

**RESOLUTION NO. 2024-18**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, WAIVING STATE COMPETITIVE BIDDING REQUIREMENTS FOR CONTINUED PFAS INVESTIGATION AND REMEDIATION WORK BASED ON SPECIAL MARKET CONDITIONS AND SOLE SOURCE OF SUPPLY PURSUANT TO RCW 39.04.280(1)(a) AND RCW 39.04.280(1)(b); AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FARALLON CONSULTING.

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WHEREAS, RCW 39.04.280 authorizes a city to waive competitive bidding requirements in certain circumstances, including when the contracted services or purchases are only available from a single source of supply (“sole source”), or involve special facilities or market conditions;

WHEREAS, since 2018, the City of Issaquah (“City”) has partnered with Eastside Fire & Rescue (“EF&R”) through an Interlocal Agreement to evaluate the nature and extent of perfluoroalkyl substances (“PFAS”) in soil and groundwater in the Lower Issaquah Valley (the “Initial PFAS Investigation Work”); and

WHEREAS, pursuant to the terms of an interlocal agreement between EF&R and the City, EF&R retained Farallon Consulting as the parties’ consultant for the Initial PFAS Investigation Work and the City reimbursed EF&R for its portion of the work; and

WHEREAS, Farallon Consulting has acted as the City and EF&R’s primary consultant for the PFAS Investigation Work since it commenced in 2018; and

WHEREAS, through the Initial PFAS Investigation Work, Farallon Consulting has gained extensive knowledge of the nature and extent of PFAS contamination within the Lower Issaquah Valley; and

WHEREAS, the City and EF&R have been named as potentially liable persons under the Model Toxics Control Act (“MCTA”) due to historic use of PFAS containing firefighting foam at several sites within the city; and

WHEREAS, the City and EF&R have agreed to execute “agreed orders” with the Washington State Department of Ecology, the purpose of which is to establish the parties’ roles and responsibilities for cleanup of PFAS contaminated sites within the Lower Issaquah Valley; and

WHEREAS, the City and EF&R will require continued expert assistance as they work through the investigation and remediation process under the agreed orders (the “Continued PFAS Investigation and Remediation Work”); and

WHEREAS, the Farallon Consulting is best suited to provide expert assistance for the Continued PFAS Investigation and Remediation Work, given their extensive history with the issue and engagement in the Initial PFAS Investigation Work; and

WHEREAS, based on the above, the City Council finds that Farallon Consulting’s extensive familiarity with the nature and extent of PFAS contamination in soil and groundwater in the Lower Issaquah Valley justifies an exemption from competitive bidding requirements based on RCW 39.04.280(1)(a) (single source of supply) and (b) RCW 39.04.280(1)(b) (special facilities or market conditions); NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON,  
HEREBY RESOLVES AS FOLLOWS:


Section 1. Recitals Adopted. The recitals above are hereby adopted as findings of the City Council.

Section 2. Bidding Waived. Pursuant to RCW 39.04.280(1)(a) and RCW 39.04.280(1)(b), competitive bidding requirements for the Continued PFAS Investigation and Remediation Work are hereby waived.

Section 2. Contract Authorized. The Mayor is authorized to execute a contract with Farallon Consulting as set forth in Exhibit A hereto.

PASSED by the City Council this 22nd day of July, 2024.

DocuSigned by:



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LINDSAY WALSH, COUNCIL PRESIDENT

APPROVED by the Mayor this 22nd day of July, 2024.

DocuSigned by:

*Mary Lou Pauly*

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MARY LOU PAULY, MAYOR

ATTEST:

DocuSigned by:

*Tisha Gieser*

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TISHA GIESER, CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:

*Ann Marie Soto*

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ANN MARIE SOTO, DEPUTY CITY ATTORNEY

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AGENDA BILL NO: AB 8856

Exhibit A: Farallon Contract