

**CITY OF ORTING
WASHINGTON**

RESOLUTION NO. 2014-11

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, FINDING AN EMERGENCY; WAIVING
COMPETITIVE BIDDING REQUIREMENTS; AND,
RATIFYING A PUBLIC WORKS CONTRACT**

WHEREAS, the City owns and operates a two story building in downtown Orting that functions as city hall and the public works department ("City Hall"); housing city staff and equipment, and

WHEREAS, a water leak occurred in a hidden water heater in the kitchen area of the second story of City Hall causing water damage to the kitchen and bathroom on the second floor and the tool storage room on the first floor; and

WHEREAS, during the investigation of the water leak, samples of existing construction materials were taken and tested for the presence of asbestos; and

WHEREAS, the laboratory test results performed by Orion Environmental Services on or about September 18, 2014, confirmed the presence of asbestos in the sample construction materials; and

WHEREAS, the water leak from the hidden water tank, the resulting damage to City Hall, and the presence of asbestos containing material was not foreseen by, and was beyond the control of, the City; and

WHEREAS, the City requires the full functioning of all areas of the City Hall, including the kitchen, bathroom and tool storage area, in order to properly and efficiently maintain and provide public services; and

WHEREAS, the removal of asbestos containing material prior to completion of repairs is necessary in order to ensure the safety of the workers performing the repairs, the employees working at City Hall, and the public who conducts business at City Hall; and

WHEREAS, it was necessary to ensure that any asbestos containing material was safely removed before the work to repair the damage from the water leak could be completed; and

WHEREAS, the City Administrator and Public Works Director both determined that the foregoing circumstances presented an "emergency" within the meaning of RCW 39.04.280 and that a contract should be awarded without competitive bidding due to the emergency; and

WHEREAS, a contract has been awarded for the removal of the asbestos containing

materials and the repairs to City Hall;

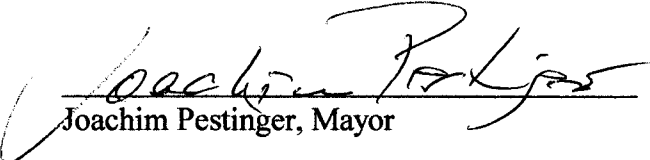
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Incorporation of Recitals; Findings. The above stated recitals are incorporated as though fully set forth herein and are adopted as the findings of the City Council.


Section 2. Declaration of Emergency; Waiver of Competitive Bidding; Ratification of Contract. Based upon the foregoing findings, the City Council does hereby declare an emergency within the meaning of RCW 39.04.280, waives the competitive bidding requirements for the work described therein, and ratifies the contract already awarded for this work.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8TH DAY OF OCTOBER, 2014.

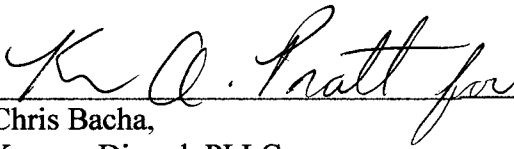
CITY OF ORTING


Joachim Pestinger, Mayor

ATTEST/AUTHENTICATED:


Mark Bethune, City Clerk/Administrator

Approved as to form:


Chris Bacha,
Kenyon Disend, PLLC
City Attorney

Passed by the City Council: 10/8/14
Resolution No.: 2014-11