

## CITY OF CLE ELUM

### PROCLAMATION OF EMERGENCY AND WAIVER OF PUBLIC WORKS BIDDING REQUIREMENTS

WHEREAS, RCW 39.04.280(1)(c) and (e) provide a general exemption from competitive bidding requirements for all Washington local governments when awarding contracts for public works projects or for purchases of supplies, materials, and equipment in the event of an emergency;

WHEREAS, RCW 39.04.280(3) defines public works “emergency” as “unforeseen circumstances beyond the control of the municipality that either: (a) Present a real, immediate threat to the proper performance of essential functions; 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, on Tuesday, December 7, 2021, the City became aware that an emergency existed as to a sanitary sewer main collapse on Billings Avenue under First Street; and

WHEREAS, City Public Works crews must utilize vacuum trucks daily to remove wastewater from the collapsed main to avoid surcharging into adjacent properties; and

WHEREAS, the Mayor will enter into public works contracts and waive competitive bidding requirements for contracts that are necessary and directly related to the emergency; and

WHEREAS, the Mayor will bring forth any contracts in which the City entered to the City Council at the next City Council meeting for review;

**NOW, THEREFORE**, the undersigned Mayor of the City of Cle Elum, Washington does hereby declare a public works emergency exists within the City as to the Billings Avenue sewer main collapse and will utilize the waiver of public works bidding requirements for those public works contracts that are necessary and directly related to the emergency.

Dated this 22<sup>nd</sup> day of December, 2021.

  
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Jay McGowan, Mayor

Recommended by:

  
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Robert Omans,  
Emergency Manager