

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AND RATIFYING THE EXECUTION OF PUBLIC WORKS EMERGENCY CONTRACTS FOR THE DEVELOPMENT OF FRANZ ANDERSON TINY HOUSE VILLAGE BY THE CITY MANAGER

WHEREAS, the City of Olympia initially declared a Public Health Emergency relating to human health and environmental conditions due to increasing homelessness in Ordinance No. 7146 on July 17, 2018; and

WHEREAS, the City council has voted to continue declaring a public health emergency every six months since its inception, and most recently with the passage of Ordinance No. 7359 on April 18, 2023; and

WHEREAS, the City entered into an agreement with the Department of Commerce to develop and operate a fifty (50) unit tiny house village (*see*, Resolution No. M-2347); and

WHEREAS, RCW 39.04.280(3) defines an 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, RCW 39.04.280 provides for an exemption from competitive bidding requirements for public works in the event of an emergency; and

WHEREAS, RCW 39.04.280(2)(b) 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;”

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby finds that contracts with Propel Construction, Layland Construction, and Pallet Shelter were awarded without competitive bidding due to a public health emergency pursuant to Ordinance No. 7359, and that an emergency was in existence at the time the contracts were executed by the City Manager.
2. The Olympia City Council hereby ratifies and confirms the emergency contracts executed with Propel Construction, Layland Construction, and Pallet Shelter by the City Manager pursuant to the emergency due to homelessness in the City of Olympia under the authority of Ordinance No. 7359 passed on April 18, 2023.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY