

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON RATIFYING CONTRACT NUMBER 2203G WITH LAKESIDE INDUSTRIES FOR EMERGENCY REPAIR OF PAVEMENT ON HENDERSON BOULEVARD SE**

**WHEREAS**, City staff recently encountered delamination of the pavement, caused by cold temperatures, snow, and then rain, on Henderson Boulevard SE between Plum Street and North Street, and the failure of the road could result in threats to public safety and property damage, including further damage to the pavement that could necessitate costly repairs; and

**WHEREAS**, RCW 39.04.280 requires that, "if a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the governing body or its designee and duly entered of record"; and

**WHEREAS**, the Olympia City Council passed Resolution M-2293 on February 8, 2022, declaring an emergency and waiving competitive bidding requirements for repair of the pavement on Henderson Boulevard SE between Plum Street and North Street, due to the risk of further deterioration to the road and the associated unsafe driving conditions; and

**WHEREAS**, RCW 39.04.280 provides for an exemption from competitive bidding requirements for public works in the event of an emergency; and

**WHEREAS**, based on the determination of an emergency as defined in RCW 39.04.280, the City Engineer thereafter agreed to contract without calling for bids with Lakeside Industries for emergency repairs of the road; and

**WHEREAS**, the total cost of the project is \$392,237.84, including any applicable sales or use tax, with the work to commence on April 4, 2022, and completed by April 8, 2022; and

**WHEREAS**, based on the urgency and total cost of the project, the City Manager signed the agreement with Lakeside Industries as provided in OMC 3.16.100;

**NOW, THEREFORE, BE IT RESOLVED** that the Olympia City Council ratifies the Contract with Lakeside Industries for the repairs to the pavement on Henderson Boulevard SE between Plum Street and North Street constituted an emergency as defined in RCW 39.04.280 because of the risk of further deterioration to the road and the associated unsafe driving conditions presented a real, immediate threat to public safety and property.

**PASSED BY THE OLYMPIA CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

*Michael M. Young*  
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DEPUTY CITY ATTORNEY