

## RESOLUTION NO. 995

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DECLARING THE EXISTENCE OF AN EMERGENCY NECESSITATING THE WAIVER OF COMPETITIVE BIDDING REQUIREMENTS TO ADDRESS THE EMERGENCY TRAFFIC SIGNAL POLE REPLACEMENT LOCATED AT THE INTERSECTION OF HUNT/WOLLOCHET; WAIVING THE REQUIREMENTS OF RCW 39.04.190, RCW 39.04.155, AND CITY OF GIG HARBOR RESOLUTION NO. 797, AS ALLOWED BY RCW 39.04.280; AND AUTHORIZING THE EMERGENCY REPLACEMENT.**

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

WHEREAS, RCW 39.04.280(3) defines an emergency as an unforeseen circumstance beyond the control of the municipality that either (a) presents a real, immediate threat 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, an errant vehicle traveling at a high rate of speed collided with the City's traffic signal pole at the intersection of Hunt/Wollochet, which resulted in the steel pole being unrepairable and in need of replacement; and

WHEREAS, it is the opinion of the City Engineer that time is of the essence in fabricating and installing a new steel pole as the current pole has been rendered non-repairable; and

WHEREAS, the City Engineer concluded that the damaged traffic signal pole required the emergency replacement in order to secure the public health, safety, property and welfare; and that the existing pole would not be able to sustain another impact; and

WHEREAS, because of this emergency, the City is unable to comply with the City's Resolution 797 applicable to bidding procedures; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Finding and Declaration of Emergency. Based upon the WHEREAS clauses above, which are incorporated as findings, the City Council hereby declares that an emergency exists requiring the immediate action by the City in order to preserve the public

health, safety, property and welfare. The Council further declares that the delay necessitated by compliance with the procedures for construction of public works found in City Resolution No. 797, RCW 39.04.190 and RCW 39.04.155, prevents the City from coping with the emergency in time to minimize impact to the City's vital infrastructure.

Section 2. Authorization of Replacement. The City Council hereby authorizes expenditures necessary for the emergency replacement of the traffic signal pole and authorizes the Mayor to execute contracts necessary to complete the work.

RESOLVED by the City Council this 8<sup>th</sup> day of June, 2015.

APPROVED:

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MAYOR, JILL GUERNSEY

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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FILED WITH THE CITY CLERK: 06/03/15  
PASSED BY THE CITY COUNCIL: 06/08/15  
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