

**POINT ROBERTS WATER DISTRICT NO. 4
79 TYEE DRIVE, SUITE 4
POINT ROBERTS, WA 98281**

RESOLUTION NO. 615

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
POINT ROBERTS WATER DISTRICT NO. 4, WHATCOM
COUNTY, WASHINGTON, DECLARING THE EXISTENCE OF AN
EMERGENCY RELATING TO THE CLIFF ROAD WATER LINE
FAILURE AND WAIVING THE FORMAL BIDDING
REQUIREMENTS OF RCW 57.08.050.**

WHEREAS, Point Roberts Water District No. 4 ("District") maintains a six (6") inch water line ("Water Line") in Cliff Road which is essential to the provision of water service to District customers in that area of the District; and

WHEREAS, the Water Line in the area between Province Road and Toronto Way recently and unexpectedly failed causing property damage and the interruption and loss of water service to District customers in the area of the failure; and District staff have been unable to perform emergency or permanent repairs to the Water Line in the area of the failure; and

WHEREAS, the failure of the Water Line constitutes unforeseen circumstances beyond the control of the District that presents a real and immediate threat to the proper performance of the essential functions of the District's water system, and the failure of the Water Line could likely result in material loss or damage to property and bodily injury if immediate action is not taken to repair and/or replace the Water Line as necessary and appropriate; and

WHEREAS, District staff and the District's consulting engineer, Hammond Collier Wade Livingstone ("Consulting Engineer") have recommended that an emergency be declared to proceed with the repair and replacement of the Water Line in the area of the failure (the "Work") as soon as possible and to waive the formal bidding requirements set forth in RCW 57.08.050 applicable to the District to immediately undertake such work; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Point Roberts Water District No. 4, Whatcom County, Washington, as follows:

1. The recitals set forth above are incorporated herein in full by this reference.
2. Pursuant to RCW 39.04.280(1)(e), an emergency is hereby declared for the above stated reasons to perform the Work to repair and replace the Water Line in the area of the failure as soon as possible.
3. Because of the existence of an emergency the formal bidding requirements set forth in RCW 57.08.050 are hereby waived for the purposes of undertaking the Work.
4. Pursuant to RCW 39.04.280(2)(b), the District General Manager and the Consulting Engineer are hereby authorized and directed to (a) immediately prepare plans and specifications and all other contract documents necessary for the Work; (b) award a public works contract to a contractor experienced with the Work to perform the Work based on a bid or force account, as the General Manager may determine, (c) make further report to the Board of Commissioners regarding the award and performance of the emergency public works contract for the Work.

ADOPTED at a special emergency open public meeting of the Board of Commissioners of Point Roberts Water District No. 4, Whatcom County, Washington, held on the 21st day of January, 2010.

Scott Hackleman, Chairperson

N. Madeleine Anderson, Secretary

William H. Meursing, Commissioner