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6/27/07

RESOLUTION NO. 1148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, AUTHORIZING A SOLE SOURCE EMERGENCY PROCESS TO ACQUIRE ELECTRICAL SWITCH GEAR FOR THE EDMONDS WASTEWATER TREATMENT PLANT.

WHEREAS, RCW 39.04.280(1)(a) authorizes use of a sole source bid where a purchase is “clearly and legitimately limited to a single source or supply”, and,

WHEREAS, RCW 39.04.280(1)(c) authorizes the City to waive competitive bidding requirements in the event of an emergency, and

WHEREAS, an emergency is defined by RCW 39.04.280(3) to mean an unforeseen circumstance beyond the control of the municipality that either: (a) presents a real immediate danger to the proper performance of an essential function; or (b) will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken, and

WHEREAS, the City Council has received the report of the manager of the Edmonds Wastewater Treatment Plant describing a potential failure of electrical switch gear equipment which could result in the loss of electricity to the Plant thereby resulting in a sewage overflow and potential violations of the City’s wastewater discharge permit, and

WHEREAS, said report describes that such components have a normal useful life of five (5) years and have not been removed or replaced for sixteen (16) years, and

WHEREAS, the City Council finds and concludes that the immediate preservation of public health requires the passage of this resolution to authorize immediate

purchase of such equipment in that the Plant's operation is the performance of an essential public function within the meaning of the statute, and

WHEREAS, the switch gear will accept breakers only from a single manufacturer, Cutler-Hammer, previously the Westinghouse Corporation, now, therefore,

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

Section 1. The Edmonds City Council hereby authorizes the purchase and installation of electrical switch gear equipment from Eaton Corporation, owner of Cutler-Hammer as:

1.1 An emergency acquisition of the City as authorized by RCW 39.04.280(1)(c); and

1.2 As a sole source purchase pursuant to RCW 39.04.280(1)(a).

Section 2. The Mayor and his designee, the Wastewater Treatment Plant Manager, are hereby authorized to effectuate said purpose in accordance with this resolution.

RESOLVED this 26th day of June, 2007.

APPROVED:

MAYOR, GARY HAAKENSON

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

FILED WITH THE CITY CLERK: 06/26/2007
PASSED BY THE CITY COUNCIL: 06/26/2007
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