

POULSBO DISTRIBUTION SCHEDULE

RESOLUTION NO. 2007-23

**SUBJECT: Declare Emergency – Engr/Construction Contracts for
Caldart Heights Detention Vault**

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk 12/5/2007
- (X) Passed by the City Council 12/5/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Effective: 12/5/2007

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12-27-2007
Date

RESOLUTION NO. 2007-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DECLARING AN EMERGENCY AND AUTHORIZING THE MAYOR TO ENTER INTO SUCH ENGINEERING AND CONSTRUCTION CONTRACTS AS ARE NECESSARY TO REPAIR A DETENTION VAULT LOCATED AT THE DEVELOPMENT KNOWN AS CALDART HEIGHTS; WAIVING ANY AND ALL COMPETITIVE BIDDING AND CONSULTANT SELECTION REQUIREMENTS FOR SUCH CONTRACTS PURSUANT TO RCW 35.23.352(9), RCW 39.04.280 AND RCW 39.80.060; RATIFYING THE HIRING OF AN ENGINEERING CONSULTANT IN CONNECTION WITH SUCH WORK; AND DIRECTING THAT THE MAYOR COMPLY WITH THE PUBLICATION REQUIREMENTS OF RCW 39.04.020 FOR EMERGENCY PUBLIC WORKS ONCE THE DESCRIPTION AND COST OF THE WORK IS KNOWN.

WHEREAS, the heavy rains that hit Western Washington on December 1 - 3, 2007 have caused significant storm water runoff throughout the region, including in the City of Poulsbo, and

WHEREAS, on December 4, 2007, the City of Poulsbo was made aware of several leaks in a storm water detention vault owned by the City and located at the Caldart Heights development, and

WHEREAS, based upon an inspection of the leaks, the volume of water in the detention vault, and the potential saturation of the soil the vicinity from the leaking water, the Poulsbo City Engineer concluded that the structural stability of the vault was questionable, and

WHEREAS, the vault is located on a hill above 10th Avenue and a catastrophic failure of the vault would pose a significant danger to persons and property

in the vicinity as well as fish habitat in and around Dogfish Creek, to which the drainage basin served by the vault contributes, and

WHEREAS, upon recommendation of the City Engineer and in consultation with other City staff, the Mayor determined that an emergency existed which necessitated the immediate retention of a qualified engineering firm in order to assess the structural stability of detention vault and to recommend measures to avoid catastrophic failure and the damage such failure would cause, and

WHEREAS, the Poulsbo City Council has been fully advised of the circumstances and has determined to declare an emergency, to ratify the retention of the engineering firm by the City, and to authorize the Mayor to take such further steps as are necessary to deal with the emergency, now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON,
HEREBY RESOLVE AS FOLLOWS:

Section 1. Emergency Declared. The Poulsbo City Council hereby finds and declares, based on the facts set forth in the recitals above, that an emergency exists with respect to the leaks in and potential structural instability of the Caldart Heights Detention Vault. The City Council further finds that delay in making an appropriate engineering assessment and in making necessary repairs could result in material loss or damage to property or loss of life if immediate action is not taken.

Section 2. Waiver of Bidding and Consultant Selection Processes. Pursuant to RCW 35.23.352(9), RCW 39.04.280, and RCW 39.80.060, the Poulsbo City Council hereby waives any and all competitive bidding and consultant selection

processes set forth in state law or City ordinances due to the emergency nature of the engineering evaluation and other work to be done.

Section 3. Ratification of Consultant Retention. Pursuant to the waiver of consultant selection procedures, the Poulsbo City Council hereby ratifies and approves the Mayor's retention of Parametrix Inc. as an engineering consultant to provide the city with an emergency evaluation of the Caldart Heights Detention Vault and authorizes and ratifies any agreement entered into by the Mayor and the engineering consultant for the provision of those services.

Section 4. Additional Contracts. Pursuant to the waiver of competitive bidding procedures, the Poulsbo City Council hereby ratifies and approves any contracts entered into by the Mayor and any contractor for emergency repair and stabilization work and any other work or services provided to date with respect to the Caldart Heights Detention Vault evaluation and repair. The Mayor is further authorized and directed to negotiate and execute such further contracts as may be necessary to effectuate emergency repairs and to bring such contracts forward to the City Council for ratification and approval as soon as practical.

Section 5. Publication. Pursuant to RCW 39.04.020, the Mayor is hereby directed to cause a description of any and all construction and repair work related to the Caldart Heights Detention Vault and an estimate of the cost thereof to be published at least once in the City's official newspaper or another newspaper of general circulation in the City within seven days after commencement of the work.

Section 6. Immediate Effect. This resolution shall take effect immediately.

RESOLVED this 5th day of December, 2007.

APPROVED:



MAYOR KATHRYN H. QUADE

ATTEST/AUTHENTICATED:



CITY CLERK KAROL JONES, CMC

FILED WITH THE CITY CLERK: 12/5/2007
PASSED BY THE CITY COUNCIL: 12/5/2007
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