RESOLUTION 2018-10

A RESOLUTION OF THE CITY COUNCIL APPROVING A SPECIFIC EXEMPTION TO COMPETITIVE BID REQUIREMENTS OF THE GARIBALDI MUNICIPAL CODE SECTION 3.10, PUBLIC CONTRACTS, FOR EMERGENCY REPAIR and REPLACEMENT OF TWO OF THE THREE GARIBALDI MAIN SEWERAGE LIFT STATION PUMPS.

WHEREAS, the City has two of the three main sewerage lift station pumps failing frequently in the last month; and

WHEREAS, the nature of the project demands that repair and replacement of the two pumps should be conducted as soon as possible to prevent the possibility of illegal discharges in to Tillamook Bay; and

WHEREAS, state law provides that repair and maintenance of a public improvement is not considered a "public improvement" for purposes of state contracting requirements; and

WHEREAS, state law and Garibaldi Municipal Code authorize use of an alternate contracting method of requesting quotes for a contract less than $150,000; and

WHEREAS, under the alternate method, materials and services can be purchased quickly and for a competitive price; and

WHEREAS, due to the narrow window of opportunity available to complete the repair and replacement pumps it is not possible to award a contract using the competitive sealed bid or request for proposal process, and it is appropriate to use an alternate contracting method.

WHEREAS, Garibaldi Municipal Code (GMC) 3.10.090, Public Contracts, allows for specific exemptions; and

WHEREAS, the GMC 3.10.090(B) states that a Specific Exemption may be made by the Contract Review Board (City Council) for contracts more than $5,000 and less that $150,000 and that such an exemption shall be made by resolution; and

WHEREAS, the City Council determines that completing the pump repair and replacement project before the rains begin and for the lowest available cost will benefit the public good; NOW, THEREFORE,

THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

Section 1. The Garibaldi Contract Review Board hereby approves the use of an alternate contracting method as a specific exemption to public contracting competitive bid requirements, pursuant to GMC 3.10.090(B).

Section 2. The Garibaldi Contract Review Board authorizes staff to obtain three informally solicited competitive quotes for materials and services associated with The Emergency Repair and Replacement of Two of The Three Garibaldi Main Sewerage Lift Station Pumps Project ("Project"). A written record of the three quotes shall be included in subsequent staff reports to the Council. If three quotes are not available, a lesser number will suffice so long as a written record is made of the effort to obtain the quotes.

Section 3. The recitals of this resolution are incorporated herein by reference and adopted as findings in support of this approval of exemption.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR, this 20th day of August, 2018.

Hon. Suzanne McCarthy, Mayor

ATTEST:

Geoff Wullschlager, City Manager Pro -Tem

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