

RESOLUTION NO. 1237

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, accepting findings that an emergency existed on June 23, 2013, which justified the City's entering into emergency contracts to repair and remediate the effects of a fire in the Marina on "J" Dock and to ratify the actions taken and the waiver of the competitive bid laws pursuant to state law and the June 24, 2013 Proclamation of Emergency.

WHEREAS, on Sunday, June 23, 2013 at approximately 10:15 P.M., the City experienced a fire in the Marina on "J" Dock which represented a real and immediate threat to the Marina and the surrounding Puget Sound aquatic environment, and

WHEREAS, RCW 39.04.280(1)(e) allows for the waiver of competitive bidding for contracts for emergency expenditures caused by unanticipated occurrences for the restoration to a condition of usefulness of any public property which has been damaged or destroyed or for public relief from an unanticipated emergency; and

WHEREAS, on June 24, 2013, a Proclamation of Emergency was issued by the Acting City Manager, thereby waiving competitive bidding requirements and award for any emergency related work, and

WHEREAS, emergency related work included efforts to secure and stabilize the Marina and the surrounding Puget Sound aquatic environment, and

WHEREAS, the City entered into emergency professional services and public works construction contracts to respond to, the remediation of the site, the emergency structural stabilization of "J" Dock, and the subsequent rebuilding of "J" Dock to its previous condition prior to the fire, and

WHEREAS, The City Council was formally briefed on the situation on June 27, 2013; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. The foregoing recitals are adopted as findings of fact.

Sec. 2. The City Council finds that, under these circumstances, an emergency existed as defined by RCW 39.04.280(3), justifying execution of a construction contract and professional services contracts without compliance with competitive bidding requirements of state law including a contract with Global Diving and Salvage for an amount not to exceed \$100,000.

Sec. 3. The Des Moines City Council does hereby ratify the actions taken and the waiver of the competitive bid laws pursuant to state law and the June 24, 2013 Proclamation of Emergency.

ADOPTED BY the City Council of the City of Des Moines, Washington this 11th day of July, 2013 and signed in authentication thereof this 11th day of July, 2013.


MAYOR

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk