

HIGHLINE WATER DISTRICT King County, Washington

RESOLUTION 23-9-6C

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, DECLARING AN EMERGENCY PURSUANT TO RCW 39.04.280(1)(c)&(e), WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF RCW 57.08.050, AND AUTHORIZING AND DIRECTING THE GENERAL MANAGER OR DESIGNEE TO EXECUTE THE NECESSARY CONTRACTS AND/OR DIRECT THE PURCHASES AND WORK ON THE DISTRICT'S BEHALF TO PROCURE REPLACEMENT EQUIPMENT AND MATERIALS AND TO MAKE REPAIRS AT THE DISTRICT HEADQUARTERS.

WHEREAS, in the early morning hours on August 21, 2023, the District experienced an organized burglary at the District Headquarters where the perpetrators unlawfully gained access to the District's facilities; and,

WHEREAS, the breach into certain District facilities allowed access to the materials warehouse resulting in the significant theft of water distribution materials and equipment along with the theft of a District vehicle; and,

WHEREAS, the stolen materials and equipment are essential to the repair and maintenance of water distribution facilities and have long lead times due to current market conditions and supply chain issues; and,

WHEREAS, the District has filed a police report with the City of Kent Police Department, informed the District's insurance carrier, and notified the loss to the Washington State Auditor's Office in compliance with state law; and,

WHEREAS, the recent event is the third breaking-in attempt at the District's Headquarters since the beginning of 2023 and the likelihood of future break-in attempts is probable due to the nature of the equipment and materials maintained by the District as part of its regular operations; and,

WHEREAS, the need to replace the water distribution materials and equipment, repair the damage, and fortify site security as soon as possible constitutes an emergency due to unforeseen circumstances beyond the control of the District and presents a real, immediate threat to the proper performance of the essential function of the District and will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken to deter further losses; and,

WHEREAS, RCW 39.04.280(1) authorizes persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency; and,

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WHEREAS, on August 23, 2023, the General Manager notified the President of the Board of Commissioners of his intent to declare that an emergency exists and to proceed with the procurement of replacement materials and equipment, to repair damage to the facilities, and to improve site security features for the property, and will provide a report to the Board at next regularly scheduled Board Meeting in compliance with District procurement policy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

1. Pursuant to RCW 39.04.280(1)(c)&(e), an emergency is hereby declared for the reasons stated above to procure the necessary purchases and perform the necessary work.
2. Due to the existence of an emergency, the competitive bidding requirements set forth in RCW 57.08.050 for purchases and public works are hereby waived for the purposes of obtaining replacement equipment and materials and having the work performed as soon as possible.
3. The District General Manager or designee is authorized and directed to negotiate, approve, and execute the necessary contracts to make purchases and direct the work on the District's behalf to obtain replacement equipment and materials, to repair damage, and fortify the District headquarter facility.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held on the **6th** day of **September 2023**.

BOARD OF COMMISSIONERS

DocuSigned by:

Daniel Johnson

Daniel Johnson, President

DocuSigned by:

Polly Daigle

Polly Daigle, Commissioner

DocuSigned by:

Vince Koester

Vince Koester, Commissioner

DocuSigned by:

Kathleen Quong-Vermeire

Kathleen Quong-Vermeire, Secretary

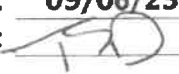
DocuSigned by:

Todd Fultz

Todd Fultz, Commissioner

Agenda Item No.: 5.3

Agenda Date: 09/06/23

Reviewed By: 

SUBJECT: Declaring an emergency pursuant to RCW 39.4.280(1)(c)&(e), waiving the competitive bidding requirements of RCW 57.08.050, and authorizing and directing the General Manager or designee to execute the necessary contracts and/or direct the purchases and work on the District's behalf to procure replacement and materials and to make repairs at the District headquarters.

CATEGORY		FINANCIAL			
Executive	☒	Expenditures?	Yes ☒	No ☐	N/A ☐
Administrative	☐	Budgeted?	Yes ☐	No ☒	N/A ☐
Engineering/Operations	☐	Amount: \$ _____			

ATTACHMENTS:

1. Resolution 23-9-6C

COMMENTS:

In the early morning hours on August 21, 2023, the District experienced an organized burglary at the District Headquarters where the perpetrators unlawfully gained access to the District's facilities.

The breach into certain District facilities allowed access to the materials warehouse resulting in the significant theft of water distribution materials and equipment along with the theft of a District vehicle. The stolen materials and equipment are essential to the repair and maintenance of water distribution facilities and have long lead times due to current market conditions and supply chain issues.

Due to the existence of an emergency, the competitive bidding requirements set forth in RCW 57.08.050 for purchases and public works are hereby waived for the purposes of obtaining replacement equipment and materials and having the work performed as soon as possible.