a public bidding process presents a threat to public health, welfare, and safety, this equipment purchase meets the requirements of Bellevue City Code (BCC) 4.28.090 allowing the City Manager to authorize staff to make emergency procurements of materials, supplies, or equipment without complying with the competitive bidding requirements of BCC 4.28.040.

These conditions present a real, immediate threat to the proper performance of essential functions, and will likely result in material loss or damage to property, bodily injury, or loss of life if the information contained in the water system security enhancement purchase proposal is released to the general public through a public bidding process. The Utilities Department is therefore authorized to purchase water system security equipment with regard to the above described work without competitive bidding. The matter will be presented to the City Council within two weeks of award for consideration of a finding of the existence of an emergency.

Executed this 16th day of April, 2004.

CITY OF BELLEVUE



Ed Oberg, Deputy City Manager

Approved as to form:



Patrice C. Cole, Assistant City Attorney