

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Resolution finding a specific emergency in repairing drainage culverts on Grade Street allowing work without formal bidding.

Agenda Item: _____

Dept. of Origin: Community Development

For Agenda of: December 15, 2015

Cost of Item: Not to exceed \$42,000.00

City Manager: Steve Taylor

PRESENTED BY:

Michael G. Kardas, P.E.
Community Development Director

AGENDA ITEM ATTACHEMENTS:

Proposed Resolution

SUMMARY STATEMENT:

Two existing culverts near the intersection of Grade Street and Haussler Road were overwhelmed during the recent rain events causing flooding and threatening the already poor condition of the road. The decision was made to bring in a contractor with the necessary equipment to complete the investigation and effect any necessary repairs.

The contractor started work on Monday, December 14th and will be completed by Friday, December 18th. Nutter, Corp. will replace the damaged culverts with new corrugated high density polyethylene pipe.

FINANCIAL SUMMARY:

The installed cost is not to exceed \$42,000.00 including sales tax without prior authorization.

RECOMMENDED ACTION:

Move to adopt this Resolution for emergency contract work being performed on the Grade Street drainage culvert by Nutter, Corp., without formal bidding.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF KELSO FINDING THE DRAINAGE CULVERT REPAIR ON GRADE STREET TO BE A SPECIFIC EMERGENCY AND APPROVES CONTRACT FOR EMERGENCY REPAIR WORK WITHOUT FORMAL BIDDING.

WHEREAS, the law at RCW 39.04.280 recognizes emergencies which may justify exemption from bidding requirements on public works projects upon subsequent findings of the existence of the emergency; and

WHEREAS, the City has a duty to maintain drainage culverts in a safe manner to protect the public health, safety, and welfare of its visitors; and

WHEREAS, the damaged culverts had the potential to cause damage to personal property or life near the area which it stood; and

WHEREAS, as a result of the foregoing emergency, the City of Kelso entered into the following contract in the absence of taking formal bids:

1. "Nutter, Corp." entered into a contract with the City of Kelso for all equipment, supplies, and supervision to repair and replace two culverts totaling approximately 80 lineal feet on Grade Street at the Haussler Road intersection including the addition of 1 catch basin and repair of the outfalls.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KELSO DO RESOLVE AS FOLLOWS:

Section 1. Factual Findings in Support of Contract Award. The City Council finds the following:

1. Two damaged drainage culverts on Grade Street at the intersection of Haussler Road were creating safety and welfare concerns for the citizens of Kelso on or about the

11th day of December, 2015.

2. The damaged culverts presented an immediate threat to property as well as the potential for bodily injury or loss of life if the soil supporting the culvert were to continue to erode around the culvert.
3. City staff lacked the equipment and resources to immediately repair the drainage culvert.

Section 2. Existence of Emergency. The City Council finds that the conditions created by the hanging branch constituted an emergency that justified the waiver of the competitive bidding requirements and the immediate award of the contract to Nutter, Corp., to address the emergency situation without formal public bidding.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____, 2015.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY