

# RESOLUTION 1709

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, DECLARING AN EMERGENCY, WAIVING BIDDING REQUIREMENTS, AND AUTHORIZING THE PURCHASE OF EQUIPMENT AND AWARD OF CONSTRUCTION CONTRACTS TO MAKE EMERGENCY IMPROVEMENTS TO THE UV SYSTEM AT THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of North Bend operates a 2.58 million gallon per day wastewater treatment plant that discharges treated effluent to the South Fork of the Snoqualmie River (“WWTP”); and

**WHEREAS**, the UV units at the WWTP have unexpectedly experienced operational deficiencies that currently impair operation of the treatment system; and

**WHEREAS**, temporary repairs have failed to correct the deficiencies of the UV units, and the City is currently staffing the WWTP twenty-four hours a day, seven days a week to monitor the treatment system; and

**WHEREAS**, Systems Interface, Inc., a control systems integrator, and Keithly Electric, a licensed electrician, inspected the UV units and recommended both interim adjustments and long-term critical and high-priority improvements in order to avoid environmental risks including possible discharge of inadequately treated wastewater into the South Fork of the Snoqualmie River in violation of the City’s National Pollution Discharge Elimination System (“NPDES”) Permit issued by the Washington State Department of Ecology; and

**WHEREAS**, to address the immediate threats to the public health and safety caused by the operational deficiencies of the UV units at the WWTP, the following critically important improvements must be made (the “Improvements”):

1. Replace wiring from control cabinet to the UV bulbs, replace signal wires from control cabinet to the UV sensors, replace UV sensors, replace main circuit board in control cabinet; and
2. System start-up

**WHEREAS**, the Improvements require the purchase of equipment that can only be purchased through Goble Sampson Associates, Inc., the local manufacturer’s representative for Aquionics, a UV systems manufacturer; and

**WHEREAS**, RCW 39.04.280 specifically authorizes the North Bend City Council to waive competitive bidding requirements “in the event of an emergency” and for purchases that are “limited to a single source of supply;” and

**WHEREAS**, in order to avoid adverse environmental impacts, and to remain in compliance with all applicable laws, including the City’s NPDES Permit and Washington State Department of Ecology regulations, and to protect the public health, safety, and welfare of the people, the City must take immediate action to proceed with the Improvements;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1. Emergency Finding.** The North Bend City Council hereby finds that the UV system operational deficiencies that have arisen at the WWTP are the result of unforeseen circumstances beyond the control of the City that present both a real and immediate threat to the proper performance of the WWTP and a risk of material damage to the environment and to the South Fork of the Snoqualmie River if immediate action is not taken to construct the Improvements. The City Council, therefore, declares that an emergency exists related to the WWTP. In addition, the foregoing “Whereas” clauses shall constitute additional North Bend City Council findings of an emergency.

**Section 2. Waiver of Bidding Requirements and Contract Awards.** As a result of the emergency declared in Section 1 of this Resolution, the North Bend City Council hereby waives all bidding requirements consistent with Chapter 39.04 RCW, awards the contracts to the entities listed below in a form and with content approved by the City Attorney, and authorizes the Mayor to enter into said contracts:

Aquionics	\$ 246,453.77
Keithly Electric	\$ 10,345.50

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19<sup>TH</sup> DAY OF JANUARY, 2016.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: January 19, 2016  
Posted: January 20, 2016

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**Susie Oppedal, City Clerk**