

**SOUTHWEST SUBURBAN SEWER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 2014-18

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
SOUTHWEST SUBURBAN SEWER DISTRICT, KING COUNTY,
WASHINGTON, FORMALLY DECLARING THE EXISTENCE OF
AN EMERGENCY RELATING TO THE REPLACEMENT OF THE
MILLER CREEK DIGESTER COVER, WAIVING THE FORMAL
BIDDING REQUIREMENTS OF RCW 57.08.050, AND
RATIFYING THE BOARD'S PRIOR DECLARATION OF AN
EMERGENCY.**

WHEREAS, earlier in 2014, the anaerobic digester cover failed at the Miller Creek Plant. Because the District's Miller Creek wastewater treatment plant operates with only two digester covers, it is critical that this project be commenced and completed as soon as possible without further delay. If the second digester cover were to fail, it would seriously impact the operation of the District's Miller Creek Plant; and

WHEREAS, since the time of the Miller Creek digester cover failure, the District's consulting engineer has been working to identify the alternatives to repair or replace the digester cover, as well as the availability of products, suppliers and contractors capable of providing the materials, equipment and labor necessary to complete the repairs or replacement of the digester cover; and

WHEREAS, on November 18, 2014, District staff and the consulting engineer recommended that the Board of Commissioners declare an emergency and waive the competitive bidding requirements pursuant to RCW 57.08.050(5) and RCW 39.04.280 so the District could procure the materials, equipment and contractors necessary to complete the replacement of the digester cover without further delay; and

WHEREAS, because the current situation involved unforeseen circumstances beyond the District's control which presented a real and imminent threat to the proper performance of essential function and was likely to result in a material loss or damage to property if immediate action was not taken, on Tuesday, November 18, 2014, at a regular meeting of the Board of Commissioners, the Board declared an emergency, waived the competitive bidding requirements pursuant to RCW 57.08.050(5) and RCW 39.04.280, and directed District staff to take immediate action in order to replace the Miller Creek plant digester cover; and

WHEREAS, the District Board of Commissioners desires to adopt this resolution to ratify the prior declaration of emergency adopted by motion at the regular meeting on November 18, 2014; now therefore,

BE IT RESOLVED by the Board of Commissioners of Southwest Suburban Sewer District, as follows:

1. The recitals set forth above are incorporated herein in full by this reference.

2. Unforeseen circumstances beyond the control of the District exist which presented a real and imminent threat to the proper performance of essential function and was likely to result in a material loss or damage to property if immediate action was not taken; therefore, pursuant to RCW 39.04.280(1)(e), an emergency is hereby formally declared for the above stated reasons which will allow District staff to take immediate actions to procure the materials, equipment and contractors necessary to complete the replacement of the Miller Creek Plant digester cover without further delay.

3. Due to the existence of an emergency, the formal competitive bidding requirements set forth in Chapter 57.08 RCW are hereby waived. However, to the extent reasonably possible the District may elect to use the small public works process in order to ensure a competitive price for the work to be completed.

4. In order to address and resolve the emergency situation, District staff are hereby authorized to obtain and award all necessary contracts on behalf of the District to provide for the replacement of the digester cover.

5. The Board's prior action on November 18, 2014, declaring an emergency is hereby ratified by the adoption of this Resolution.

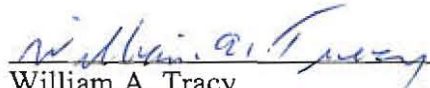
ADOPTED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, at a regular meeting thereof held this 16th day of December, 2014.

SOUTHWEST SUBURBAN SEWER DISTRICT
KING COUNTY, WASHINGTON

Individual Commissioners

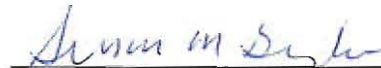
Vote on Resolution

In Favor of:
Opposed:
Abstained:



William A. Tracy
President and Commissioner

In Favor of:
Opposed:
Abstained:



Susan Genzale
Vice President and Commissioner

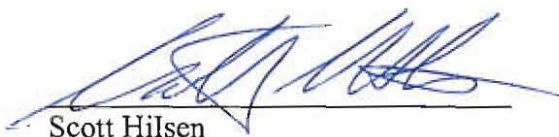
In Favor of:
Opposed:
Abstained:



Scott Hilsen
Secretary and Commissioner

CERTIFICATE

I, Scott Hilsen, Secretary of the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, do hereby certify that the foregoing resolution is a true and correct copy of Resolution No. 2014-18 of such Board, duly adopted at a regular meeting thereof held on the 16th day of December, 2014 signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.

A handwritten signature in blue ink, appearing to read 'Scott Hilsen', is written over a horizontal line.

Scott Hilsen
Secretary of the Board of Commissioners
Southwest Suburban Sewer District